



Legislation Details (With Text)

File #: 19-543

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File created: 4/26/2019 **In control:** City Council/Public Financing Authority

On agenda: 5/6/2019 **Final action:** 5/6/2019

Title: City Council positions on legislation pending before the State Legislature and Regional Issues as recommended by the City Council Intergovernmental Relations Committee (IRC)

Attachments: 1. Att#1 AB 143, 2. Att#2 AB 217, 3. Att#3 AB 919, 4. Att#4 AB 920, 5. Att#5 AB 1583, 6. Att#6 Air Traffic Noise Letter, 7. Att#7 City of Newport Beach GAIP Letter

Date	Ver.	Action By	Action	Result
5/6/2019	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Antonia Graham, Assistant to the City Manager

Subject:

City Council positions on legislation pending before the State Legislature and Regional Issues as recommended by the City Council Intergovernmental Relations Committee (IRC)

Statement of Issue:

On April 25, 2019, the Intergovernmental Relations Committee comprised of Mayor Erik Peterson, Mayor Pro Tem Lyn Semeta, and Council Member Jill Hardy met to discuss pending State legislation and regional issues. This Council Action requests City Council authorization to enable the Mayor to sign official City position letters.

Financial Impact:

There is no fiscal impact associated with these position letters.

Recommended Action:

- A) Approve a City position of Oppose on Assembly Bill 143 (Quirk-Silva) - Shelter Crisis: Homeless Shelters County of Orange; and,
- B) Approve a City position of Oppose on Assembly Bill 217 (Garcia) - Safe Drinking Water for All Act; and,
- C) Approve a City position of Support on Assembly Bill 919 (Petrie-Norris) - Alcoholism and Drug Abuse Recovery Treatment Program; and,

D) Approve a City position of Support in Concept on Assembly Bill 920 (Petrie-Norris) - Alcoholism and Drug Abuse Recovery Treatment Program; and,

E) Approve a City position of Support on Assembly Bill 1583 (Eggman) - The California Recycling Market Development Zone Act; and,

F) Approve a City position of Support for Alternative 3 - John Wayne Airport's General Aviation Improvement Program.

Alternative Action(s):

Do not approve the recommended actions and direct staff accordingly.

Analysis:

The Intergovernmental Relations Committee (IRC) met to discuss pending State legislation along with regional issues. The Committee reviewed the 2019 State Legislative Matrix provided by the City's Federal and State Advocate Townsend Public Affairs. The following is an analysis of the bills that the Committee chose to take the following positions on:

➤ **Oppose Assembly Bill 143 (Quirk-Silva) - Shelter Crisis: Homeless Shelters Orange County**

Existing law authorizes the governing body of a local government entity, to declare a shelter crisis if the governing body makes a specified finding. Upon declaration of a shelter crisis, existing law, among other things, suspends certain state and local laws, regulations, and ordinances to the extent that strict compliance would prevent, hinder, or delay the mitigation of the effects of the shelter crisis. This bill would apply these additional provisions to a shelter crisis to the County of Orange, and any city located within the County of Orange. Existing law exempts from the California Environmental Quality Act (CEQA) specified actions by a city relating to land owned by a local government to be used for, or to provide financial assistance to, a homeless shelter constructed pursuant to these provisions. This bill would apply these provisions to a shelter crisis declared by the County of Orange and any city located within the County.

➤ **Oppose Assembly Bill 217 (Garcia) - Safe Drinking Water for All Act**

Existing law (the California Safe Drinking Water Act) requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. This bill would enact the Safe Drinking Water for All Act and would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the Board to provide a source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. To fund this program, this bill would establish a safe and affordable drinking water fee in the amount of \$0.50 per service connection on all public water systems. The bill would require each public water system to remit to the Board the amount of the fee for their public water system on July 1, 2020 and by July 1 annually thereafter.

➤ **Support Assembly Bill 919 (Petrie-Norris) - Alcoholism and Drug Abuse Recovery Treatment Programs**

Existing law provides for the licensure and regulation of adult alcoholism or drug abuse recovery or treatment facilities by the State Department of Health Care Services and authorizes the department to enforce those provisions. This bill would require the department to establish an enforcement program focused on the duties to enforce those provisions, and would require staff of the enforcement program to provide the department with analytical support, general oversight and monitoring, and legal guidance regarding those provisions.

➤ **Support in Concept Assembly Bill 920 (Petrie-Norris) - Alcoholism and Drug Abuse Recover Treatment Programs**

Existing law provides for the licensure and regulation of adult alcoholism or drug abuse recovery or treatment facilities by the State Department of Health Care Services and authorizes the department to enforce those provisions. Existing law requires an alcoholism or drug abuse recovery or treatment facilities that serves 6 or fewer persons to be considered a residential use of property and requires that the residents and operators of the facility be considered a family for the purposes of any law or zoning ordinance that relates to the residential use of property. This bill would exempt from those provisions an alcoholism or drug abuse recovery or treatment facility that serves 6 or fewer persons that is engaged in an economic relationship with a treatment provider that owns or operates two or more of this type of facility.

➤ **Support Assembly Bill 1583 (Eggman) - The California Recycling Market Development Act**

The United States recycling infrastructure has, for too long relied on overseas markets, and these counties are beginning to adopt policies that limit the import of foreign waste. This bill would reauthorize existing, and would create new recycling infrastructure development programs, including sales tax exemptions, low interest loans, and new incentive payment programs. As the Administrator of the Recycling Market Development Zone for Orange County this would enable the City and the member jurisdictions the ability to continue to offer incentives to companies/manufacturers that utilize secondary feedstock (aka recyclable materials) in their manufacturing process.

All of the aforementioned bills with the exception of AB 1583 received unanimous votes. Mayor Peterson stated a “No” vote on AB 1583.

In addition to reviewing the State Legislative Matrix, the Committee discussed the Jet Noise Commission and their request to send a letter to the Orange County Board of Supervisors in support of the John Wayne Airport’s General Aviation Improvement Program - Alternative 3. The General Aviation Improvement Program (GAIP) provides a framework for General Aviation improvements at John Wayne Airport. The County of Orange operates John Wayne Airport and is seeking to expand the operations of its Fixed-Base Operators (FBOs) - private businesses granted the right by the airport to operate on airport property and provide aeronautical services such as fueling, storage, parking, tie downs, aircraft maintenance, flight instruction, and aircraft rental. According to the County of Orange, the General Aviation (GA) services and facilities were last studied in the 1990s. Since then, there have been changes to the airport’s GA fleet, their facilities are aging, these facilities need to comply with Federal Aviation Administration (FAA) requirements related to the proximity of buildings to taxiways and runways, and the number of GA leases have expired or are nearing

expiration. The County drafted a Programmatic EIR on the GAIP. There are currently three alternatives to the proposed project. This Alternative is the least impactful for the community and will allow for the updating of the airport's GA facilities to current FAA standards, would not expand GA facilities at the FBOs, nor would it significantly alter the airport's current mix of GA aircraft that are based at the airport. It would also result in the least amount of GA jet operations by the year 2026.

The Jet Noise Commission reviewed the GAIP and the alternatives and is in concurrence with the City of Newport Beach who has issued a letter in support of Alternative 3 (Attachment 7). The Jet Noise Commission Chair has submitted a letter requesting that the City Council authorize the Mayor to send a letter to the Chairwoman of the Orange County Board of Supervisors in support of Alternative 3.

Environmental Status:

Not Applicable

Strategic Plan Goal:

Non-Applicable - Administrative Item

Attachment(s):

1. Assembly Bill 143
2. Assembly Bill 217
3. Assembly Bill 919
4. Assembly Bill 920
5. Assembly Bill 1583
6. Memo from Jet Noise Commission Chair, Phil Burtis
7. City of Newport Beach GAIP Letter