

**SUBJECT: FINAL LEGISLATIVE REPORT FOR 2017-2018 REGULAR
SESSION OF THE CALIFORNIA LEGISLATURE**

INITIATED BY: COMMUNITY & LEGISLATIVE AFFAIRS DIVISION
(John Leonard, Manager)
(Hernan Molina, Governmental Affairs Liaison)

STATEMENT ON THE SUBJECT:

The City Council will receive a final legislative report with a status of the bills for which the City Council has taken a position during the 2017-2018 regular session of the California Legislature.

RECOMMENDATION:

Receive & File.

BACKGROUND / ANALYSIS:

For each legislative session of the California Legislature, the City Council receives a status report at the end of the first year of the two-year session and then a final report, which coincides with the adjournment of the two-year session. The “2017 Legislative Report” discussed the City’s advocacy effort during the first year of the two-year legislative session and was presented to the City Council on December 4, 2017.

This current staff report includes a chart reflecting the final status for each bill for which the City Council took a position over the two-year legislative session, including those bills that were in the December 4, 2017 Legislative Report. (Attachment A “2017-2018 Legislative Report”).

This current staff report highlights the City’s advocacy and lobbying activities during the 2nd year (2018) of the two-year legislative session. The summary of advocacy and lobbying activities for the first year of the legislative session is also attached (Attachment B “2017 Legislative Report”).

The California State Legislature adjourned the two-year regular legislative session on August 31, 2018. The deadline for the Governor to sign or veto legislation that reached his desk was September 30, 2018. Unless otherwise noted, all enacted laws become effective January 1, 2019. The new two-year legislative session (2019-2020) will commence on December 3, 2018; however, significant activity does not begin until the first week of January 2019. During the first week of November, Community and Legislative Affairs (C&LA) Division staff will be meeting with the City’s executive team and each City Councilmember to discuss legislative priorities for the upcoming two-year legislative session. Draft legislative priorities and the revised lobbying and advocacy plan (based on Council comments from the August 20, 2018 City Council meeting), will be presented at the December 3, 2018, City Council meeting.

Legislative Priorities and Advocacy On Behalf of West Hollywood:

For each legislative session, the City Council adopts legislative priorities for the City. The priorities provide direction, guidance and a framework for the City's advocacy efforts. The City's lobbyist, Helyne Meshar & Associates (HM&A) focuses on these legislative priorities through direct lobbying and advocacy efforts at the state level and in coordination with C&LA Division staff.

The following sections provide 1) a quantitative summary of legislation supported or opposed by the City Council and 2) highlights of the advocacy efforts the City undertook in supporting/opposing the bills of highest priority.

The City of West Hollywood Legislative Activity by the Numbers:

Over the two year session, a total of 5,617 legislative proposals (bills) were introduced. Of those bills, 2,552 were signed into law, 319 were vetoed and 2,746 (about half of all bills introduced) died in the legislative process.

During the 2017-18 legislative session, HM&A reviewed all legislative proposals that were introduced. The bills were reviewed for their impact on the City's priorities and interests, and identified bills that met those interests or could impact its operations, fiscal sustainability or could affect local determination. HM&A conducted this review in collaboration with C&LA Division staff to triage the bills and to determine if and how they met the City's legislative priorities.

The City of West Hollywood adopted positions on 62 bills. Of the 62 bills, the City supported 54 bills and opposed 8 bills.

Of the 54 bills that the City supported:

- 30 were signed into law (chaptered)
- 7 were vetoed
- 14 died in the legislative process
- 3 were amended and the City became neutral or took no position

Of the 8 bills that the City opposed:

- 2 were signed into law (chaptered)
- 1 was vetoed
- 4 died in the legislative process
- 1 was amended and the City became neutral

ADVOCACY IN ACTION:

HM&A and the C&LA Division staff focused on the following issue areas as identified as priorities by the City Council.

LEGISLATIVE PRIORITY: HOUSING & RENT STABILIZATION

Promoting initiatives aimed at maintaining and expanding housing affordability in the

City of West Hollywood has been an ongoing and high priority for the City and City Council. In addition to the 250+ bills introduced in 2017, an additional 50+ proposals were introduced in 2018. Many of the legislative proposals were consistent with the City's priorities to achieve housing affordability and vibrant neighborhoods. The proposals reflected an interest on the part of legislators to maintain fair regulation and maintenance of existing rent stabilized housing and the creation of new affordable housing opportunities.

The City provided ongoing consultation to both Assemblyman Richard Bloom and Senator Ben Allen on the potential impact of the housing proposals on the City.

Governor Brown signed several bills into law that will help increase the supply and affordability of housing in California. The new laws provide funding for affordable housing, reduce state regulations, boost construction, and strengthen existing housing laws.

Housing:

In 2018, the Legislature also approved the placement on the ballot for November 6, 2018, general election two housing proposals: Propositions 1 and 2, which are both supported by the City.

Proposition 1: THE HOUSING PROGRAMS AND VETERANS' LOANS BOND. The proposition originated in the Legislature as SB 3 (Chapter 365, Statutes of 2017). If approved, Proposition 1 will authorize the sale of \$4 billion in bonds for housing programs and veterans' home loans.

Proposition 2: THE NO PLACE LIKE HOME ACT OF 2018 originated in the Legislature as AB 1827 (Chapter 41, Statutes of 2018). If approved, Proposition 2 will allow the State to use \$2 billion in revenues derived from Proposition 63 of 2004 (Mental Health Services Act) and spend those funds on financing the acquisition, design, construction, rehabilitation, or preservation of permanent supportive housing for individuals living with a severe mental illness who are homeless or at risk of chronic homelessness.

The legislative affairs team also worked with partner organizations and with the offices of Assemblymember Bloom and Senator Allen to advance legislation to identify seismically vulnerable buildings (AB 2681, Nazarian, D-Los Angeles). The bill took an important step in advancing seismic safety, but lacked a funding source to complete the very important and very expensive retrofitting work. The Governor vetoed the bill with a message that a partnership should be developed between state, local governments, and building owners to identify vulnerable buildings; he also directed the California Seismic Safety Commission to provide recommendations on the issue. Status: **Vetoed by the Governor**

Rent Stabilization & Tenancy-Related Legislation

Ellis Act Repeal: Assemblymember Bloom, with the City's support, introduced a proposal the City has advocated for, for several years, to repeal the Ellis Act (**AB 2364**). The City's Staff Attorney, Alison Regan, provided extensive legal advice related to development, drafting and subsequent amendments, and provided expert testimony as AB 2364 moved through the legislative process. Although AB 2364 died on the

Assembly floor, it should be noted that this is the first time, since enactment of the Ellis Act, that efforts for repeal have been successful in clearing a legislative committee.

Costa Hawkins Repeal: In 2017, Assemblymember Bloom also proposed the repeal of the Costa-Hawkins Act. The bill, AB 1506 was a top priority for the City. The City, along with statewide housing advocates, lobbied extensively for passage of the legislation through 2017 and in January 2018. In early 2018, the bill was heard in the Assembly Housing and Community Development (H&CD) Committee. Ultimately, the strength of the opposition could not be overcome and the bill failed by one vote.

Proposition 10 EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY (17-0041).

Like all initiatives qualifying as a ballot initiative, Proposition 10 required a public hearing conducted by the State Legislature. The hearing for Proposition 10 was conducted in June 2018, just after it qualified for the ballot. The hearing was conducted by the Joint Initiative Hearing Assembly Committee on Housing & Community Development and Senate Judiciary Committee. The City testified in support of the initiative in accordance with the City's priorities.

LEGISLATIVE PRIORITY: ANIMAL WELFARE

During this second year of the legislative session, the legislative affairs team worked collaboratively with Senator Stern (D-Simi Valley), his staff and the founders of the Paw Project to advance a statewide anti-declawing bill for all domestic cats. The City of West Hollywood was the first municipality in North America to ban this barbaric practice and supported **SB 1441**. Status: **Died in committee**.

The legislative affairs team also worked with Assemblymember Limon (D-Santa Barbara) and her staff on **AB 2774**, a bill initially introduced to create a statewide animal abuser registry, a program the City has long sought and has long been a legislative priority. Due to opposition from animal adoption advocates who feared that such a registry (and a possible increase in adoption fees to underwrite the registry) would dissuade individuals from adopting animals, the bill had difficulty generating the votes necessary for committee approval. Assemblymember Limon amended the bill before its first committee hearing to, instead, allow an animal shelter administered by a public animal control agency, animal rescue or animal adoption organization to ask an individual who is attempting to adopt an animal whether he or she is prohibited from owning or possessing an animal based on prior convictions. Status: **Signed by the Governor**.

LEGISLATIVE PRIORITY: HEALTH & HUMAN SERVICES

Homelessness:

The City maintains a robust effort to address homelessness, including health and human services specialists, mental health clinicians, substance use disorder treatment providers, law enforcement, and City staff from multiple departments. During the

legislative session, the legislative affairs team worked in tandem with the City's Strategic Initiatives and Social Services Divisions in an effort to coordinate the City's response to specific legislative initiatives related to homelessness.

A key legislative initiative, which the City Council supported, was **SB 918** (Wiener, D-San Francisco) Homeless Youth Act of 2018. SB 918 will require the state's Homeless Coordinating and Financing Council to take on additional related responsibilities that are focused on addressing the needs of youth experiencing homelessness, particularly GLBTQ youth. Status: **Signed by the Governor.**

LEGISLATIVE PRIORITY: WOMEN'S HEALTH

The City of West Hollywood, the first pro-choice City on record in the United States, continues to advocate for and support policies, initiatives and programs focused on improving access to women's health care and maintaining their right to reproductive choice. The City identified two bills that would have had a significant effect on advancing women's reproductive health: **AB 2342** (Burke, D-Inglewood) Breast and ovarian cancer susceptibility screening would have provided coverage for breast and ovarian cancer susceptibility screening, and **SB 320** (Leyva, D-Chino) Public university student health centers: medication abortion readiness, would have required each public university student health center to offer abortion by medication techniques beginning January 1, 2022. Status: **AB 2342 and SB 320 Vetoed by the Governor**

LEGISLATIVE PRIORITY: PUBLIC SAFETY

One of the City's legislative priorities aims to end the backlog of testing of sexual assault evidence kits (aka rape kits). The legislative affairs team advocated in support of two key bills.

AB 3118 (Chiu, D-San Francisco) Sexual assault: investigations required all law enforcement agencies, medical facilities, crime laboratories, and any other facilities that receive, maintain, store, or preserve sexual assault evidence kits to conduct an audit of all untested sexual assault evidence kits in their possession and report certain data to the Department of Justice by no later than July 1, 2019. Status: **Signed by the Governor.**

SB 1449 (Leyva, D-Chino) would have required a law enforcement agency to either submit sexual assault forensic evidence to a crime lab or ensure that a rapid turnaround DNA program is in place and require a crime lab to either process the evidence or transmit the evidence to another crime lab for processing. Status: **Vetoed by the Governor.**

LEGISLATIVE PRIORITY: SUSTAINABILITY & INNOVATION

Electric Vehicle (EV) Charging Infrastructure:

This year, Assemblymember Muratsuchi (D-Manhattan Beach) introduced **AB 1796**, which amended the state code section created by AB 2565, (Chapter 529, Statutes of 2014). AB 2565 required landlords to approve a written request of a tenant to install an

EV charging station at a parking space assigned to a tenant, except in a jurisdiction under rent stabilization. The City has been actively advocating for removal of the rent stabilization exemption since the law was enacted. In the interim, between the enactment of AB 2565 and the introduction of AB 1796, the City adopted its own ordinance for installation of EV charging stations in multi-family units. AB 1796, as proposed, would have put the City's ordinance at risk since the City's ordinance is different than the requirement for installation of EV charging stations contained in the bill. The City sought and obtained Assemblyman Muratsuchi approval to "grandfather" ordinances adopted by local jurisdictions such as the City's. With that approval, the City's legal services team consulted with the Assemblyman Muratsuchi's staff and the Legislative Counsel to draft the exemption that would allow the City's ordinance to supersede state law. The legislative affairs team continued to advocate for passage of AB 1796, testified at committee hearings, and provided the City's perspective as Governor Brown considered and ultimately signed AB 1796. Status: **Signed by the Governor.**

Community Choice Aggregation:

City staff actively monitored bills that could have limited cities' ability to join a Community Choice Aggregation (CCA) for electrical services. In the last weeks of the 2017 legislative session, Assemblymember Chris Holden (D-Pasadena) introduced **AB 726** and **AB 813** to limit local jurisdiction's ability to join a CCA. If approved, the City's efforts to join a CCA would have been halted. The City, along with the League of California Cities and Clean Power Alliance, opposed both bills. Both bills were stopped in the State Senate. Status: **Both bills died in committee.**

Disposal of Sharps & Pharmaceuticals:

For the last few years, City staff has worked with different community stakeholders such as the California Product Stewardship Council (CPSC) to advance a countywide ordinance to ensure that manufacturers of sharps and pharmaceuticals take responsibility for the disposal and destruction of the products they develop, manufacture, and market. **SB 212** (Jackson, D-Santa Barbara) Solid waste: pharmaceutical and sharps waste stewardship does just that on a statewide basis which the City supported. SB 212 requires manufacturers to develop and implement a statewide home-generated drug stewardship plan, or a home-generated sharps waste stewardship plan. Status: **Signed by the Governor.**

Environmental Protection:

Protection of the environment is another priority for the City. **SB 834** (Jackson) and **AB 1775** (Muratsuchi) State lands: leasing: oil and gas, prohibits the State from entering into new leases for oil and gas exploration upon tidelands and submerged lands within state waters associated with Pacific Outer Continental Shelf leases issued after January 1, 2018. Status: **SB 834 and AB 1775 were signed by the Governor.**

LEGISLATIVE PRIORITY: URBAN BALANCE

This year, like years prior, legislators continued to introduce bills that ease local requirements for the approval of new housing developments. One of those bills, **SB 827**

(Wiener) Planning and Zoning: transit-rich housing bonus, pre-empted local zoning ordinances for residential development projects within a certain distance from a major transit station. The legislative affairs team, in tandem with allies such as the League of Cities and the California Contract Cities Association drafted recommendations on ways to minimize the impact of SB 827 on local neighborhoods. The City Council adopted an “Oppose-Unless-Amended” position and met with Sen. Wiener and Senator Allen in order to register the City’s concerns and request exemptions (e.g. jurisdictions that already meet their RHNA (Regional Housing Needs Assessment) or density requirements to this far-reaching land use proposal. Status: **Died in committee.**

In 2017, Senator Wiener introduced SB 384 that allowed the extension of the hours of alcohol service from 2 a.m. to 4 a.m. statewide, which the City supported. However, SB 384 was so significantly amended by the Assembly Appropriations Committee that Sen. Wiener decided not to pursue the bill’s passage. This year Senator Wiener introduced a narrower bill that would have allowed certain jurisdictions to participate in a pilot program to extend hours of alcohol service to 4 AM if they so choose. **SB 905**, Extended Hours, proposed allowing nine cities, including the City of West Hollywood, to pilot the extended hours. The City supported SB 905 and was consulted on various aspects of the bill as it moved through the legislative process, including input regarding data collection issues and types of permitting. Status: **Vetoed by the Governor.**

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-12: Actively Participate in Regional Issues.
- In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:
- G-1: Ensure that the community is active and engaged in the decision-making process.

EVALUATION PROCESSES:

N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

N/A

COMMUNITY ENGAGEMENT:

CL&A Division staff has taken steps to make more readily available information related to the City’s advocacy and legislation-related activities. One of these steps is the posting of updated information on the City’s web site about bills supported or opposed by the City. In addition, the Governmental Affairs Liaison has made presentations to

advisory boards about advocacy efforts on different bills impacting the City.

OFFICE OF PRIMARY RESPONSIBILITY:

CITY MANAGER'S DEPARTMENT / LEGAL SERVICES & LEGISLATIVE AFFAIRS
DIVISION

FISCAL IMPACT:

None

ATTACHMENTS:

Attachment A: "2017-2018 Legislative Report"

Attachment B: "2017 Legislative Report"