

Date: October 22, 2020

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager 

Subject: **City Positions on State Legislation and Final Outcomes in 2020**

The COVID-19 pandemic transformed the State Legislative calendar and priorities, and members of the Legislature significantly reduced their bill packages. The City of Long Beach (City) took a position on 17 pieces of legislation in the 2020 State Legislative Session. Position letters sent on behalf of the City can be located on the City's [State Legislative Outreach](#) webpage. Attached for your information are two documents:

- Attachment A: Overview of the City's Legislative Positions
- Attachment B: Information on the City's Legislative Positions

Of the bills the City supported:

- 7 were enacted and will become State law;
- 2 were adopted by the State Legislature, but vetoed by the Governor; and,
- 8 failed passage in the State Legislature.

If you have any questions, please contact Tyler Bonanno-Curley, Manager of Government Affairs, at (562) 570-5715 or Tyler.Curley@longbeach.gov.

ATTACHMENTS

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Attachment A: Overview of the City’s Legislative Positions

Subject	Legislation	Position	Outcome
COVID-19	AB 826 (Santiago) Emergency Food Assistance: COVID-19	Support	Vetoed
	AB 828 (Ting) Temporary Moratorium on Foreclosures and Unlawful Detainer Actions: Coronavirus	Support	Failed
	AB 1436 (Chiu) Tenancy: Rental Payment Default: Mortgage Forbearance: State of Emergency: COVID-19	Support	Failed
	SB 281 (Wiener) Housing Development: Permits and Other Entitlements: Extension	Support	Failed
	SB 932 (Wiener) Communicable Diseases: Data Collection	Support	Enacted
	SB 939 (Wiener) Emergencies: COVID-19: Evictions	Support	Failed
	SB 1410 (Caballero) COVID-19 Emergency: Tenancies	Support	Failed
Economic Development	AB 310 (Santiago) California Infrastructure and Economic Development Bank	Support	Failed
	AB 3330 (O’Donnell) Cannabis and Cannabis Products: Advertising and Marketing: Penalties	Support	Failed
	SB 1130 (Gonzalez) Communications: California Advanced Services Fund	Support	Failed
Public Health	AB 2037 (Wicks) Health Facilities: Notices	Support	Enacted
Public Safety	AB 846 (Burke) Public employment: Public Officers or Employees Declared by Law to be Peace Officers	Support	Enacted
	AB 1196 (Gipson) Peace Officers: Use of Force	Support	Enacted
	AB 1506 (McCarty) Police Use of Force	Support	Enacted
	AB 2054 (Kamlager) Emergency Services: Community Response: Grant Program	Support	Vetoed
Public Works	AB 2932 (O’Donnell) City of Long Beach: Design-build Process	Support	Enacted
Water	SB 1386 (Moorlach) Local Government: Assessments, Fees and Charges, Water: Hydrants	Support	Enacted

Attachment B: Information on the City's Legislative Positions

COVID-19

The COVID-19 pandemic shifted the State's legislative priorities. A number of proposals were introduced in an effort to address the impacts of COVID-19 such as access to food and other vital resources, testing capacity and equitable data collection, renter and property owner supports, and worker protections.

Four of the following bills detail eviction moratorium proposals introduced in response to economic hardship induced by COVID-19. The topic became one of, if not the most, hotly discussed topics of the legislative year and remains an ongoing priority for Governor Newsom and the State Legislature. During the final week of the Legislative Session, Assemblymember Chiu introduced AB 3088, an eviction moratorium for renters who have experienced COVID-19-related economic impacts through January 31, 2021. AB 3088 passed through the State Legislature and was signed into law by Governor Newsom on August 31. More information about the law is provided in a [memorandum](#) dated September 29, 2020. The City supported several earlier evictions moratoria proposals, some provisions of which were included in the final legislation.

Support for AB 826 (Santiago) Emergency Food Assistance: COVID-19

This bill proposed to establish an emergency food assistance program. The assistance would have taken effect immediately in acknowledgement of economic hardship due to COVID-19. The City supported this bill as it would have ensured access to vital resources such as food for families in need. AB 826 was vetoed by Governor Newsom on September 29, 2020, citing the impact it would have to the General Fund.

Support for AB 828 (Ting) Temporary Moratorium on Foreclosures and Unlawful Detainer Actions: Coronavirus

This bill proposed an eviction moratorium for tenants and protections for mortgage holders during the COVID-19 state of emergency and 90 days following the end of the emergency declaration. AB 828 would have allowed rent deferment for tenants facing economic hardship resulting from COVID-19 for an additional year. The City supported AB 828 following City Council's unanimous approval of the COVID-19 Economic Relief Package on March 17, 2020, which included the adoption of the City's eviction moratorium ordinance (ORD-20-0028) on March 26, 2020. The bill unanimously passed through the State Assembly on April 4, but failed to be heard in either of its referred Senate policy committees.

Support for AB 1436 (Chiu) Tenancy: Rental Payment Default: Mortgage Forbearance: State of Emergency: COVID-19

AB 1436, the Small Landlord and Homeowner Relief Act of 2020 (Act), proposed to provide payment relief for residential tenants and property owners. The proposed eviction moratorium would have lasted until 90 days following the end of the COVID-19 state of emergency or April 1, 2021, whichever came first. The Act included specifications for landlords and tenants to develop voluntary agreements for the repayment of any unpaid

financial obligations accrued during the specified period. The City supported AB 1436 based on City Council's unanimous approval of the COVID-19 Economic Relief Package on March 17, 2020, and further requests to prioritize tenant and property owner support. AB 1436 unanimously passed through Senate Appropriations on August 20, 2020, but was stalled in the Senate Committee on Rules, after Governor Newsom and Legislative leaders came to a separate agreement on evictions and homeowner protections in AB 3088.

Support for SB 281 (Wiener) Housing Development: Permits and Other Entitlements: Extension

This bill proposed to extend by 18 months the expiration or effectuation of housing development entitlements and permits effective on March 4, 2020, and set to expire prior to December 31, 2021. Similarly, the Long Beach City Council adopted ORD-20-0023 on June 16, 2020, to extend permitting deadlines during COVID-19. City staff worked with the Office of Senator Wiener to incorporate a clause in the legislation to allow local governments with their own ordinances to take precedence. The City supported SB 281 as it would further the intent of the City's local ordinance and 2013-2021 Housing Element statewide. SB 281, however, did not move forward this year.

Support for SB 932 (Wiener) Communicable Diseases: Data Collection

SB 932 proposed a statewide standard for data collection related to sexual orientation and gender identity of individuals who are diagnosed with a communicable disease. As one of the most diverse cities in the country, the City supported SB 932. The bill originally applied to individuals diagnosed specifically with COVID-19, but was amended to include all communicable disease diagnoses in June 2020. SB 932 unanimously passed through the State Legislature and was signed into law on September 26, 2020.

Support for SB 939 (Wiener) Emergencies: COVID-19: Evictions

This bill proposed an eviction moratorium for commercial tenants and property owners experiencing COVID-19-related economic hardship until 90 days following the end of the COVID-19 emergency. The City initially supported SB 939 following the adoption of ORD-20-0028 on March 26, 2020, as the bill would have extended the local protections for commercial tenants statewide. The bill, however, was significantly amended to allow commercial tenants to terminate their lease if the landlord and tenant could not reach a mutually satisfactory payment agreement, and SB 939 ultimately failed to make it through Senate Appropriations on June 18, 2020.

Support for SB 1410 (Caballero) COVID-19 Emergency: Tenancies

This bill proposed an eviction moratorium with relief for both tenants and property owners. The bill would have authorized tenant-owner COVID-19 eviction relief agreements to allow tenants to defer unpaid rent, and participating property owners would have been provided tax credits equal to the unpaid rent. The City supported SB 1410 following City Council's unanimous approval of the COVID-19 Economic Relief Package on March 17, 2020. SB 1410 was unable to progress beyond the Assembly Appropriations Committee on August 20, 2020.

Economic Development

Support for AB 310 (Santiago) California Infrastructure and Economic Development Bank

This bill would have provided immediate economic relief for the COVID-19 pandemic by expanding the lending capacity of the California Infrastructure Economic Development Bank (IBank), moving 10 percent of California's Pooled Money Investment Account into the IBank's loan fund. The City supported AB 310 as it would have leveraged the IBank's capital and lending power to benefit pressing public needs at a lower cost than the private sector. The bill passed unanimously through the Assembly, but was unable to move through the Senate.

Support for AB 3330 (O'Donnell) Cannabis and Cannabis Products: Advertising and Marketing: Penalties

This bill proposed to make it unlawful for unlicensed dispensaries to advertise online. The City supported AB 3330 as it would have furthered the Long Beach City Council's adoption of ORD-18-0015 on August 7, 2018. The bill, however, was gut-and-amended on August 3, 2020, and no longer pertained to cannabis advertising. The new AB 3330, proposing to adjust licensing fees of certain medical boards, was signed by Governor Newsom on September 30, 2020.

Support for SB 1130 (Gonzalez) Communications: California Advanced Services Fund

This bill would have revised the California Advanced Services Fund to award telecommunication projects that provide high-speed and future-proof broadband infrastructure, thereby offering broadband to at least 98 percent of households in the State. The City supported SB 1130 as it aligns with the City's digital inclusion initiative and COVID-19 economic relief efforts. SB 1130 was heard in the Assembly Appropriations Committee prior to becoming inactive. The legislative concept remains a priority and is likely to be reintroduced in future legislation.

Public Health

Support for AB 2037 (Wicks) Health Facilities: Notices

This bill proposed to require hospitals with emergency medical facilities to provide public notice of 180 days prior to planned reduction or elimination of emergency services. The City supported AB 2037 as the temporary closure of Community Hospital of Long Beach demonstrated the need for this legislation. The City also supported this legislative concept in 2019, when it was authored by Assemblymember O'Donnell. While the proposal was vetoed last year, AB 2037 was signed by Governor Newsom on September 18, 2020.

Public Safety

In response to the tragic death of George Floyd in Minneapolis on May 25, 2020, the State Legislature introduced a number of proposals related to police reform. Most were unable to pass through the State Legislature. The four bills the City supported regarding police reform successfully made it to the Governor's desk for consideration, with three being enacted. The topic of public safety is expected to remain a priority in the next legislative session.

Support for AB 846 (Burke) Public employment: Public Officers or Employees Declared by Law to be Peace Officers

This bill proposed strategies for the Commission on Police Officer Standards and Training and local law enforcement agencies to eliminate discriminatory bias in hiring and emphasize community interaction in public safety. The City supported AB 846 because it aligns with the Framework for Reconciliation Initiative's Initial Report, unanimously adopted by the City Council on August 11, 2020. AB 846 was signed by Governor Newsom on September 30, 2020.

Support for AB 1196 (Gipson) Peace Officers: Use of Force

This bill prohibits a law enforcement agency from authorizing the use of a carotid restraint or a chokehold. The City Council unanimously voted to support AB 1196 on June 16, 2020. The Long Beach Police Department has already suspended these use of force practices. AB 1196 was signed by Governor Newsom on September 30, 2020.

Support for AB 1506 (McCarty) Police Use of Force

This bill proposes to establish a division within the Department of Justice to review local law enforcement agencies' incidents of use of force, upon request. Additionally, the bill would require the Police Practices Division of the Attorney General to review local law enforcement agencies' deadly force policies, also upon request. The City supported the bill as it aligns with the Framework for Reconciliation Initiative's Initial Report, adopted by the City Council on August 11, 2020. AB 1506 was signed by Governor Newsom on September 30, 2020.

Support for AB 2054 (Kamlager) Emergency Services: Community Response: Grant Program

This bill, the Community Response Initiative to Strengthen Emergency Systems (C.R.I.S.E.S.) Act, proposed to establish a pilot grant program to award organizations that advance emergency response activities in underserved communities. The bill aligns with the City's actions to ensure equitable, inclusive emergency response during the COVID-19 pandemic. AB 2054 was vetoed by Governor Newsom on September 30, 2020.

Public Works

Support for AB 2932 (O'Donnell) City of Long Beach: Design-build Process

The City sponsored AB 2932 to authorize the City's Department of Public Works, upon approval by the City Council, to use the design-build contracting process to efficiently construct enough accessible public ramps to abide by the ruling in Ochoa, et al. v. City of Long Beach, et al. As the bill's sponsor, the City supported the AB 2932. The bill was signed into law by Governor Newsom on September 9, 2020, and is effective immediately.

Water

Support for SB 1386 (Moorlach) Local Government: Assessments, Fees and Charges, Water: Hydrants

This bill proposes to ensure local water suppliers maintain the ability to include public hydrant maintenance and operation costs within property-related service charges. The bill affirms the legitimacy of property-related service charges in order to prevent the charges from being passed along to local fire protection agencies. The City supported SB 1386 as one of the 81 local governments being sued to challenge this longstanding funding methodology. SB 1386 was signed by Governor Newsom on September 28, 2020.