

## City of Pleasanton 2021 Positions on Bills

Assembly Bill/ Senate Bill	Summary	Guiding Principle	City Position
<a href="#">AB 59 (Gabriel)</a> Mitigation Fee Act: fees: notice and timelines	This bill would increase, for fees and service charges and for fees for specified public facilities, the time for mailing the notice of the time and place of the meeting to at least 45 days before the meeting.	Housing	<b>Watch.</b> The bill would extend noticing timeframes, which, though affording interested parties more time for review, may cause delays in the City’s ability to adopt new fees and charges in a timely manner. However, a “watch” position is recommended to determine the potential impact to the City.
<a href="#">AB 115 (Bloom)</a> Planning and zoning: commercial zoning: housing development	Would, notwithstanding any inconsistent provision of a city’s or county’s general plan, specific plan, zoning ordinance, or regulation, would require that a housing development be an authorized use on a site designated in any local agency’s zoning code or maps for commercial uses if certain conditions apply. Among these conditions, the bill would require that the housing development be subject to a recorded deed restriction requiring that at least 20% of the units have an affordable housing cost or affordable rent for lower income households, as those terms are defined, and located on a site that satisfies specified criteria.	Housing	<b>Oppose with comment letter</b> addressing the following issues:  Loss of the City’s discretion to determine appropriate locations for housing, resulting in potential land use incompatibilities  Reduction of the City’s inventory of sites available to accommodate commercial uses to accommodate sales-tax and employment generating uses, and provide convenient services for residents  Insufficient requirement for affordable, versus market-rate housing.

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<a href="#">AB 215 (Chiu)</a> Housing element	<p>Existing law, the Planning and Zoning Law, requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the Department of Housing and Community Development (HCD) to determine whether the housing element is in substantial compliance with specified provisions of that law. That law also requires HCD to notify a city, county, or city and county, and authorizes HCD to notify the office of the Attorney General, that the city, county, or city and county is in violation of state law if HCD finds that the housing element or an amendment to the housing element does not substantially comply with specified provisions of the Planning and Zoning Law, or that the local government has taken action or failed to act in violation of specified provisions of law. This bill would add the Housing Crisis Act of 2019 to those specified provisions of law. (Based on text date 1/11/2021)</p>	Housing	<p><b>Watch.</b> This bill expands the State’s approach to enforcement of housing laws by local jurisdictions, by adding SB330 (Housing Crisis Act) to the list of regulations for which cities may be referred to the Attorney General or be faced with significant fines. However, a “watch” position is recommended to determine the potential impact to the City.</p> <p>The provision to notify and correct before a referral to the Attorney General is of concern and is what will be monitored.</p>
<a href="#">SB 5 (Atkins)</a> Housing: bond act	<p>This bill would state the intent of the Legislature to enact legislation that would authorize the issuance of bonds and would require the proceeds from the sale of those bonds to be used to finance housing-related programs that serve the homeless and extremely low income and very low income Californians. (Based on text date 12/7/2020)</p>	Housing	<p><b>Support.</b> The bill would increase resources available.</p>

Adopted March 2, 2021

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<a href="#">SB 6 (Caballero)</a> Local planning: housing: commercial zones	The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre in a suburban jurisdiction.	Housing	<p><b>Oppose with comment letter</b> addressing the following issues:</p> <p>Loss of the City’s discretion to determine appropriate locations for high density housing, resulting in potential land use incompatibilities</p> <p>Reduction of the City’s inventory of sites available to accommodate commercial uses to accommodate sales-tax and employment generating uses, and provide convenient services for residents</p> <p>Affordability requirements are not specified, meaning that there is no certainty affordable housing needs will be met.</p>

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<a href="#"><u>SB 7 (Atkins)</u></a> Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA authorizes the preparation of a master EIR and authorizes the use of the master EIR to limit the environmental review of subsequent projects that are described in the master EIR, as specified. This bill would require a lead agency to prepare a master EIR for a general plan, plan amendment, plan element, or specific plan for housing projects where the state has provided funding for the preparation of the master EIR.	Housing	<p><b>Support with Amendments.</b> Although the City typically takes the approach of preparing a Master EIR or similar program-level CEQA document, with streamlined review for subsequent project, the State should continue to allow local jurisdictions the flexibility to determine the appropriate level of CEQA review, even for projects for which state funding has been received.</p>

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<a href="#">SB 8 (Skinner)</a> Density Bonus Law	Would make a non-substantive change to the definition of “development standard” for purposes of the Density Bonus Law.	Housing	<b>Watch.</b> This is a placeholder bill proposed by Senator Skinner, and is subject to revision.
<a href="#">SB 9 (Atkins)</a> Housing development: approvals	Would require a proposed housing development containing 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.	Housing	<b>Oppose with comment letter</b> addressing the following issues: <ul style="list-style-type: none"> <li>• The bill would allow for significant increases in density in single-family residential neighborhood, by allowing for two primary units plus ADUs, without any discretionary review</li> <li>• Impacts to neighborhood quality, parking, and services could be significant as a result.</li> <li>• Propose Historic Resource designation amendment language</li> </ul>

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<a href="#">SB 10 (Wiener)</a> Planning and zoning: housing development: density	Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria. The bill would specify that an ordinance adopted under these provisions is not a project for purposes of the California Environmental Quality Act. The bill would prohibit a residential or mixed-use residential project consisting of 10 or more units that is located on a parcel rezoned pursuant to these provisions from being approved ministerially or by right.	Housing	<p><b>Oppose.</b> The bill provides an additional tool for cities to facilitate zoning changes to provide sites for housing, but <u>does not mandate</u> such zoning changes, thereby maintaining local control.</p> <p>This is a reintroduction from a bill last year that include a provision that would allow the City Council to overturn a voter approved initiative to use the provisions of this bill. Although it is not reflected in the current bill language it is of concern.</p>

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<p><a href="#">SB 15 (Portantino)</a> Housing development: incentives: rezoning of idle retail sites</p>	<p>Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are affordable to very low and low-income households. This bill, upon appropriation by the Legislature in the annual Budget Act or other statute, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing</p>	<p>Housing</p>	<p><b>Support.</b> The bill provides resources and incentives to cities who elect to re-zone commercial sites for affordable housing.</p>

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<a href="#"><u>SB 33 (Cortese)</u></a> California Environmental Quality Act: lead agency	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA defines “lead agency” to mean the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment. This bill would make non-substantive changes to those provisions.</p>	Housing	<p><b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.</p>
<a href="#"><u>SB 44 (Allen)</u></a> California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects	<p>Would require the Judicial Council, on or before April 1, 2022, to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency’s action related to an environmental leadership transit project. The bill would require the environmental leadership transit project to meet certain labor requirements.</p>	Housing	<p><b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.</p>



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<a href="#">SCA 2 (Allen)</a> Public housing projects	<p>The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.</p>	Housing	<p><b>Support.</b> The bill would remove an antiquated provision in the State Constitution that requires a majority vote of local residents to support any “low-rent” housing project proposed by the State.</p>
<a href="#">AB 71 (Rivas)</a> Homelessness funding: Bring California Home Act	<p>Would, for taxable years beginning on or after January 1, 2022, include a taxpayer’s global low-taxed income in their gross income for purposes of the Personal Income Tax Law, in modified conformity with the above-described federal provisions. The bill would exempt any standard, criterion, procedure, determination, rule, notice, or guideline established or issued by the Franchise Tax Board to implement its provisions from the rulemaking provisions of the Administrative Procedure Act.</p> <p>The bill would require any revenue resulting from these above changes to be used for the Bring California Home Act, a new program to address homelessness.</p>	Safe and Secure Community	<p><b>Watch.</b> Although the bill may generate revenue for homeless programs through changes to the Tax Code, impacts on local taxpayers are unclear.</p>

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<a href="#">SB 106 (Umberg)</a> Mental Health Services Act: homelessness	Current law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health programs and requires counties to spend those funds as specified. This bill would state the intent of the Legislature that the MHSA be updated to better focus on people with mental illness who are also experiencing homelessness, who are involved in the criminal justice system, and for early intervention for youth.	Safe and Secure Community	<b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.
<a href="#">SB 234 (Wiener)</a> Transition Aged Youth Housing Program	Would establish the Transition Aged Youth Housing Program for the purpose of creating housing for transition aged youth under 26 years of age, who have been removed from their homes, are experiencing homelessness unaccompanied by a parent or legal guardian, or are under the jurisdiction of a court, as specified, and would require the council to develop, implement, and administer the program.	Safe and Secure Community  Strengthen Youth Programs, Services and Activities	<b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.

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<p><a href="#">SB 52 (Dodd)</a> State of Emergency: sudden and severe energy shortage: planned power outage</p>	<p>Current law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or the territorial limits of a local government caused by, among other things, a sudden and severe energy shortage. Current law defines a “sudden and severe energy shortage” as a rapid, unforeseen shortage of energy, resulting from, but not limited to, events such as an embargo, sabotage, or natural disasters, and that has statewide, regional, or local impact. This bill would expand the definition of “sudden and severe energy shortage” to include a “deenergization event,” defined as a planned power outage, as specified, and would make a deenergization event one of those conditions constituting a state of emergency and a local emergency.</p>	<p>Safe and Secure Community</p>	<p><b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.</p>

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<a href="#">SB 54 (Allen)</a> Solid waste: disposable packaging and food ware	Would declare the intent of the Legislature to enact the Plastic Pollution Producer Responsibility Act, which would significantly reduce the amount of disposable packaging and food ware waste entering California's waste stream, polluting oceans, littering local communities and beaches, and costing local governments millions of dollars in cleanup costs through source reduction requirements and increased composting and recycling.	Sustainable Development	<b>Support.</b> The City took a support position on this bill last year. Senator Allen reintroduced it this year.
<a href="#">SB 38 (Wieckowski)</a> Beverage containers	Would require beverage manufacturers in the state to form a beverage container stewardship organization. The organization would be required to develop and submit to the Department of Resources Recycling and Recovery a plan, annual report, and budget for the recovery and recycling of empty beverage containers in the state similar to that described in the Used Mattress Recovery and Recycling Act. The bill would require the organization to establish a stewardship fee, to be paid by beverage manufacturer members of the organization, to assist in covering the costs of implementing the beverage container stewardship program. The bill would require the organization to reimburse the department for the department's costs of enforcing the program.	Sustainable Development	<b>Conditional Support.</b> This bill begins to consider a solution to the California Redemption Value Program that is impacting the Buy Back Center portion of the program. It is expected that there may be many amendments to the bill and as such conditional support is recommended.

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<a href="#">SB 67(Becker)</a> Clean Energy	Would state the intent of the Legislature to enact subsequent legislation to accelerate the state's progress toward having 100% of electricity provided by renewable or other zero-carbon sources on a 24-hour, 7-day basis.	Sustainable Development	<b>Watch.</b> The City joined EBCE and would like to monitor this bill and further determine impact on the City.
<a href="#">SB 45 (Portantino)</a> Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Sustainable Development  Public Infrastructure	<b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.
<a href="#">SB 222 (Dodd)</a> Water Affordability Assistance Program	Would establish the Water Affordability Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California. The bill would make moneys in the fund available upon appropriation by the Legislature to the state board to provide, as part of the Water Affordability Assistance Program established by the bill, direct water bill assistance, water bill credits, water crisis assistance, affordability assistance, and short-term assistance to public water systems to administer program components.	Safe and Secure Community	<b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.

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<a href="#">SB 230</a> <a href="#">(Portantino)</a> State Water Resource Control Board: Constituents of Emerging Concern Program	<p>Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board to provide an annual report to the Legislature on the ongoing work conducted by the panel.</p>	<p>Sustainable Development</p> <p>Safe and Secure Community</p>	<p><b>Watch.</b> This bill may be subject to revision a “watch” position is recommended to determine the potential impact to the City.</p>