

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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March 9, 2022

To: LAFCo Commissioners
From: Rob Bartoli, Interim Executive Officer
Subject: Legislative Report

Summary

Legislative tracker

CALAFCO is currently tracking 24 bills, five of which are carry over bills for the 2021 legislative session.

Legislation that is of interest to San Mateo LAFCo includes:

- SB 938 which would make changes and updates to the protest provisions for the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. In 2019, CALAFCO started to explore potential changes to the protest provision based on recommendations made in the 2017 Little Hoover Commission report (*Special Districts: Improving Oversight and Transparency*). This rewrite effort was undertaken by working group consisting of representatives from CALAFCO and CSDA. The changes to the provision include:
 - Redrafting of existing protest code sections into one main section
 - Create specific circumstances under which a LAFCo may initiate dissolution of a district with a 25% protest threshold, with determinations documented in a Municipal Service Review and presented at a 21-day noticed public hearing. This would be a change from the current 10% protest threshold for LAFCo initiated dissolutions and would be consistent with the 25% threshold for all other initiated actions;

COMMISSIONERS: MIKE O'NEILL, CHAIR, CITY ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
 ▪ WARREN SLOCUM, COUNTY ▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: ROB BARTOLI, INTERIM EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

- Allow for a minimum 12-month remediation period for the district with a progress report provided by the district to the LAFCo halfway through the remediation period; and
- A second 21-day noticed public hearing to determine if the identified issues have been mitigated, which would result in LAFCo either terminating the dissolution or moving forward with the dissolution using 25% protest threshold under the standard protest hearing process already in statute, with a public notice period of 60 days.

The bill was recently introduced and not all the proposed language has been included into the bill. CALAFCO and CSDA legal counsel will work together with the author of the bill, Senator Hertzberg, to amend the bill when they are ready and approved by the working group. CALAFCO is requesting letters of support from LAFCOs for this bill. (*CALAFCO – Sponsored bill*).

- SB 852 which would create the Climate Resilience Districts Act and allow for city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill defines “eligible project” to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought and the risk of flooding. The bill bypasses LAFCo in the formation and oversight of these new districts. The districts appear to not be providing any services but instead acting as a funding mechanism for local climate resilience projects (*CALAFCO – Watch*).
- AB 2957 is the annual Omnibus bill sponsored by CALAFCO. There are three proposed changes to Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:
 1. Current: Government Code Section 56102: “...the change of organization or reorganization shall be deemed to be completed and in existence upon the date of execution of the certificate of completion.”

Proposed: Replace “to be completed and in existence” with “take effect” under GCS 56102
 2. Current: Government Code Sections 56451 through 57463 and 57463 refer to a “successor agency”; No definition in Chapter 2 (Definitions; 56010 et seq.)

Proposed: Add Government Code Section 56078.5: “Successor Agency” means the local agency the Commission designates to wind up the affairs of a dissolved district.

3. Current: Government Code Sections 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b)(2) refer to a “proposal”; CKH Act defines the difference between “applications” under GCS 56017.2 and “proposals” under GCS 56069

Proposed: Replace “proposals” with “applications” within GCS 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b)(2). These sections have “Application” in the headers, but the text uses the word “proposals.”

CALAFCO is requesting letters of support from LAFcos for this bill.

- AB 1640 is similar to an effort in 2021 regarding the establishment of regional climate networks and would allow eligible entities, (including LAFCo), to participate in these regional agencies.

Year End Reports

The California State Assembly – Local Government Committee 2021 report has been published. The LAFCo related bills noted in the report were discussed in the January 2022 LAFCo legislative update.

Legislative and Policy Committee

The Legislative and Policy revied the legislative update on February 23, 2022. While there were no call for letter of support for legislative at the time of the meeting, the Committee was generally supportive of both SB 938 and the LAFCo Omnibus bill, introduced as AB 2957.

Recommended Committee Action:

Receive the report.

Attachments

- A. Legislative Daily Report 3/8/2022
- B. The California State Assembly – Local Government Committee 2021

CALAFCO Daily Legislative Report as of Tuesday, March 08, 2022

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AB 2957 (Committee on Local Government) Local government: reorganization.

Current Text: Introduced: 3/2/2022 [html](#) [pdf](#)

Introduced: 3/2/2022

Status: 3/3/2022-From printer. May be heard in committee April 2.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires that an applicant seeking a change of organization or reorganization to submit a plan for providing services within the affected territory. Current law requires a petitioner or legislative body desiring to initiate proceedings to submit an application to the executive officer of the local agency formation commission, and requires the local agency formation commission, with regard to an application that includes an incorporation, to immediately notify all affected local agencies and any applicable state agency, as specified. This bill would define the term "successor agency," for these purposes to mean the local agency a commission designates to wind up the affairs of a dissolved district.

Attachments:

[LAFCo Support letter template](#)

[CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual Omnibus bill sponsored by CALAFCO. As introduced it makes 3 minor, technical non-substantive changes in CKH: (1) Replaces "to be completed and in existence" with "take effect" under GCS 56102; (2) Adds GCS 56078.5: "Successor Agency" means the local agency the Commission designates to wind up the affairs of a dissolved district; and (3) Replaces "proposals" with "applications" within GCS 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b)(2).

CALAFCO support letter and LAFCo support letter template are in the attachments section.

SB 938 (Hertzberg D) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.

Current Text: Introduced: 2/8/2022 [html](#) [pdf](#)

Introduced: 2/8/2022

Status: 2/16/2022-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under current law, in each county there is a local agency formation commission that oversees these changes of organization and reorganization. With a specified exception, current law provides for protest proceedings for a change of organization or reorganization following adoption of a resolution making certain determinations by the commission, as provided. Current law sets forth required procedures for the commission following a protest hearing depending on the nature of the conducting authority, as defined, the type of change of organization or reorganization, and the results of the protest proceeding. The bill would reorganize and consolidate the above-described procedures. The bill would make conforming changes and remove obsolete provisions.

Attachments:[SB 938 LAFCo support letter template](#)[SB 938 CALAFCO Support letter](#)[SB 938 CALAFCO Fact Sheet](#)[SB 938 Author Fact Sheet](#)**Position:** Sponsor**Subject:** CKH General Procedures, Other

CALAFCO Comments: CALAFCO is the sponsor of this bill. SB 839 represents a collaborative three-year effort (by an 18-member working group) to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a LAFCo may initiate dissolution of a district at the 25 percent protest threshold. In response to a recommendation made in the 2017 Little Hoover Commission report (Special Districts: Improving Oversight and Transparency), CALAFCO initiated a working group of stakeholders in early 2019 to discuss the protest process for dissolutions of special districts.

The bill's current format (dated 2/8/22) represents the restructuring of existing protest provisions scattered throughout CKH. There have been some minor technical language added for clarifications. These changes are all minor in nature (by legislative standards).

The bill will be amended to reflect the newly designed process that codifies the ability for LAFCo to initiate a district dissolution at 25% protest threshold. The conditions under which this can occur include one or more of the following, any/all of which must be documented via determinations in a Municipal Service Review (MSR):

1. The agency has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies;
2. The agency spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the agency and has not taken any action to prevent similar future spending;
3. The agency has consistently shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws the agency is subject to;
4. The agency has failed to meet the minimum number of times required in its governing act in the prior calendar year and has taken no action to remediate the failures to meet to ensure future meetings are conducted on a timely basis;
5. The agency has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Government Code section 26909 over the prior five years as an alternative to performing an audit, or the agency's recent annual audits show chronic issues with the agency's fiscal controls and the agency has taken no action to remediate the issues.

The proposed process is:

1. LAFCo to present the MSR in a 21-day noticed public hearing. At that time the LAFCo may choose to adopt a resolution of intent to dissolve the district. The resolution shall contain a minimum 12-month remediation period.
2. The district will have a minimum of 12 months to remediate the deficiencies.
3. Half-way through the remediation period, the district shall provide LAFCo a written report on the progress of their remediation efforts. The report is to be placed on a LAFCo meeting agenda and presented at that LAFCo meeting.
4. At the conclusion of the remediation period, LAFCo conducts another 21-day noticed public hearing to determine if district has remedied deficiencies. If the district has resolved issues, commission rescinds the resolution of intent to dissolve the district and the matter is dropped. If not, commission adopts a resolution making determinations to dissolve the district.
5. Standard 30-day reconsideration period.
6. Protest proceedings at 25% threshold can be noticed with a required 60-day protest period.
7. Protest hearing is held and amount of qualified protests determined based on 25% threshold. LAFCo either orders dissolution, election, or termination.

As this bill - when amended - adds requirements for LAFCos and districts, it will likely be keyed fiscal (for now it is not). An author fact sheet and CALAFCO fact sheet are posted in our attachments section as well as the CALAFCO Support letter and LAFCo support letter template.

[SB 1490](#) (Committee on Governance and Finance) Validations.**Current Text:** Introduced: 2/28/2022 [html](#) [pdf](#)**Introduced:** 2/28/2022**Status:** 3/1/2022-From printer.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the First Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Watch**Subject:** LAFCo Administration**CALAFCO Comments:** This is the first of three annual validating acts.**[SB 1491](#) (Committee on Governance and Finance) Validations.****Current Text:** Introduced: 2/28/2022 [html](#) [pdf](#)**Introduced:** 2/28/2022**Status:** 3/1/2022-From printer.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the Second Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Watch**Subject:** LAFCo Administration**CALAFCO Comments:** This is the second of three annual validating acts**[SB 1492](#) (Committee on Governance and Finance) Validations.****Current Text:** Introduced: 2/28/2022 [html](#) [pdf](#)**Introduced:** 2/28/2022**Status:** 3/1/2022-From printer.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the Third Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position: Watch**Subject:** LAFCo Administration**CALAFCO Comments:** This is the third of three annual validating acts.

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[AB 1640](#) (Ward D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.**Current Text:** Introduced: 1/12/2022 [html](#) [pdf](#)**Introduced:** 1/12/2022**Status:** 1/20/2022-Referred to Com. on NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/21/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary:

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. Existing 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, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks.

Attachments:

[AB 1640 Author Fact](#)

Subject: Climate Change

CALAFCO Comments: This bill is a follow up and very similar to AB 897 (2021). The bill would authorize eligible entities, as defined (including LAFCo), to establish and participate in a regional climate network, as defined. The bill would authorize a regional climate network to engage in activities to address climate change, as specified. Further, it requires a regional climate network to develop a regional climate adaptation and resilience action plan and to submit the plan to OPR for review, comments, and certification. The bill would require OPR to: (1) encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks; (2) develop and publish guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks by 7-1-23; and (3) provide technical assistance to regions seeking to establish a regional climate network, facilitate coordination between regions, and encourage regions to incorporate as many eligible entities into one network as feasible.

The difference between this bill and AB 897 is this bill removes requirements for OPR to develop guidelines and establish standards and required content for a regional climate adaptation and resilience action plan (to be produced by the network), and removes some specified technical support requirements by OPR. Those requirements were covered in SB 170, a budget trailer bill from 2021.

The bill is author-sponsored and keyed fiscal. An author fact sheet is included in our attachments area.

[AB 1773](#) ([Patterson R](#)) Williamson Act: subvention payments: appropriation.

Current Text: Introduced: 2/3/2022 [html](#) [pdf](#)

Introduced: 2/3/2022

Status: 2/10/2022-Referred to Coms. on AGRI. and L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts and continuously appropriates General Fund moneys for that purpose. This bill, for the 2022-23 fiscal year, would appropriate an additional \$40,000,000 from the General Fund to the Controller to make subvention payments to counties, as provided, in proportion to the losses incurred by those counties by reason of the reduction of assessed property taxes. The bill would make various findings in this regard.

Attachments:

[AB 1773 Author Fact Sheet](#)

Position: Watch

Subject: Ag Preservation - Williamson

CALAFCO Comments: AB 1773 resurrects funding the Williamson Act for the 2022-2023 budget year. The Williamson Act was created to preserve open space and conserve agricultural land. For many years, the state funded the Act at around \$35-\$40 million per year. This funding ceased during the recession, and has not been reinstated since. AB 1773 would allocate \$40 million from the General Fund to the Williamson Act for the purpose of subvention payments.

The bill is author-sponsored, has a general-fund appropriation, and is keyed fiscal. An author fact sheet is posted in our attachments section.

[AB 1944](#) (Lee D) Local government: open and public meetings.

Current Text: Introduced: 2/10/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Status: 2/18/2022-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public when the legislative body has elected to allow members to participate via teleconferencing.

Attachments:

[AB 1944 Author Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill would delete the requirement that an individual participating in a Brown Act meeting remotely from a non-public location must disclose the address of the location. If the governing body chooses to allow for remote participation, it must also provide video streaming and offer public comment via video or phone.

The bill is author sponsored and keyed fiscal. The author's fact sheet is posted in our attachments area.

[AB 2081](#) (Garcia, Eduardo D) Municipal water districts: water service: Indian lands.

Current Text: Introduced: 2/14/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Status: 2/24/2022-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Current law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, until January 1, 2023, under specified circumstances, to apply to the applicable local agency formation commission to provide this service of water to Indian lands, as defined, that are not within the district and requires the local agency formation commission to approve such an application. This bill would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2025.

Attachments:

[AB 2081 Author Fact Sheet](#)

Position: Watch

Subject: Water

CALAFCO Comments: This bill extends the sunset date created in AB 1361 (2017). Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also

authorizes a district, under specified circumstances, to apply to the applicable LAFCo to provide this service of water to Indian lands, as defined, that are not within the district and requires the LAFCo to approve such an application. This bill extends the sunset date from January 1, 2023 to January 1, 2025.

CALAFCO opposed AB 1361 in 2017 as the process requires LAFCo to approve the extension of service, requires the district to extend the service, and does not require annexation upon extension of service. CALAFCO reached out to the author's office requesting information as to the reason for the extension and we have not been given a reason.

The bill is keyed fiscal. An author fact sheet is included in the attachments area.

AB 2449 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Status: 3/3/2022-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill authorizes the use of teleconferencing without noticing and making available to the public teleconferencing locations if a quorum of the members of the legislative body participate in person from a singular location that is noticed and open to the public and require the legislative body to offer public comment via video or phone.

CALAFCO reached out to the author's office for information and we've not yet heard back. The bill is not keyed fiscal.

AB 2647 (Levine D) Local government: open meetings.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Status: 2/19/2022-From printer. May be heard in committee March 21.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates or post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill seeks to amend the law to make clear that writings that have been distributed to a majority of a local legislative body less than 72 hours before a meeting can be posted online in order to satisfy the law.

The bill is sponsored by the League of Cities and is not keyed fiscal.

[SB 852](#) ([Dodd D](#)) **Climate resilience districts: formation: funding mechanisms.**

Current Text: Introduced: 1/18/2022 [html](#) [pdf](#)

Introduced: 1/18/2022

Status: 2/7/2022-Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 31. Noes 6.) Joint Rule 55 suspended. (Ayes 31. Noes 6.)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. Existing law provides for the financing of these activities by, among other things, the issuance of bonds serviced by property tax increment revenues, and requires the authority to adopt a community revitalization and investment plan for the community revitalization and investment area that includes elements describing and governing revitalization activities. This bill would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would define "eligible project" for these purposes.

Attachments:

[SB 852 Author Fact Sheet](#)

Position: Watch

Subject: Special District Principle Acts

CALAFCO Comments: This bill creates the Climate Resilience Districts Act. The bill completely bypasses LAFCo in the formation and oversight of these new districts because the districts are primarily being created as a funding mechanism for local climate resilience projects (as a TIF or tax increment finance district - for which LAFCos also have no involvement).

The bill authorizes a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill defines "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill authorizes a district created pursuant to these provisions to have boundaries that are identical to the boundaries of the participating entities or within the boundaries of the participating entities. The bill also authorizes specified local entities to adopt a resolution to provide property tax increment revenues to the district. The bill would also authorize specified local entities to adopt a resolution allocating other tax revenues to the district, subject to certain requirements. The bill would provide for the financing of the activities of the district by, among other things, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. It requires 95% of monies collected to fund eligible projects, and 5% for district administration. The bill would require each district to prepare an annual expenditure plan and an operating budget and capital improvement budget, which must be adopted by the governing body of the district and subject to review and revision at least annually.

Section 62304 details the formation process, Section 62305 addresses the district's governance structure, and 62307 outlines the powers of the district.

This bill is sponsored by the Local Government Commission and is keyed fiscal. A fact sheet is included in our attachments section.

[SB 1100](#) ([Cortese D](#)) **Open meetings: orderly conduct.**

Current Text: Introduced: 2/16/2022 [html](#) [pdf](#)

Introduced: 2/16/2022

Status: 2/23/2022-Referred to Coms. on GOV. & F. and JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

3/17/2022 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE GOVERNANCE AND FINANCE, CABALLERO, Chair

Summary:

Would authorize the members of the legislative body conducting a meeting to remove an individual for willfully interrupting the meeting. The bill, except as provided, would require removal to be preceded by a warning, either by the presiding member of the legislative body or a law enforcement officer, that the individual is disrupting the proceedings and a request that the individual curtail their disruptive behavior or be subject to removal. The bill would similarly require a warning before clearing a meeting room for willful interruptions by a group or groups. The bill would define "willfully interrupting" to mean intentionally engaging in behavior during a meeting of a legislative body that substantially impairs or renders infeasible the orderly conduct of the meeting in accordance with law. The term would include failure to comply with a reasonable regulation adopted in accordance with existing law after a warning and request in accordance with the bill, as applicable. By establishing new requirements for local legislative bodies, this bill would impose a state-mandated program.

Attachments:

[SB 1100 Author Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill would authorize the removal of an individual from a public meeting who is "willfully interrupting" the meeting after a warning and a request to stop their behavior. "Willfully interrupting" is defined as intentionally engaging in behavior during a meeting of a legislative body that substantially impairs or renders infeasible the orderly conduct of the meeting in accordance with law.

The bill is author-sponsored and keyed fiscal. An author fact sheet is posted in our attachments section.

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[AB 897](#) ([Mullin D](#)) **Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.**

Current Text: Amended: 7/14/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 7/14/2021

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

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, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:

[CALAFCO Support July 2021](#)

[AB 897 Fact Sheet](#)

Position: Support

Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

2/24/22 UPDATE: It appears this bill is being replaced with AB 1640 (Ward, Mullin, etc.). CALAFCO will keep this bill on Watch and follow the new bill.

AB 903 (Frazier D) Los Medanos Community Healthcare District.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 5/19/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the

district's health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022.

2022 UPDATE: Given Member Frazier is no longer in the Assembly and the appellate court overturned the lower court's decision, it is likely the bill will not move forward. CALAFCO will retain WACTH on the bill.

AB 975 (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.

Current Text: Amended: 5/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/18/2021

Status: 2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

Position: Watch

Subject: FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

UPDATE AS OF 2/24/22 - The author's office indicates they are moving forward with the bill this

year and are planning amendments. They are not clear what those amendments will be so CALAFCO will retain a WATCH position on the bill.

AB 1195 (Garcia, Cristina D) Drinking water.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/24/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 6/9/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

Attachments:

[CALAFCO Letter of Concern - April 2021](#)

[AB 1195 Fact Sheet](#)

Position: Watch With Concerns

Subject: Water

CALAFCO Comments: As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THIS IS NOW A 2-YEAR BILL.

UPDATE AS OF 2/10/22 - According to the author's office, the author is not intending to move the bill forward at this time. CALAFCO will continue to WATCH and monitor the bill. As a result, the bill was downgraded from a P-1 to a P-3.

AB 1935 (Grayson D) Resource conservation districts: formation.

Current Text: Introduced: 2/10/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Status: 2/18/2022-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes the formation of a resource conservation district in accordance with prescribed procedures for the control of runoff, the prevention or control of soil erosion, the development and distribution of water, and the improvement of land capabilities. Under current law, a proposal to form a district may be made by a petition of registered voters, as specified. Current law requires, within 30 days after the date of filing a petition, the executive officer of the local agency formation commission to cause the petition to be examined and prepare a certificate of sufficiency, as provided. Current law authorizes, within 15 days after a notice of insufficiency, the chief petitioners to file with the executive officer a supplemental petition, as provided. Current law requires, within 10 days after the date of filing a supplemental petition, the executive officer to examine the supplemental petition and certify in writing the results of their examination. This bill would increase the amount of time, from 30 to 45 days after the date of filing a petition, for the executive officer of the local agency formation commission to cause the petition to be examined and prepare a certificate of sufficiency.

Position: Placeholder - Spot Bill

Subject: LAFCo Administration

CALAFCO Comments: According to the author's office, this is a spot bill and the topic will change. CALAFCO was unaware of the bill prior to introduction.

AB 2041 (Garcia, Eduardo D) California Safe Drinking Water Act: primary drinking water standards: compliance.

Current Text: Introduced: 2/14/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Status: 2/24/2022-Referred to Com. on E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the State Water Resources Control Board to take specified actions if the state board adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures.

Attachments:

[AB 2041 Author Fact Sheet](#)

Position: Watch

Subject: Water

CALAFCO Comments: This bill would require the SWRCB to take specified actions if the SWRCB adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require

financial assistance in procuring and installing the necessary measures.

CALAFCO reached out to the author's office for information on the bill and has not heard back. The bill is keyed fiscal. An author fact sheet is attached.

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 7/1/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was H. & C.D. on 6/24/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. 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.

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: UPDATE 2/24/22: According to the author's office, they do plan to move this bill forward in 2022 and no other details are available at this time.

SB 418 (Laird D) Pajaro Valley Health Care District.

Current Text: Chaptered: 2/4/2022 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 1/24/2022

Status: 2/4/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 1, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would create the Pajaro Valley Health Care District, as specified, except that the bill would authorize the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors.

Position: Watch

Subject: Special District Principle Acts

CALAFCO Comments: Gut and amended on 1/14/22, this bill forms the Pajaro Valley Health Care District within Santa Cruz and Monterey counties. The formation, done by special legislation, bypasses the LAFCo process, with language explicitly stating upon formation, LAFCo shall have authority. The bill requires that within 5 years of the date of the first meeting of the Board of Directors of the district, the board of directors shall divide the district into zones. The bill would require the district to notify Santa Cruz LAFCo when the district, or any other entity, acquires the Watsonville Community Hospital. The bill requires the LAFCo to order the dissolution of the district if the hospital has not been acquired by January 1, 2024 through a streamlined process, and requires the district to notify LAFCo if the district sells the Watsonville Community Hospital to another entity or stops providing health care services at the facility, requiring the LAFCo to dissolve the district under those circumstances in a streamlined process.

Given the hospital has filed bankruptcy and this is the only hospital in the area and serves disadvantaged communities and employs a large number of people in the area, the bill has an urgency clause.

Several amendments were added on 1/24/22 by the ALGC and SGFC all contained within Section

32498.7.

CALAFCO worked closely with the author's office, Santa Cruz County lobbyist and the Santa Cruz and Monterey LAFcos on this bill. We have requested further amendments which the Senator has agreed to take in a follow-up bill this year. Those amendments include requiring Santa Cruz LAFco to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFco for the first 3 years, Santa Cruz LAFco conducting a special study on the district after 3 years, and representation from both counties on the governing board.

The bill is sponsored by the Pajaro Valley Healthcare District Project and is not keyed fiscal.

SB 969 (Laird D) Pajaro Valley Health Care District.

Current Text: Amended: 3/2/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amended: 3/2/2022

Status: 3/2/2022-From committee with author's amendments. Read second time and amended.

Re-referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law creates the Pajaro Valley Health Care District, as specified, and authorizes the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors. Current law requires, within 5 years of the date of the first meeting of the Board of Directors of the Pajaro Valley Health Care District, the board of directors to divide the district into zones and number the zones consecutively. Current law requires the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to govern any organizational changes for the district after formation. Current law requires the district to notify the County of Santa Cruz local agency formation commission (LAFCO) when the district, or any other entity, acquires the Watsonville Community Hospital. Existing law requires the LAFCO to dissolve the district under certain circumstances. This bill would require the LAFCO to develop and determine a sphere of influence for the district within one year of the district's date of formation, and to conduct a municipal service review regarding health care provision in the district by December 31, 2025, and by December 31 every 5 years thereafter.

Position: Watch

Subject: Other

CALAFCO Comments: This bill is a follow up to SB 418 (Laird) and contains some of the amendments requested by CALAFCO and Monterey and Santa Cruz LAFcos. As introduced the bill requires Santa Cruz LAFco to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFco for the first 2 years, Santa Cruz LAFco conducting a Municipal Service Review on the district every 5 years with the first being conducted by 12-31-25. Our final requested amendment, ensuring representation from both counties on the governing board, is still being worked on and not reflected in the introduced version of the bill.

SB 1449 (Caballero D) Unincorporated areas.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Status: 2/22/2022-From printer.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would state the intent of the Legislature to establish the policy of the state to ensure that the living standards within unincorporated areas of the state are consistent with standards of cities within the same county and funding mechanisms to support the financial investments required by cities and counties to accomplish this goal.

Position: Placeholder - Spot Bill

Subject: Other

CALAFCO Comments: This is currently a spot bill. According to the author's office, they are working on state funding to incentivize annexation of inhabited territory (when the VLF was taken away, so too was any financial incentive to annex inhabited territory). For many years bills have

been run to reinstate funding, none of which have ever successfully passed. There is no other information available on this bill at this time. CALAFCO will continue conversations with the author's office as this is an important topic for LAFCos. (The bill will remain a P-3 until amended.)

SB 1489 (Committee on Governance and Finance) Local Government Omnibus Act of 2022.

Current Text: Introduced: 2/28/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 3/1/2022-From printer.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law sets forth requirements for the passage of city ordinances. Current law requires ordinances to be read in full either at the time of introduction or passage except when, after reading the title, further reading is waived by regular motion adopted by majority vote of the legislative body. This bill would provide that a reading of the title or ordinance is not required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

Position: Watch

CALAFCO Comments: This is the Senate Governance & Finance Committee annual omnibus bill.

Total Measures: 24

Total Tracking Forms: 24

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

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LEGISLATIVE SUMMARY



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December 15, 2021

TO ALL INTERESTED PARTIES:

The 2021 legislative year was not as dramatically different from pre-pandemic life as the year prior. However, the California Legislature and the Assembly Local Government Committee were not quite able to “return to normal” as we might have hoped. Committees continued many of the hearing practices that were instituted in 2020, and again saw a reduction in the number of bills we were able to hear compared to pre-COVID years.

A total of 131 bills were referred to the Local Government Committee in 2021, including 90 Assembly Bills and 41 Senate bills. The Committee heard 91 bills over the course of seven hearings. This was a healthy increase over 2020, when the Committee heard only 29 measures in only four hearings. However, it was still down from the 108 measures heard over the course of 10 hearings in 2019.

This summary includes a brief description of all bills the Committee heard, divided into the following categories: Contracting and Procurement; Elections; Energy and Telecommunications; Finance; Governance; Housing and Land Use; Local Agency Formation Commissions; Powers and Duties; Transparency and Accountability; Transportation; Water; and, Wildfires. For quick and easy reference, please see the table of contents in the beginning of this document or the index located at the end.

While the pandemic continued to restrict our opportunities to work on as much legislation as was typical before 2020, the Committee was able to move forward in 2021 to what will hopefully be a return to pre-pandemic levels in the coming year. If you need additional information regarding this summary, please contact the Assembly Local Government Committee at (916) 319-3958.

Sincerely,

A handwritten signature in black ink that reads "Cecilia M. Aguiar-Curry". The signature is written in a cursive style with a large, looping final flourish.

CALIFORNIA LEGISLATURE

Assembly Local Government Committee

2021 Legislative Bill Summary

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CONTRACTING AND PROCURMENT

AB-36 (Gallagher) - Design-build contracting: Town of Paradise

Allows the use of design-build for a water conveyance pipeline from the Town of Paradise to the City of Chico, and for the provision of sewer treatment to the Town of Paradise.

Status: Chapter 689, Statutes of 2021

AB-271 (Robert Rivas) - Santa Clara Valley Water District: contracts: best value procurement.

Allows the Santa Clara Valley Water District to award contracts on a best value basis for any construction work to improve the safety of the Leroy Anderson Dam and Reservoir.

Status: Chapter 48, Statutes of 2021

AB-394 (Arambula) - Fresno Metropolitan Flood Control District: contracts.

Would have increased the bid threshold from \$10,000 to \$25,000 for contracts entered into by the Fresno Metropolitan Flood Control District for materials or supplies.

Status: Assembly-In Committee Process - Local Government

AB-577 (Gallagher) - County drainage districts: levee districts: reclamation districts.

Would have established or increased bid thresholds for construction contracts for county drainage districts, levee districts, and reclamation districts.

Status: Assembly-In Committee Process - Local Government

AB-712 (Calderon) - Local Agency Public Construction Act: change orders: County of Los Angeles.

Temporarily increases the limits that apply to change orders that can be approved pursuant to a delegated authority for specified contracts entered into by Los Angeles County.

Status: Chapter 95, Statutes of 2021

AB-811 (Luz Rivas) - Los Angeles County Metropolitan Transportation Authority: contracting.

Eliminates a required finding and two-thirds vote that the Los Angeles County Metropolitan Transportation Authority must make before entering into specified contracts.

Status: Chapter 414, Statutes of 2021

[AB-1592 \(Committee on Local Government\) - Fresno Metropolitan Flood Control District: contracts.](#)

Increases Fresno Metropolitan Flood Control District's contract bid threshold for the purchase of materials or supplies.

Status: Chapter 32, Statutes of 2021

[SB-333 \(Eggman\) - San Joaquin Regional Transit District: procurement.](#)

Increases the bid threshold for the San Joaquin Regional Transit District's (RTD) purchase of supplies, equipment, and materials, and allows RTD to use best value procurement for these contracts.

Status: Chapter 217, Statutes of 2021

ELECTIONS

[AB-428 \(Mayes\) - Local government: board of supervisors.](#)

Establishes a minimum of two terms for the term limits allowed for a member of a county board of supervisors, and specifies that a county board of supervisors is included in the definition of county officers for whom the board prescribes compensation.

Status: Chapter 462, Statutes of 2021

[AB-1307 \(Cervantes\) - County of Riverside Citizens Redistricting Commission.](#)

Would have created a Citizens Redistricting Commission for the County of Riverside.

Status: Assembly-In Committee Process - Elections

[AB-1546 \(Chau\) - City of Alhambra: charter amendment: Alhambra Unified School District: California Voting Rights Act.](#)

Allows the City of Alhambra to submit a proposal at a special election to remove from the City's charter all references to the Alhambra Unified School District.

Status: Chapter 145, Statutes of 2021

ENERGY AND TELECOMMUNICATIONS

[AB-14 \(Aguilar-Curry\) - Communications: broadband services: California Advanced Services Fund.](#)

Extends the sunset for the California Advanced Services Fund surcharge, allows the California Public Utilities Commission (CPUC) to limit cost-shifts for the surcharge, and authorizes the CPUC to collect specified information about affordable internet plans from internet service providers.

Status: Chapter 658, Statutes of 2021

[AB-537 \(Quirk\) - Communications: wireless telecommunications and broadband facilities.](#)

Makes several changes to existing law that requires an application for a wireless telecommunications facility to be deemed approved.

Status: Chapter 467, Statutes of 2021

[AB-1124 \(Friedman\) - Solar energy systems.](#)

Revises the definition of "solar energy system" as that term is used for the purpose of local permitting of such systems, including the allowable fees a local agency may charge, and clarifies the permit fees local agencies may charge for commercial and residential solar energy systems.

Status: Chapter 235, Statutes of 2021

[AB-1166 \(Grayson\) - Communications: wireless telecommunications facilities.](#)

Would have made several changes to existing law that requires an application for a wireless telecommunications facility to be deemed approved.

Status: Assembly-In Committee Process - Local Government

[SB-378 \(Gonzalez\) - Local government: broadband infrastructure development project permit processing: microtrenching permit processing ordinance.](#)

Enacts the Broadband Deployment Acceleration Best Practices Act of 2021 and requires local governments to allow microtrenching for the installation of underground fiber optic equipment.

Status: Chapter 677, Statutes of 2021

[SB-556 \(Dodd\) - Street light poles, traffic signal poles: small wireless facilities attachments.](#)

Would have required street light poles and traffic signal poles owned by a local government or local publicly owned electric utility to be made available for the placement of small wireless facilities, outlined the rates and fees that may be imposed for such use of these poles, and established the processes for reviewing and responding to requests for placing these facilities on these poles.

Status: Vetoed

FINANCE

[AB-119 \(Salas\) - County auditor: direct levies.](#)

Would have required county auditors, or another county officer designated by the county, to make publicly available on their internet websites information about direct levies, as defined, including the range of combined direct levies assessed on real property, as specified.

Status: Assembly-In Committee Process - Local Government

[AB-336 \(Villapudua\) - Enhanced infrastructure financing districts: public financing authority: members: joint powers authorities.](#)

Specifies who may serve as a member of the governing body of an enhanced infrastructure financing district's public financing authority.

Status: Chapter 22, Statutes of 2021

[AB-460 \(Mayes\) - Fire protection: residential fire sprinklers: fees.](#)

Would have, among other things, prohibited water-related fees imposed on the owner of residential property from being affected by the installation of a residential fire sprinkler system on that residential property, including those residential fire sprinkler systems mandated by a local jurisdiction or a fire protection district, and would have provided that homes with residential fire sprinklers installed before January 1, 2022, may have their water meter rates reassessed to comply with this prohibition.

Status: Assembly-In Committee Process - Local Government

[AB-464 \(Mullin\) - Enhanced Infrastructure Financing Districts: allowable facilities and projects.](#)

Expands the types of facilities and projects Enhanced Infrastructure Financing Districts may fund.

Status: Chapter 25, Statutes of 2021

[AB-687 \(Seyarto\) - Joint powers authorities: Riverside County Housing Finance Trust.](#)

Allows Riverside County and specified cities within western Riverside County to create the Western Riverside County Housing Finance Trust.

Status: Chapter 120, Statutes of 2021

[AB-726 \(Eduardo Garcia\) - Capital investment incentive program: qualified manufacturing facility.](#)

Specifies that a business engaged in the manufacturing of fuels, electrical parts, or components used in the field of clean transportation or the production of alternative fuel vehicles or electric vehicles is a qualified manufacturing facility for the purposes of the Capital Investment Incentive program.

Status: Chapter 121, Statutes of 2021

[AB-747 \(Mathis\) - Water treatment facility: State Water Resources Control Board: grant.](#)

Would have appropriated \$20,000,000 from the General Fund to the State Water Resources Control Board for the purpose of improving water treatment, and would have required the Board to grant \$20,000,000 to a specified joint powers authority for a water treatment facility to be operated by the joint powers authority.

Status: Assembly-In Committee Process - Environmental Safety and Toxic Materials

[AB-758 \(Nazarian\) - Marks-Roos Local Bond Pooling Act of 1985: electric utilities: rate reduction bonds.](#)

Expands the authorization for specified joint powers authorities to issue rate reduction bonds for local publicly owned water utilities to also include publicly-owned electric utilities, and makes other changes to that authorization.

Status: Chapter 233, Statutes of 2021

[AB-922 \(Eduardo Garcia\) - Redevelopment: housing successor: Low and Moderate Income Housing Asset Fund.](#)

Would have expanded the definition of “excess surplus” to also include, for an entity operating as a housing successor agency that owns and operates affordable housing that was transferred to the housing successor agency as a housing asset of the former redevelopment agency, an unencumbered amount in the housing successor’s Low and Moderate Income Housing Asset Fund that exceeds the greater of \$1,000,000 or the aggregate amount deposited into the account during the housing successor’s preceding 8 fiscal years, whichever is greater.

Status: Assembly-In Committee Process - Housing and Community Development

[AB-1013 \(Lackey\) - State mandates: claims.](#)

Would have changed the minimum claim amount for state mandate reimbursement to \$900.

Status: Assembly-In Committee Process - Local Government

[AB-1085 \(Bigelow\) - Property tax: revenue allocations: County of Madera.](#)

Would have required the Auditor of the County of Madera to reallocate \$4,627,723 from the County’s Educational Revenue Augmentation Fund.

Status: Senate-In Committee Process - Appropriations

[AB-1324 \(Robert Rivas\) - Transit-Oriented Affordable Housing Funding Program Act.](#)

Would have established the Transit-Oriented Affordable Housing Funding Program, to be administered by the Treasurer’s office.

Status: Assembly-In Committee Process - Housing and Community Development

[AB-1543 \(Bloom\) - Affordable Housing and Community Development Funding Act.](#)

Would have modified the requirement to distribute remaining moneys in the Redevelopment Property Tax Trust Fund by requiring, for the period commencing on January 2, 2025, until the successor is dissolved, that 20% of the amount that would otherwise be allocated to local agencies and school entities that exceeds the amount transferred between January 1, 2024, and January 1, 2025, inclusive, be deposited in the Low and Moderate Income Housing Fund if specified conditions are met.

Status: Assembly-In Committee Process - Housing and Community Development

[ACA-1 \(Aguir-Curry\) - Local government financing: affordable housing and public infrastructure: voter approval.](#)

Would have proposed amendments to the California Constitution to allow a city, county, or special district, with 55% voter approval, to incur bonded indebtedness or impose specified special taxes to fund projects for affordable housing, permanent supportive housing, or public infrastructure.

Status: Assembly-In Committee Process - Local Government

[SB-323 \(Caballero\) - Local government: water or sewer service: legal actions.](#)

Establishes a 120 day statute of limitations on judicial challenges to water and sewer rates.

Status: Chapter 216, Statutes of 2021

[SB-431 \(Rubio\) - Street lighting systems: City of West Covina.](#)

Authorizes the Landscaping and Lighting District of the City of West Covina to perform maintenance and make improvements pursuant to the Landscaping and Lighting Act of 1972.

Status: Chapter 35, Statutes of 2021

[SB-438 \(Laird\) - Redevelopment: enforceable obligations: City of Atascadero.](#)

Would have made specified loan agreements between the City of Atascadero and its former redevelopment agency enforceable obligations.

Status: Assembly-In Committee Process - Appropriations

[SB-476 \(Min\) - California Financing Law: program administrators.](#)

Would have prohibited a Property Assessed Clean Energy (PACE) program administrator from executing an assessment contract unless the associated property has undergone an energy audit, as specified, and prohibited a PACE program

administrator from disbursing funds to a PACE solicitor or PACE solicitor agent without specified proof of project completion.

Status: Assembly-Failed Passage in Committee - Local Government

[SB-780 \(Cortese\) - Local finance: public investment authorities.](#)

Makes numerous changes to enhanced infrastructure financing districts and community revitalization infrastructure authorities.

Status: Chapter 391, Statutes of 2021

[SB-810 \(Committee on Governance and Finance\) - Validations.](#)

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies.

Status: Chapter 36, Statutes of 2021

[SB-811 \(Committee on Governance and Finance\) - Validations.](#)

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies.

Status: Chapter 37, Statutes of 2021

[SB-812 \(Committee on Governance and Finance\) - Validations.](#)

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies.

Status: Chapter 38, Statutes of 2021

GOVERNANCE

[AB-336 \(Villapudua\) - Enhanced infrastructure financing districts: public financing authority: members: joint powers authorities.](#)

Specifies who may serve as a member of the governing body of an enhanced infrastructure financing district's public financing authority.

Status: Chapter 22, Statutes of 2021

[AB-428 \(Mayes\) - Local government: board of supervisors.](#)

Establishes a minimum of two terms for the term limits allowed for a member of a county board of supervisors, and specifies that a county board of supervisors is included in the definition of county officers for whom the board prescribes compensation.

Status: Chapter 462, Statutes of 2021

AB-903 (Frazier) - Los Medanos Community Healthcare District.

Would have dissolved the Los Medanos Community Healthcare District and designated the County of Contra Costa as the successor agency to the district.

Status: Senate-In Committee Process - Governance and Finance

AB-924 (Wicks) - Alameda Health System: hospital authority.

Would have prohibited the existence of up to 3 county employees who were appointed by the board of supervisors simultaneously serving on the governing board of the Alameda Health System from being a basis to determine that the System is not an independent entity or that the System has not obtained the administration, management, and control of the medical center.

Status: Assembly-In Committee Process - Local Government

AB-1021 (Mayes) - Imperial Irrigation District.

Would have required the local agency formation commissions in Imperial and Riverside Counties to conduct a study of governance options for the Imperial Irrigation District electrical service area.

Status: Vetoed

AB-1091 (Berman) - Santa Clara Valley Transportation Authority: board of directors.

Would have made changes to the Board of the Santa Clara Valley Transportation Authority.

Status: Assembly - Floor - Inactive File

AB-1196 (Cooley) - Sacramento Regional Transit District: board of directors: voting procedures.

Changes the voting structure of the Sacramento Regional Transit District Board.

Status: Chapter 272, Statutes of 2021

SB-268 (Archuleta) - Parks and recreation: Lower Los Angeles River Recreation and Park District: Lower San Gabriel River Recreation and Park District: establishment: board of directors.

Makes changes to the board of directors for the Lower Los Angeles River Recreation and Park District and the Lower San Gabriel River Recreation and Park District, and makes additional changes to district formation.

Status: Chapter 761, Statutes of 2021

SB-458 (McGuire) - Military base reuse authority: board of directors.

Would have specified that a majority of the voting members of a Military Base Reuse Authority board constitute a quorum and may act for the authority.

Status: Assembly-In Committee Process - Rules

SB-786 (Becker) - Santa Clara Valley Water District.

Would have made various changes to the Santa Clara Valley Water District Act.

Status: Assembly-In Committee Process - Local Government

HOUSING AND LAND USE**AB-59 (Gabriel) - Mitigation Fee Act: fees: notice and timelines.**

Would have made several changes to the Mitigation Fee Act. Specifically, this bill would have increased the number of days local agencies must provide a notice of hearing prior to increasing specified fees from 14 days to 45 days. Additionally, this bill would have limited the evidence a local agency could use to defend a fee in a court action.

Status: Assembly-In Committee Process - Local Government

AB-115 (Bloom) - Planning and zoning: commercial zoning: housing development.

Would have made certain affordable housing development projects an authorized use on commercially-zoned land.

Status: Assembly-In Committee Process - Local Government

AB-215 (Chiu) - Housing element: regional housing need: relative progress determination.

Increases the enforcement authority of the state Department of Housing and Community Development in relation to violations of state housing law.

Status: Chapter 342, Statutes of 2021

AB-345 (Quirk-Silva) - Accessory dwelling units: separate conveyance.

Requires cities and counties to allow a qualified nonprofit corporation to sell an accessory dwelling unit separately from the primary dwelling unit on the property, and revises the conditions for a tenancy in common agreement entered into pursuant to such a sale.

Status: Chapter 343, Statutes of 2021

AB-571 (Mayes) - Planning and zoning: density bonuses: affordable housing.

Prohibits a local government from charging affordable housing impact fees on certain types of affordable units.

Status: Chapter 346, Statutes of 2021

AB-602 (Grayson) - Development fees: impact fee nexus study.

Adds new requirements to impact fee nexus studies. Requires cities and counties to request certain information from development proponents and requires the Department of Housing and Community Development to develop a nexus study template.

Status: Chapter 347, Statutes of 2021

AB-605 (Villapudua) - Department of Housing and Community Development: program administration: bonus points: housing element.

Would have created a bonus point system for competitive grants and loans administered by the Department of Housing and Community Development for applicants that meet specified criteria.

Status: Assembly-In Committee Process - Housing and Community Development

AB-617 (Davies) - Planning and zoning: regional housing needs: exchange of allocation.

Would have allowed a city or county to transfer all or a portion of its regional housing need allocation to another city or county.

Status: Assembly-In Committee Process - Housing and Community Development

AB-634 (Carrillo) - Density Bonus Law.

Allows a local government to require an affordability period longer than 55 years for units that qualify a developer for a density bonus, if the local government has an inclusionary housing ordinance that requires a percentage of residential units affordable to lower income households for longer than 55 years. Excludes developments funded using Low Income Housing Tax Credits.

Status: Chapter 348, Statutes of 2021

AB-672 (Cristina Garcia) - Publicly owned golf courses: conversion: affordable housing.

Would have created a grant program administered by the Department of Housing and Community Development to award grants to cities and counties that convert public golf courses into housing.

Status: Assembly-In Committee Process - Housing and Community Development

AB-678 (Grayson) - Housing development projects: fees and exactions cap.

Would have capped fees and exactions a city or county can impose on new housing developments as specified.

Status: Assembly-In Committee Process - Local Government

AB-682 (Bloom) - Planning and zoning: cohousing buildings.

Would have required local agencies with a population of more than 400,000 to approve cohousing buildings in areas zoned for multifamily development.

Status: Assembly-In Committee Process - Housing and Community Development

[AB-687 \(Seyarto\) - Joint powers authorities: Riverside County Housing Finance Trust.](#)

Allows Riverside County and specified cities within western Riverside County to create the Western Riverside County Housing Finance Trust.

Status: Chapter 120, Statutes of 2021

[AB-780 \(Ting\) - Local zoning ordinances: school district employee housing.](#)

Would have authorized the governing board of a school district to render a city or county zoning ordinance inapplicable if the school district proposed to use the property to offer school district employee housing.

Status: Assembly-In Committee Process - Local Government

[AB-787 \(Gabriel\) - Planning and zoning: housing element: converted affordable housing units.](#)

Authorizes cities and counties to receive credit towards their regional housing need for the conversion of above moderate-income units to moderate-income units.

Status: Chapter 350, Statutes of 2021

[AB-800 \(Gabriel\) - Wildfires: local general plans: safety elements: fire hazard severity zones.](#)

Would have required the Director of Forestry and Fire Protection to identify areas of the state as moderate and high fire hazard severity zones and made conforming changes to law governing the review of general plan safety elements and the adoption of tentative or parcel maps in fire hazard zones.

Status: Assembly-In Committee Process - Natural Resources

[AB-803 \(Boerner Horvath\) - Starter Home Revitalization Act of 2021.](#)

Requires cities and counties to allow denser single-family housing development on certain parcels zoned for multifamily housing, as specified.

Status: Chapter 154, Statutes of 2021

[AB-832 \(Bloom\) - City of Los Angeles: transfer of former redevelopment agency land use plans and functions.](#)

Would have made zoning and land use designations adopted in various underlying governing documents by the City of Los Angeles apply when in conflict with any provision of a redevelopment plan. (Subsequently amended to address a subject matter outside of Local Government Committee jurisdiction.)

Status: Chapter 27, Statutes of 2021

AB-916 (Salas) - Zoning: accessory dwelling units: bedroom addition.

Would have increased the maximum height allowed for accessory dwelling units from 16 feet to 18 feet, and prohibited local agencies from holding public hearings as a condition of adding space for additional bedrooms in an existing dwelling.

Status: Assembly-In Committee Process - Housing and Community Development

AB-922 (Eduardo Garcia) - Redevelopment: housing successor: Low and Moderate Income Housing Asset Fund.

Would have expanded the definition of “excess surplus” to also include, for an entity operating as a housing successor agency that owns and operates affordable housing that was transferred to the housing successor agency as a housing asset of the former redevelopment agency, an unencumbered amount in the housing successor’s Low and Moderate Income Housing Asset Fund that exceeds the greater of \$1,000,000 or the aggregate amount deposited into the account during the housing successor’s preceding 8 fiscal years, whichever is greater.

Status: Assembly-In Committee Process - Housing and Community Development

AB-964 (Boerner Horvath) - Rental units: hosting platforms: coastal resources.

Would have prohibited a city or county ordinance, policy, or program that regulates or licenses the rental of residential units for tourist or transient-use occupancy within the coastal zone through a hosting platform from being considered "development" as defined in the California Coastal Act (Coastal Act); would have exempted a city or county from complying with the Coastal Act when enacting or enforcing such an ordinance, policy, or program; and, would have provided that a local coastal program is not required to include such an ordinance, policy, or program.

Status: Assembly-In Committee Process - Natural Resources

AB-970 (McCarty) - Planning and zoning: electric vehicle charging stations: permit application: approval.

Establishes specific time frames in which local agencies must approve permits for electric vehicle charging stations.

Status: Chapter 710, Statutes of 2021

AB-989 (Gabriel) - Housing: local development decisions: appeals.

Would have established an Office of Housing Appeals within the Department of Housing and Community Development.

Status: Senate Floor

AB-1016 (Robert Rivas) - Local planning: streamlined housing development: nonprofit corporations.

Would have created a streamlined development approval process for non-profit housing developments involving less than 25 units.

Status: Assembly-In Committee Process - Housing and Community Development

AB-1029 (Mullin) - Housing elements: prohousing local policies.

Adds preservation of affordable housing units as a pro-housing local policy that the Department of Housing and Community Development may consider in developing a pro-housing designation.

Status: Chapter 353, Statutes of 2021

AB-1075 (Wicks) - Planning and zoning: residential developments.

Would have required local agencies to deem residential developments that meet specified criteria compliant with local zoning.

Status: Assembly-In Committee Process - Housing and Community Development

AB-1124 (Friedman) - Solar energy systems.

Revises the definition of "solar energy system" as that term is used for the purpose of local permitting of such systems, including the allowable fees a local agency may charge, and clarifies the permit fees local agencies may charge for commercial and residential solar energy systems.

Status: Chapter 235, Statutes of 2021

AB-1174 (Grayson) - Planning and zoning: housing: development application modifications, approvals, and subsequent permits.

Makes changes to the streamlined, ministerial housing development approval process created by SB 35 (Wiener, Chapter 366, Statutes of 2017).

Status: Chapter 160, Statutes of 2021

AB-1180 (Mathis) - Local governments: surplus land: tribes.

Expands the definition of "exempt surplus land" to include surplus land that a local agency transfers to a federally recognized California Indian Tribe.

Status: Chapter 62, Statutes of 2021

AB-1271 (Ting) - Surplus land.

Would have expanded the types of land exempt from the Surplus Lands Act (SLA), imposed new procedural requirements on local agencies disposing of surplus land, and made various technical changes to the SLA.

Status: Assembly-In Committee Process - Housing and Community Development

[AB-1295 \(Muratsuchi\) - Residential development agreements: very high fire risk areas.](#)

Would have prohibited the legislative body of a city or county from entering into a residential development agreement for property located within a very high fire risk area.

Status: Assembly-In Committee Process - Local Government

[AB-1304 \(Santiago\) - Affirmatively further fair housing: housing element: inventory of land.](#)

Expands the ways in which local agencies must affirmatively further fair housing in their housing elements.

Status: Chapter 357, Statutes of 2021

[AB-1322 \(Bonta\) - Land use: local measures: conflicts.](#)

Would create a process for the governing body of a city or county to seek judicial validation that a local measure approved by the voters is in conflict with state housing law

Status: Senate-In Committee Process - Environmental Quality

[AB-1324 \(Robert Rivas\) - Transit-Oriented Affordable Housing Funding Program Act.](#)

Would have established the Transit-Oriented Affordable Housing Funding Program, to be administered by the Treasurer's office.

Status: Assembly-In Committee Process - Housing and Community Development

[AB-1370 \(Quirk-Silva\) - Housing element: annual report: housing units.](#)

Would have required local agencies to report the number of housing units and the number of accessory dwelling units that were approved pursuant to a streamlined development process to the Department of Housing and Community Development.

Status: Assembly-In Committee Process - Housing and Community Development

[AB-1398 \(Bloom\) - Planning and zoning: housing element: rezoning of sites: prohousing local policies.](#)

Requires expedited rezoning for local jurisdictions that fail to adopt a legally compliant housing element within 120 days of the statutory deadline.

Status: Chapter 358, Statutes of 2021

[AB-1401 \(Friedman\) - Residential and commercial development: parking requirements.](#)

Would have prohibited local governments from enforcing minimum automobile parking requirements for developments located close to public transit.

Status: Senate-In Committee Process - Appropriations

AB-1409 (Levine) - Planning and zoning: general plan: safety element.

Requires the safety element to be reviewed and updated as necessary to identify evacuation locations.

Status: Chapter 481, Statutes of 2021

AB-1445 (Levine) - Planning and zoning: regional housing need allocation: climate change impacts.

Would have required local agencies to consider emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change in the development of their housing element.

Status: Assembly-In Committee Process - Housing and Community Development

AB-1476 (Gray) - Park property: City of Modesto: Beard Brook Park.

Allows the City of Modesto to dispose of specified park property, subject to certain conditions.

Status: Chapter 718, Statutes of 2021

AB-1501 (Santiago) - Planning and zoning: housing development: very low and lower income households.

Would have required the Department of Housing and Community Development to rezone land in specified jurisdictions that fail to rezone their land after adopting their housing element.

Status: Assembly – In Committee Process – Housing and Community Development

AB-1543 (Bloom) - Affordable Housing and Community Development Funding Act.

Would have modified the requirement to distribute remaining moneys in the Redevelopment Property Tax Trust Fund by requiring, for the period commencing on January 2, 2025, until the successor is dissolved, that 20% of the amount that would otherwise be allocated to local agencies and school entities that exceeds the amount transferred between January 1, 2024, and January 1, 2025, inclusive, be deposited in the Low and Moderate Income Housing Fund if specified conditions are met.

Status: Assembly-In Committee Process - Housing and Community Development

AB-1547 (Reyes) - Air pollution: warehouse facilities.

Would have required local agencies to impose specified environmental conditions on any warehouse development prior to approving the project.

Status: Assembly – In Committee Process – Natural Resources

[AB-1551 \(Santiago\) - Planning and zoning: housing: adaptive reuse of commercial space.](#)

Would have prohibited a city that has not met its share of the regional housing need from restricting the adaptive reuse of commercial space for residential use, as specified.

Status: Assembly-In Committee Process - Housing and Community Development

[SB-8 \(Skinner\) - Housing Crisis Act of 2019.](#)

Extends the sunset on the Housing Crisis Act of 2019 by five years, clarifies demolition and replacement provisions, and makes other changes.

Status: Chapter 161, Statutes of 2021

[SB-9 \(Atkins\) - Housing development: approvals.](#)

Requires ministerial approval of housing developments with two units (duplexes) and subdivision maps that meet certain conditions, and increases the length of time that local agencies can extend the validity of existing subdivision maps.

Status: Chapter 162, Statutes of 2021

[SB-10 \(Wiener\) - Planning and zoning: housing development: density.](#)

Authorizes a city or county to pass an ordinance that is not subject to the California Environmental Quality Act to zone any parcel for up to ten units of residential density if the parcel is located in a transit-rich area or an urban infill site.

Status: Chapter 163, Statutes of 2021

[SB-12 \(McGuire\) - Local government: planning and zoning: wildfires.](#)

Would have imposed additional fire hazard planning responsibilities on local governments, required counties and cities to make specified findings before taking certain development actions in very high fire risk areas, required related fire planning and review by multiple state agencies, and created a grant program for smaller counties and cities to implement the bill's requirements.

Status: Assembly-In Committee Process - Housing and Community Development

[SB-60 \(Glazer\) - Residential short-term rental ordinances: health or safety infractions: maximum fines.](#)

Establishes enhanced fines for violations of short-term rental ordinances.

Status: Chapter 307, Statutes of 2021

[SB-290 \(Skinner\) - Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.](#)

Makes various changes to Density Bonus Law including providing additional benefits to housing developments that include low-income rental and for-sale housing units, and moderate-income for-sale housing units.

Status: Chapter 340, Statutes of 2021

[SB-319 \(Melendez\) - Land use: development fees: audit.](#)

Expands the scope of audits local agencies must prepare if they fail to comply with reporting provisions of the Mitigation Fee Act.

Status: Chapter 385, Statutes of 2021

[SB-414 \(Jones\) - Land.](#)

Revises the definition of cadastral surveying; updates how data may be provided for purposes of surveys; makes technical changes to provisions of the Land Surveying Act; and, extends the amount of time allotted to set a hearing to appeal a decision made under the Subdivision Map Act, as specified.

Status: Chapter 106, Statutes of 2021

[SB-466 \(Wieckowski\) - Community development.](#)

Would have allowed the City of Santa Clara to sell or lease specified property for the purpose of economic development.

Status: Assembly-In Committee Process - Local Government

[SB-477 \(Wiener\) - General plan: annual report.](#)

Would have added several components to the annual progress report on housing development and land use that cities and counties are required to submit to the Department of Housing and Community Development related to their general plan.

Status: Vetoed

[SB-478 \(Wiener\) - Planning and Zoning Law: housing development projects.](#)

Establishes minimum floor-to-area ratio standards on housing development projects of three to ten units.

Status: Chapter 363, Statutes of 2021

[SB-556 \(Dodd\) - Street light poles, traffic signal poles: small wireless facilities attachments.](#)

Would have required street light poles and traffic signal poles owned by a local government or local publicly owned electric utility to be made available for the placement of small wireless facilities, outlined the rates and fees that may be imposed for such use of these poles, and established the processes for reviewing and responding to requests for placing these facilities on these poles.

Status: Vetoed

[SB-574 \(Laird\) - Agricultural preserves: Williamson Act.](#)

Narrows the role of the Department of Conservation in administering the Williamson Act.

Status: Chapter 644, Statutes of 2021

[SB-719 \(Min\) - Surplus land: exempt surplus land: eligible military base land.](#)

Would have exempt eligible military base land, as defined, from the provisions of the Surplus Land Act.

Status: Assembly-In Committee Process - Local Government

[SB-728 \(Hertzberg\) - Density Bonus Law: purchase of density bonus units by nonprofit housing organizations.](#)

Allows a qualified nonprofit housing organization to purchase a for-sale unit under density bonus law.

Status: Chapter 365, Statutes of 2021

[SB-734 \(Hueso\) - Redevelopment agencies: passthrough agreements: modification.](#)

Allows local agencies to modify specified redevelopment passthrough agreements.

Status: Chapter 221, Statutes of 2021

[SB-778 \(Becker\) - Buy Clean California Act: Environmental Product Declarations: concrete.](#)

This bill would have required ministerial approval of accessory dwelling units (ADUs) in vacant space of mixed-use buildings, as specified. (Subsequently amended to address a subject matter outside of Local Government Committee jurisdiction).

Status: Assembly-In Committee Process - Accountability and Administrative Review

[SB-791 \(Cortese\) - California Surplus Land Unit.](#)

Establishes the California Surplus Land Unit within the Department of Housing and Community Development with the primary purpose of facilitating the development and construction of residential housing on local surplus land. (Subsequently amended to address a subject matter outside of Local Government Committee jurisdiction).

Status: Chapter 366, Statutes of 2021

LOCAL AGENCY FORMATION COMMISSIONS

[AB-903 \(Frazier\) - Los Medanos Community Healthcare District.](#)

Would have dissolved the Los Medanos Community Healthcare District and designated the County of Contra Costa as the successor agency to the district.

Status: Senate-In Committee Process - Governance and Finance

AB-1021 (Mayes) - Imperial Irrigation District.

Would have required the local agency formation commissions in Imperial and Riverside Counties to conduct a study of governance options for the Imperial Irrigation District electrical service area.

Status: Vetoed

AB-1581 (Committee on Local Government) - Local government: omnibus.

Makes several technical, non-controversial changes to the local agency formation commission statutes which govern local government organization and reorganization.

Status: Chapter 31, Statutes of 2021

SB-13 (Dodd) - Local agency services: contracts: Counties of Napa and San Bernardino.

Reestablishes a pilot program for the Napa and San Bernardino Local Agency Formation Commissions, and authorizes the Napa Local Agency Formation Commission to approve specified service extensions.

Status: Chapter 482, Statutes of 2021

POWERS AND DUTIES**AB-414 (Maienschein) - Local government: county regional justice facilities.**

Repeals several obsolete statutes related to court reunification.

Status: Chapter 117, Statutes of 2021

AB-954 (Petrie-Norris) - City of Laguna Woods: leases: fire protection and public safety.

Would have authorized the City of Laguna Woods to lease specified park property to a public agency or joint powers authority for purposes related to fire protection or public safety.

Status: Assembly-In Committee Process - Local Government

AB-959 (Mullin) - Park districts: regulations: nuisances: abatement.

Authorizes specified regional park and open-space districts to adopt regulations relating to nuisances and establishes a procedure for the abatement of the nuisance.

Status: Chapter 268, Statutes of 2021

AB-1017 (Quirk-Silva) - Public restrooms: Right to Restrooms Act of 2021.

Would have required each city, county and special district to inventory all public restrooms it owns and maintains, make the inventory available on its website and to agencies and service providers that work directly with homeless populations within the

local government's jurisdiction, and report the information to the Department of Public Health.

Status: Senate-In Committee Process - Appropriations

[SB-79 \(Nielsen\) - County road commissioner: Counties of Colusa and Glenn.](#)

Authorizes the Board of Supervisors of the County of Colusa and the Board of Supervisors of the County of Glenn to transfer the duties of the County Road Commissioner to the County Director of the Department of Public Works.

Status: Chapter 33, Statutes of 2021

[SB-427 \(Eggman\) - Water theft: enhanced penalties.](#)

Allows water agencies and districts to adopt an ordinance with enhanced penalties for water theft.

Status: Chapter 137, Statutes of 2021

[SB-712 \(Hueso\) - Local government: California tribes: federal fee-to-trust applications to regain ancestral lands.](#)

Prohibits a local government from adopting or enforcing a resolution or ordinance that would prevent the local government from conducting a fair evaluation of a fee-to-trust application, and requires a local government to take specified actions when it opposes a fee-to-trust application.

Status: Chapter 291, Statutes of 2021

[SB-813 \(Committee on Governance and Finance\) - Local Government Omnibus Act of 2021.](#)

Enacts the Local Government Omnibus Act of 2021, which proposes a number of non-controversial changes to existing laws governing the powers and duties of local agencies.

Status: Chapter 224, Statutes of 2021

TRANSPARENCY AND ACCOUNTABILITY

[AB-119 \(Salas\) - County auditor: direct levies.](#)

Would have required county auditors, or another county officer designated by the county, to make publicly available on their internet websites information about direct levies, as defined, including the range of combined direct levies assessed on real property, as specified.

Status: Assembly-In Committee Process - Local Government

AB-339 (Lee) - Local government: open and public meetings.

Would have required, until December 31, 2023, certain city council or county board of supervisors meetings to allow the public to attend and comment via telephone or internet.

Status: Vetoed

AB-361 (Robert Rivas) - Open meetings: local agencies: teleconferences.

Allows, until January 1, 2024, local agencies to use teleconferencing without complying with specified Ralph. M Brown Act restrictions in certain state emergencies, and provides similar authorizations, until January 31, 2022, for state agencies subject to the Bagley-Keene Open Meetings Act and legislative bodies subject to the Gloria Romero Open Meetings Act of 2000.

Status: Chapter 165, Statutes of 2021

AB-481 (Chiu) - Law enforcement agencies: military equipment: funding, acquisition, and use.

Establishes requirements that must be met before a law enforcement agency may take a number of specified actions related to the acquisition and use of military equipment.

Status: Chapter 406, Statutes of 2021

AB-703 (Blanca Rubio) - Open meetings: local agencies: teleconferences.

Would have eliminated provisions in the Ralph M. Brown Act for teleconferenced meetings that require each teleconference location to be identified in the notice and agenda of the meeting or proceeding, and each teleconference location to be accessible to the public.

Status: Assembly-In Committee Process - Local Government

AB-799 (Mathis) - Counties: board of supervisors.

Would have required a board of supervisors to publish a fair statement of all its proceedings within 7 days after each session, instead of 10 days pursuant to existing law.

Status: Assembly-In Committee Process - Local Government

AB-1053 (Gabriel) - City selection committees: County of Los Angeles: quorum: teleconferencing.

Would have reduced the quorum requirement for specified meetings of the Los Angeles County city selection committee, and would have allowed the committee to conduct any meeting using teleconferencing and electronic means.

Status: Assembly-In Committee Process - Local Government

[SB-274 \(Wieckowski\) - Local government meetings: agenda and documents.](#)

Requires local agencies to provide local agency meeting materials by email to persons who request it, if technologically feasible.

Status: Chapter 763, Statutes of 2021

[SB-480 \(Stern\) - Metropolitan Water District of Southern California: rules: inappropriate conduct.](#)

Would have required the Metropolitan Water District of Southern California to adopt rules relating to inappropriate conduct by board members, officers, and employees.

Status: Assembly-In Floor Process

TRANSPORTATION

[AB-302 \(Ward\) - San Diego Metropolitan Transit Development Board: regulation of for-hire vehicle and passenger jitney services.](#)

Expands the ability of the San Diego Metropolitan Transit System to enter into contracts to license or regulate certain services.

Status: Chapter 89, Statutes of 2021

[AB-476 \(Mullin\) - Department of Transportation: state highways: part-time transit lane pilot program.](#)

Would have authorized the Department of Transportation to establish a pilot program to authorize a transit operator or operators to operate transit buses on shoulders of state highways.

Status: Assembly-In Committee Process - Transportation

[AB-773 \(Nazarian\) - Street closures and designations.](#)

Authorizes local authorities to implement a slow streets program to close or limit access to vehicular traffic on certain neighborhood local streets.

Status: Chapter 587, Statutes of 2021

[AB-784 \(Quirk\) - Alameda-Contra Costa Transit District.](#)

Makes numerous changes to the provisions governing the Alameda-Contra Costa Transit District.

Status: Chapter 200, Statutes of 2021

[AB-970 \(McCarty\) - Planning and zoning: electric vehicle charging stations: permit application: approval.](#)

Establishes specific time frames in which local agencies must approve permits for electric vehicle charging stations.

Status: Chapter 710, Statutes of 2021

[AB-1091 \(Berman\) - Santa Clara Valley Transportation Authority: board of directors.](#)

Would have made changes to the Board of the Santa Clara Valley Transportation Authority.

Status: Assembly - Floor - Inactive File

[AB-1196 \(Cooley\) - Sacramento Regional Transit District: board of directors: voting procedures.](#)

Changes the voting structure of the Sacramento Regional Transit District Board.

Status: Chapter 272, Statutes of 2021

WATER

[AB-747 \(Mathis\) - Water treatment facility: State Water Resources Control Board: grant.](#)

Would have appropriated \$20,000,000 from the General Fund to the State Water Resources Control Board for the purpose of improving water treatment, and would have required the Board to grant \$20,000,000 to a specified joint powers authority for a water treatment facility to be operated by the joint powers authority.

Status: Assembly-In Committee Process - Environmental Safety and Toxic Materials

[AB-850 \(Gallagher\) - City property: sale of water utility property.](#)

Extends the deadline for the cities of El Monte, Montebello, and Willows to utilize alternative procedures to sell their public water utilities for consolidation by two years, from 2022 to 2024.

Status: Chapter 705, Statutes of 2021

[AB-1195 \(Cristina Garcia\) - Drinking water.](#)

Would have created the Southern Los Angeles County Human Right to Water Collaboration Act, and required the State Water Resources Control Board to appoint a Commissioner to implement specified programs in southern Los Angeles County.

Status: Senate-In Committee Process - Environmental Quality

[SB-273 \(Hertzberg\) - Water quality: municipal wastewater agencies.](#)

Authorizes a municipal wastewater agency to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff.

Status: Chapter 241, Statutes of 2021

[SB-323 \(Caballero\) - Local government: water or sewer service: legal actions.](#)

Establishes a 120 day statute of limitations on judicial challenges to water and sewer rates.

Status: Chapter 216, Statutes of 2021

[SB-403 \(Gonzalez\) - Drinking water: consolidation.](#)

Allows the State Water Resources Control Board to order consolidations of at-risk systems and at-risk domestic wells.

Status: Chapter 242, Statutes of 2021

[SB-552 \(Hertzberg\) - Drought planning: small water suppliers: nontransient noncommunity water systems.](#)

Requires the State Water Resources Control Board, the Department of Water Resources, counties, and small water suppliers to implement various recommendations from the County Drought Advisory Group to increase the drought resiliency of small water suppliers and rural communities.

Status: Chapter 245, Statutes of 2021

[SB-786 \(Becker\) - Santa Clara Valley Water District.](#)

Would have made various changes to the Santa Clara Valley Water District Act.

Status: Assembly-In Committee Process - Local Government

WILDFIRES

[AB-9 \(Wood\) - Fire safety: wildfires: fire adapted communities.](#)

Establishes the Regional Forest and Fire Capacity Program in the Department of Conservation, creates a deputy director of Community Wildfire Preparedness and Mitigation within the Office of the State Fire Marshal, and transfers and delegates certain duties related to fire safety and wildfire prevention from the Department of Forestry and Fire Protection and the Director of CAL FIRE to the State Fire Marshal.

Status: Chapter 225, Statutes of 2021

[AB-800 \(Gabriel\) - Wildfires: local general plans: safety elements: fire hazard severity zones.](#)

Would have required the Director of Forestry and Fire Protection to identify areas of the state as moderate and high fire hazard severity zones and made conforming changes to law governing the review of general plan safety elements and the adoption of tentative or parcel maps in fire hazard zones.

Status: Assembly-In Committee Process - Natural Resources

AB-1295 (Muratsuchi) - Residential development agreements: very high fire risk areas.

Would have prohibited the legislative body of a city or county from entering into a residential development agreement for property located within a very high fire risk area.

Status: Assembly-In Committee Process - Local Government

SB-12 (McGuire) - Local government: planning and zoning: wildfires.

Would have imposed additional fire hazard planning responsibilities on local governments, required counties and cities to make specified findings before taking certain development actions in very high fire risk areas, required related fire planning and review by multiple state agencies, and created a grant program for smaller counties and cities to implement the bill's requirements.

Status: Assembly-In Committee Process - Housing and Community Development

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