



## CITY COUNCIL LEGISLATIVE SUBCOMMITTEE

October 22, 2019  
2:00 p.m.  
City Hall – 70 N. First Street, Campbell, CA  
Ralph Doetsch Conference Room

### AGENDA

#### 1. NEW BUSINESS

- A. Discuss Draft Legislative Advocacy Principles (Attachment 1)
  - I. Role of the Legislative Subcommittee
    - i. Include participating on the Cities Association Legislative Subcommittee?
  - II. Policy Scope
    - i. Process for determining support/opposition to legislation
    - ii. Authority to sign letters
- B. Legislative End of Session Summary (Attachment 2)

#### 3. ORAL REQUESTS

#### 4. ADJOURN

#### Distribution:

City Council Legislative Subcommittee  
City Manager



## SECTION 1.31 LEGISLATIVE ADVOCACY PRINCIPLES

### I. PURPOSE

The purpose of establishing legislative advocacy principles is to authorize a City's position on a legislative bill in a timely manner. These principles will allow the Legislative Subcommittee and the City Manager to consider pending legislation to determine if it falls within the Council's adopted principles, thereby allowing the City to issue a position statement without taking the pending legislation to Council. If the legislation does not fall within the guidelines, it will be taken to Council for discussion and direction.

### II. ROLE OF THE LEGISLATIVE SUBCOMMITTEE

*The Legislative Subcommittee shall meet annually to recommend to the City Council a legislative and policy platform that establishes the City's legislative priorities for that calendar year.*

OR

*Legislative Subcommittee meets to recommend to the City Manager a slate of bills that meets the criteria in Section III A.*

AND

Legislative Subcommittee shall review this policy annually and recommend to the City Council any changes deemed necessary.

### III. POLICY SCOPE

- A. Actions of support or opposition to the legislation can be taken by the Mayor or City Manager, without City Council approval, as staff resources permit if

*[the City Council has approved a legislative and policy platform, and actions of support or opposition are consistent with this platform.]*

OR

*[the City Manager finds the legislation consistent with the following guiding principles]:*

- i. Directly impact the City's finances, responsibilities, legal authority, or operations, AND*
- ii. Is intended to protect or increase local revenues; OR*
- iii. Is intended to protect or increase local control; OR*
- iv. Is opposing an unfunded mandate; OR*
- v. Is consistent with existing City policy, past action, or current City Council strategic priorities.*

B. Full Council action is required if:

- i. City Manager determines legislation is not clearly within the guiding principles above.
- ii. The recommended Mayor or staff position is inconsistent with the League of California Cities.
- iii. The requested support is for any type of grassroots advocacy action, such as social, political or economic movements, that are not legislation.

C. Councilmembers representing the City on regional or other bodies should use their discretion and take action based on the principles above.

## Legislative End of Session Update October 18, 2019

On October 13, 2019, Governor Gavin Newsom completed his first session as governor by signing into law 870 bills and vetoed 172 bills. Below is a summary of bills signed into law that impact the City's local control and/or finances.

### Housing Bills

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**1. SB 330 (Skinner) Housing Crisis Act of 2019**

SIGNED 10/9

Declares a statewide housing crisis and for a five-year period freeze nearly all development related fees once a developer submits a "preliminary" application, including essential project specific fees. Developers would have up to 2 1/2 years to begin construction and not be subject to any new fee.

**2. AB 1763 (Chiu) Density Bonus. Affordable Housing**

SIGNED 10/9

Expands existing Density Bonus Law by requiring, at the request of a developer, for 100% affordable housing projects, a city or county must award an 80% density bonus and four incentives and concessions. For 100 % affordable housing projects within one-half mile of a major transit stop a city or county would be required to allow unlimited density, four incentives and concessions, and up to three additional stories.

**3. AB 1487 (Ting) San Francisco Bay Area Regional Housing Finance Act**

SIGNED 10/8

This bill establishes the Housing Alliance for the Bay Area (hereafter the entity) and would state that the entity's purpose is to increase affordable housing in the San Francisco Bay area, as defined, by providing for enhanced funding and technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. The bill would establish a governing board of the entity. The membership, size, and geographic representation of the board shall be determined by the Metropolitan Transportation Commission and the Executive Board of the Association of Bay Area Governments. The bill would authorize the entity to exercise various specified powers, including the power to raise revenue and allocate funds throughout the San Francisco Bay area, subject to applicable voter approval requirements and other specified procedures, as provided. The bill would also require the board to provide for annual audits of the entity and financial reports, as provided. The bill would include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities within the San Francisco Bay area, including charter cities.

### Accessory Dwelling Units (ADU's)

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Four significant bills set new limits on local governmental review and regulation of ADUs.

**4. AB 68 (Ting) Accessory Dwelling Units**

Amends the statewide standards that apply to locally-adopted ordinances concerning accessory dwelling units (ADUs). Changes include: prohibits minimum lot size requirements; requires at least 850 sq.ft. per ADU; and requires approval within 60 days.

**5. AB 670 (Friedman D) Common Interest Developments: Accessory Dwelling Units**

Current law prohibits the governing document of a common interest development from prohibiting the rental or leasing of any separate interest in the common interest development, unless that governing document was effective prior to the date the owner acquired title to their separate interest. This bill makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or

other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use that meets the above-described minimum standards established for those units.

**6. AB 881 (Bloom) Accessory Dwelling Units**

Prohibits a local jurisdiction from requiring a property owner live in the main house or one of the accessory structures. Requires local agencies to ministerially approve ADUs on lots with multi-family residences and within existing garages. Adds a definition of "public transit" to mean a bus stop, bus line, light rail, street car, car share drop off or pick up, or heavy rail stop.

**7. SB 13 (Wieckowski) Accessory Dwelling Units**

Prohibits local jurisdictions from imposing any impact fees on ADUs less than 750 square feet, and limits the charge on ADUs over 750 square feet to 25 percent of the fees otherwise charged for a new single-family dwelling on the same lot. Prohibits replacement parking when a garage, carport, or covered parking structure is demolished or converted into an ADU. This measure also prohibits owner occupancy requirements.

**Public Safety & Governance**

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**8. AB 392 (Weber) Peace Officers. Deadly Force**

SIGNED 8/19

Limits the use of deadly force by a peace officer to those situations where it is necessary to defend against a threat of imminent serious bodily injury or death to the officer or to another person. Defines the terms "necessary" to mean that given the totality of the circumstances, an objectively reasonable peace officer in the same situation would conclude that there was no reasonable alternative to the use of deadly force that would prevent death or serious bodily injury to the peace officer or to another person.

**9. AB 849 (Bonta) Elections. Local Redistricting**

SIGNED 10/8

The bill would require the governing body of each local jurisdiction to adopt new district boundaries after each federal decennial census, except as specified. The bill would specify redistricting criteria and deadlines for the adoption of new boundaries by the governing body. The bill would specify hearing procedures that would allow the public to provide input on the placement of boundaries and on proposed boundary maps. The bill would require the governing body to take specified steps to encourage the residents of the local jurisdiction to participate in the redistricting process.