



City of Huntington Beach

File #: 19-354

MEETING DATE: 3/18/2019

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:

Approve City Council position on Legislation pending before the State Legislature as recommended by the City Council Intergovernmental Relations Committee (IRC)

Statement of Issue:

On Thursday, March 7, 2019, the Intergovernmental Relations Committee met to discuss Federal and State legislation. At this meeting members recommended positions on State legislation, specifically a support position on Assembly Bill 136 (Quirk-Silva), Assembly Bill 510 (Cooley), Assembly Bill 1190 (Irwin), and an Oppose unless Amended position on Assembly Bill 377 (Garcia). This action requests the City Council authorization for the Mayor to sign City position letters on these bills.

Financial Impact:

There is no fiscal impact associated with these position letters.

Recommended Action:

A) Approve a City position of Support on Assembly Bill 136 (Quirk-Silva) -Alcohol and Drug Programs; and,

B) Approve a City position of Support on Assembly Bill 510 (Cooley) - Local Government Records; and,

C) Approve a City position of Support on Assembly Bill 1190 (Irwin) - Unmanned Aircraft: State and Local Regulations; and,

D) Approve a City position of Oppose unless Amended on Assembly Bill 377 (Garcia) - Microenterprise Home Kitchen Operations; and,

E) Authorize the Mayor to send a letter of support to the California Public Utilities Commission in support of Southern California Gas Company's request to allow customers to purchase renewable natural gas for their homes.

Alternative Action(s):

Do not approve the recommended positions and direct staff accordingly.

Analysis:

On Thursday, March 7, 2019, the Intergovernmental Relations Committee met to discuss pending Federal and State legislation. The Committee, comprised of Mayor Erik Peterson, Mayor Pro Tem Lyn Semeta, and Council Member Jill Hardy, reviewed the 2019 State Legislative Matrix provided by the City's State Advocate, Townsend Public Affairs (TPA). The Committee members chose to take the following positions on pending legislation.

➤ **SUPPORT - Assembly Bill 136 (Quirk-Silva) - Alcohol and Drug Programs: Residential Recovery and Treatment Ombudsperson: Pilot Program**

This Bill would require the State Department of Health Care Services to establish the Office of the State Ombudsperson for Substance Abuse Residential Recovery and Treatment as a one-year pilot program. 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. The Bill would require the office to work in concert with participating counties to collaborate in investigations of complaints received by the counties against alcoholism or drug abuse recovery or treatment facilities and recovery residences. Each participating county, by July 1, 2022, would need to report to the Legislature on the results of the collaboration with the pilot program.

➤ **SUPPORT - Assembly Bill 510 (Cooley) - Local Government Records: Destruction of Records**

Existing law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of routine video monitoring maintained by that county, city or special district after one year if that person receives approval from the legislative body and the written consent of the agency attorney. This bill would exempt the head of a department of a county or city, or the head of a special district from these recording retention requirements if the county, city or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.

➤ **SUPPORT - Assembly Bill 1190 (Irwin) - Unmanned Aircraft: State and Local Regulations: Limitations**

This Bill would prohibit a state or local agency from adopting any law or regulation that bans the operation of an unmanned aircraft system. As introduced, this Bill would authorize a state or local agency to adopt regulations to enforce a requirement that a small unmanned aircraft system be properly registered under existing federal regulations. Additionally, the Bill would authorize a state or local agency to require an unmanned aircraft operator to provide proof of federal, state or local registration to licensing or enforcement officials.

➤ **OPPOSE UNLESS AMENDED - Assembly Bill 377 (Garcia) - Microenterprise Home Kitchen Operations**

The California Retail Food Code authorizes the governing body of a city, county, or city and county, by ordinance or resolution to permit microenterprise home kitchen operations if certain conditions are met. This Bill would modify the conditions for a city, county, or city and county

to permit microenterprise home kitchen operations within its jurisdictions. The IRC took the position of oppose unless amended to allow cities to determine whether they want to allow these operations within their jurisdiction.

In addition to the legislation presented above, representatives from Southern California Gas Company (SCG) met with the Mayor and staff on March 11, 2019, and requested that the City submit a letter of support to the California Public Utilities Commission (CPUC) for their recently filed request to allow customers to purchase renewable natural gas for their homes. This is a voluntary program that would assist SCG in their commitment to develop renewable natural gas as part of their broader, integrated vision for the future of clean energy that keeps energy affordable, expands choice, and develops long-term and seasonal renewal storage using existing infrastructure. The Press Release on the program is attached to this Request for Council Action.

Environmental Status:

Not applicable.

Strategic Plan Goal:

Improve quality of life

Attachment(s):

1. Assembly Bill 136 (Quirk-Silva)
2. Assembly Bill 510 (Cooley)
3. Assembly Bill 1190 (Irwin)
4. Assembly Bill 377 (Garcia)
5. Southern California Gas Company Press Release