



City of Huntington Beach

File #: 24-443

MEETING DATE: 7/2/2024

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Eric G. Parra, Interim City Manager

VIA: Travis K. Hopkins, Assistant City Manager

PREPARED BY: Shannon Levin, Council Policy Analyst

Subject:

Consider Positions on Legislation Pending Before the State and Federal Legislature, as Recommended by the Intergovernmental Relations Committee (IRC)

Statement of Issue:

On June 19, 2024, the Intergovernmental Relations Committee (IRC), comprised of Mayor Gracey Van Der Mark, Mayor Pro Tem Pat Burns, and Council Member Tony Strickland, discussed legislative items with relevance to Huntington Beach. Following the discussion, the IRC chose to take positions on State and Federal legislation, which are presented to the City Council for consideration.

Financial Impact:

Not applicable.

Recommended Action:

- A) Support Assembly Concurrent Resolution 182 (Dixon) The Great Pacific Garbage Patch
- B) Support Senate 3830 (Padilla) to Authorize the Low-Income Household Water Assistance Program
- C) Oppose AB 2485 (Carrillo) Regional housing need: determination
- D) Oppose AB 2553 (Friedman) Housing development: major transit stops: vehicular impact fees
- E) Oppose AB 2597 (Ward) Planning and zoning: revision of housing element: regional housing need allocation appeals: Southern California Association of Governments
- F) Oppose AB 3093 (Ward) Land use: housing element: streamlined multifamily housing
- G) Oppose SB 7 (Blakespear) Regional housing need: determination

H) Support AB 2574 (Valencia) Alcoholism or drug abuse recovery or treatment programs and facilities: disclosures

Alternative Action(s):

Do not approve recommended action(s), and direct staff accordingly.

Analysis:

A) Assembly Concurrent Resolution 182 (Dixon) The Great Pacific Garbage Patch

The Resolution promotes and encourages solutions and resources for keeping the oceans and coastlines healthy and eliminating the Great Pacific Garbage Patch. The Great Pacific Garbage Patch is a collection of debris, trash, and waste that has collected in the North Pacific Ocean, forming two giant circulating groups. It is also known as the Pacific trash vortex with a mass of approximately 100,000 tons covering 617,000 square miles, which is twice the size of Texas.

This Resolution commits to reducing pollution in our oceans.

Recommended legislative position: Support

B) Senate 3830 (Padilla) To Authorize the Low-Income Household Water Assistance Program

The Low-Income Household Water Assistance Program (LIHWAP) was previously established by Congress in December 2020. California was allocated \$116 million in one-time funding for LIHWAP to help reduce the burden of water and wastewater costs for low-income households.

The program was ultimately administered through the California Department of Community Services and Development and helped approximately 130 Huntington Beach households. The LIHWAP program expired in May 2024.

This year, California Senator Alex Padilla submitted Senate Bill 3830 to reopen Low-Income Household Water Assistance Program Establishment Act.

Recommended legislative position: Support

C) AB 2485 (Carrillo) Regional housing need: determination

AB 2485 requires the Department of Housing and Community Development (HCD) to take certain actions in determining the existing and projected housing need for each region through the regional housing needs determination (RHND) process.

In past housing element cycles, the regional housing needs assessment (RHNA) had been criticized as being a political rather than a methodologically sound, data-driven process. There have been a number of changes to the RHND, RHNA, and housing element process over the past several years to strengthen the law and restrict the ability of local jurisdictions to exercise local control.

This bill would require HCD to publish more of its data sources and methodology factors before finalizing the RHND. It would also require HCD to assemble and convene advisory panels for each future RHND process and consult with those panels during the formation of the RHND methodology and in reviewing all the data points listed above when formulating the existing and projected housing need of each region for each future housing element cycle. However, ambiguity persists on the

composition of this panel of experts and does not define local and regional appointments to the panel.

Limiting the panel of experts to academics, theorists, developers, and advocates hand selected by HCD does not directly reflect the input of local agencies or serve their interests.

Recommended legislative position: Oppose

D) AB 2553 (Friedman) Housing development: major transit stops: vehicular impact fees
AB 2553 changes the definition of a “major transit stop” from including the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods to 20 minutes or less.

HCD determined that California must plan for more than 2.5 million new homes, and no less than one million of those homes must be affordable to lower-income households, in the 6th Regional Housing Needs Allocation (RHNA). Major transit thoroughfares, like Beach Boulevard in Huntington Beach, were part of the basis for RHNA calculations. However, the measure changes the definition of “major transit stop” not just for the purposes of determining which projects qualify for lower impact fees, but for any other state law that references this definition. For example, this would mean more projects would qualify for an exemption to CEQA because they would now fall under the definition of a transit priority project.

Additionally, it would further limit a local agency’s ability to impose parking requirements, since recent legislation (AB 2097, Friedman, 2022) prohibited public agencies from imposing or enforcing parking minimums on developments within ½ mile of a major transit stop.

Recommended legislative position: Oppose

E) AB 2597 (Ward) Planning and zoning: revision of housing element: regional housing need allocation appeals: Southern California Association of Governments

AB 2597 shortens the timeline for local governments to adopt their regional housing needs allocation (RHNA) plans and revises the statutory housing element adoption deadline for the Southern California Association of Governments (SCAG). Specifically, this bill reduces, from 45 days to 30 days after the RHNA allocation is received, the period during which a local government and Department of Housing and Community Development may appeal for a revised RHNA share.

AB 2597 erodes jurisdictions of the ability to appeal flawed housing determinations. This bill does not support and protect the City’s local authority related to RHNA and housing element law.

Recommended legislative position: Oppose

F) AB 3093 (Ward) Land use: housing element: streamlined multifamily housing
AB 3093 adds new requirements to the regional housing needs assessment (RHNA) framework with the goal of better assessing the needs of those experiencing homelessness. However, the bill duplicates existing planning efforts and lacks critical information cities need to meet these new obligations.

This bill would require local governments to account for the housing needs of people experiencing

homelessness in their housing elements without funding to develop the plan, implement strategies, or support the construction of affordable housing. The City opposes State mandates without providing the funds necessary to carry out programs, or unfunded mandates. This bill will redirect local revenue away from necessary City operations.

Recommended legislative position: Oppose

G) SB 7 (Blakespear) Regional housing need: determination

SB 7 finds and declares that revising the housing needs assessment to combat the State's housing crisis is a matter of statewide concern; therefore the bill applies to all cities, including charter cities.

This bill provides that no reimbursement is required by this bill because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this bill. The City opposes State mandates without providing the funds necessary to carry out programs, or unfunded mandates. This bill will redirect local revenue away from necessary City operations.

Recommended legislative position: Oppose

H) AB 2574 (Valencia) Alcoholism or drug abuse recovery or treatment programs and facilities: disclosures

This bill revises the requirement for certain entities to disclose that they own or control, or have a financial interest in, a recovery residence, and any contractual relationship with an entity that regularly provides services to addiction treatment or recovery clients, to also require a general partner, director, or officer of the licensee to make those disclosures.

This bill will enhance oversight abilities of licensed and certified entities that own or have control of recovery residences by expanding reporting requirements.

Recommended legislative position: Support

Environmental Status:

This action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Strategic Plan Goal:

Non Applicable - Administrative Item

Attachment(s):

1. ACR 182 - Draft Letter of Support
2. S3830 LIHWAP - Draft Letter of Support
3. AB 2485 - Draft Letter of Opposition
4. AB 2553 - Draft Letter of Opposition
5. AB 2597 - Draft Letter of Opposition

6. AB 3093 - Draft Letter of Opposition
7. SB 7 - Draft Letter of Opposition
8. AB 2574 - Draft Letter of Support