



City of Huntington Beach

File #: 21-277

MEETING DATE: 4/5/2021

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Travis K. Hopkins, Assistant City Manager

Subject:

Consider Positions on Legislation Pending before the State Legislature, as recommended by the Intergovernmental Relations Committee (IRC)

Statement of Issue:

On March 17, 2021, the Intergovernmental Relations Committee (IRC), comprised of Mayor Kim Carr, Mayor Pro Tem Tito Ortiz, and Council Member Mike Posey, discussed current local, state and federal issues with relevance to Huntington Beach. Following discussion, the IRC chose to take positions on certain proposed State legislation, which are being presented to the City Council for approval. Those positions include: Oppose AB 339 (Lee); Support AB 361 (Rivas); Support AB 703 (Rubio); and Watch SB 6 (Caballero).

Financial Impact:

Not applicable.

Recommended Action:

- A) Approve a City position of Oppose on Assembly Bill 339 (Lee) - State and local government: open meetings; and/or,
- B) Approve a City position of Support on Assembly Bill 361 (Rivas) - Open meetings: local agencies: teleconferences; and/or,
- C) Approve a City position of Support on Assembly Bill 703 (Rubio) - Open meetings: local agencies: teleconferences; and/or,
- D) Approve a City position of Watch on Senate Bill 6 (Caballero) - Local planning: housing: commercial zones.

Alternative Action(s):

Do not approve one or more recommended legislative positions and direct staff accordingly.

Analysis:

On March 17, 2021, the IRC is recommending positions on State legislation, which are being presented to the City Council for approval:

1. OPPOSE - AB 339 (Lee) - State and local government: open meetings

This bill would allow for continued remote participation in local hearings and meetings. However, it would require all meetings to include a call-in option and an internet-based service option with extensive closed captioning services. This bill would also require legislative bodies to translate all agendas and instructions for accessing the meeting into languages for which 5% of the population in the area governed by the local agency are speakers. Lastly, the bill would require local agencies to provide in-person translation services for the aforementioned languages. At this time, the bill does not account for how local agencies will implement and fund these extensive technological and staffing requirements.

2. SUPPORT - AB 361 (Rivas) - Open meetings: local agencies: teleconferences

This bill codifies the Governor's executive orders (N-25-20, N-29-20, N-35-20) that permit local city councils, boards, commissions, and other agencies to meet remotely via video and teleconference during a declared emergency. To do so, local agencies must meet subsequent or concurrent to a proclaimed state of emergency or declared local emergency, and declare that the nature of the emergency would prevent them from safely meeting in person. This would allow agencies to continue operating while also complying with the emergency directives.

3. SUPPORT - AB 703 (Rubio) - Open meetings: local agencies: teleconferences

Current law limits teleconference meetings to "teleconference locations" which do not reflect the modernization of virtual meetings that can be held in nearly any location with a computer or mobile device. As such, AB 703 would eliminate the concept of "teleconference locations" and allow local agencies greater flexibility when hosting virtual meetings. The bill would also improve and enhance public access to local meetings and would be consistent with the digital age and the Governor's current executive orders.

4. WATCH - SB 6 (Caballero) - Local planning: housing: commercial zones

This bill is a re-introduction of SB 1385 from the previous year. It establishes a housing development project as an authorized use on a neighborhood lot, which is defined as a lot zoned for office or retail commercial use under a local agency's zoning code or general plan. SB 6 allows a local agency to exempt a lot zoned for commercial retail or office use from the bill if the local agency concurrently reallocates the lost residential density to other lots so that there is no net loss in residential production capacity. The density for the housing development must meet or exceed the applicable density deemed appropriate to accommodate housing for lower income households under housing element law. The housing development is subject to local zoning, parking, design, and other ordinances, and must comply with any design review or other procedural requirements imposed by the local government. The IRC chose to take a Watch position and has asked TPA to present a collective review of all current housing bills at the April 2021 IRC meeting, before the IRC elects to take a position on any of them.

Environmental Status:

Not applicable.

Strategic Plan Goal:

Non Applicable - Administrative Item

Attachment(s):

1. AB 339 (Lee)
2. AB 361 (Rivas)
3. AB 703 (Rubio)
4. SB 6 (Caballero)