



Memorandum

**TO: COMMUNITY AND ECONOMIC
DEVELOPMENT COMMITTEE**

**FROM: Betsy Shotwell
Roxanne Miller**

**SUBJECT: REPORT ON KEY LEGISLATIVE
ITEMS**

DATE: April 15, 2011

Approved

Date

April 18, 2011

RECOMMENDATION

Accept the staff memorandum dated April 11, 2011, concerning pending State legislation in the Community and Economic Development City Service Area.

BACKGROUND

Included in the Community and Economic Development Committee work plan for 2011 is the request for a legislative update to be brought forward to the Committee by the City Manager's Office of Intergovernmental Relations.

ANALYSIS – PENDING STATE LEGISLATION

The 2011-12 State Legislative Session convened in Sacramento on December 6, 2010, and the deadline for bills to be introduced in the State Legislature was February 18, 2011. So far during the first year of this legislative session, a total of 2,424 bills and constitutional amendments have been introduced. The Governor has signed 18 bills with no vetoes. The Legislature is currently holding legislative and budget committee hearings and is scheduled to break for Spring Recess from April 14-24, 2011. The next major bill deadline in the Legislature is May 6, which is the last day for policy committees to meet and report fiscal bills to the Appropriations Committee of the Assembly or Senate, followed by a May 27 deadline for all bills to pass to the Assembly or Senate Floor. This year, the Legislature will continue to hear bills and pass them to the Governor by September 9, when the Interim Study Recess will begin. The Legislature will reconvene the second year of the 2011-12 Session on January 4, 2012.

The following is a list of bills introduced in 2011 in the areas of housing and community development – building standards, code enforcement, economic development, eminent domain, enterprise zones, homelessness, housing, mobilehomes, mortgage foreclosure, permits, property,

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 2 of 13

redevelopment, rent control, and workforce development and training – and land use and planning – annexation, general plans, LAFCO, school facilities, subdivisions, and zoning. This list includes both bills San José has taken a position on, as well as a partial list of bills of particular interest to the City. All legislation is continually reviewed by IGR and other City departments for new amendments, and significant bills will be brought forward to the Rules Committee and the City Council for consideration and adoption of City positions.

Community and Economic Development

I. Housing and Community Development

AB 29 (Perez J) - Office of Economic Development

Creates the Office of Economic Development and the California Business Investment Services Program for the purpose of serving employers, corporate executives, business owners, and site location consultants who are considering California for business investment and expansion. Makes changes in the development of a biennial Economic Development Strategic Plan. (Fiscal)

Status: In Assembly Committee on Jobs, Economic Development and the Economy.

Amended: N/A

AB 221 (Carter) – Housing and Emergency Shelter Trust Fund.

Allows for the transfer of Emergency Housing and Assistance Program (EHAP) funds approved by the voters in the Housing and Emergency Shelter Trust Fund Acts of 2002 and 2006 to be used for supportive housing programs. Provides more flexibility to use the bond funding under Proposition 1C and Proposition 46 to allow EHAP Capitol Development funding for emergency housing shelters to also be used to fund long-term housing with supportive services for permanent multi-family low-income housing projects. (Fiscal)

Status: In Assembly Committee on Appropriations.

Amended: N/A

AB 231 (Perez V) – Economic Development Areas.

Renames the Enterprise Zone Act the Economic and Community Development Zone Act. Deletes provisions governing manufacturing enhancement areas and targeted tax areas. Makes revisions to the requirements governing enterprise zones, local agency military based recovery areas and geographically targeted economic development areas. Increases requirements to qualify employees for a zone hiring tax credit. Creates a new enterprise zone hiring credit, modifies sales tax and other business tax credits. Also see AB 232. (Fiscal)

Status: In Assembly Committee on Jobs, Economic Development and the Economy.

Amended: 3/24/11

AB 232 (Perez V) – Economic Development: Enterprise Zones.

Defines the purpose of the Enterprise Zone Act is to help stabilize local communities, alleviate poverty, and enhance the state's economic prosperity through the implementation of public and privately funded programs and services that stimulate business investment and industrial growth in the depressed areas of the state. Deletes a provision regarding zone sign limitations and adds to the list of zone funding sources. Authorizes an expansion for noncommercial land. (Fiscal)

Status: In Assembly Committee on Jobs, Economic Development and the Economy. **Amended:** N/A

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 3 of 13

AB 264 (Hagman) – Transitional Housing.

Requires operators of transitional housing to notify the city or county and residents within 300 feet of the property when a transitional housing facility will be established so the city or county and residents have specific knowledge about the transitional housing facility. Exempts certain domestic violence shelters from this requirement.

Status: In Assembly Housing and Community Development Committee. **Amended:** 3/22/11

AB 312 (Lowenthal B) – Civil Rights: Homeless Persons.

Specifies that homeless persons are entitled to the personal rights set forth under existing law. Provides that a homeless person has the right to be free from violence or intimidation by threat of violence directed against that person on the basis of that person's status as a homeless person. Provides that these provisions shall not be constructed to enlarge or diminish an existing duty by an owner of rental or commercial property to protect a homeless person who is present on the property from violence. ((Fiscal) Bill same as AB 534.

Status: In Assembly Appropriations Committee. **Amended:** 4/7/11

AB 343 (Atkins) – Redevelopment Plans: Environmental Goals

Amends the Community Redevelopment Law that authorizes the establishment of redevelopment agencies in certain communities. Requires each redevelopment plan to consider and identify strategies for how redevelopment projects will help attain the climate, air quality, and energy conservation goals or applicable regional greenhouse gas emission reductions targets. (Non fiscal)

Status: To Assembly committees on Housing and Community Development and Local Government.
Amended: N/A

AB 483 (Torres) – Housing Finance.

Amends existing law establishing the Multifamily Housing Program. Modifies the definition of the term target population and makes changes to the information a borrower may include in his or her annual report. (Non fiscal)

Status: Passed Assembly Housing and Community Development Committee. On Assembly Floor.
Amended: N/A

AB 497 (Wieckowski) – Housing: Community Development and Emergency Shelters.

Relates to homelessness prevention. Requires the Department of Housing and Community Development to adopt regulations for distribution of the unobligated balance of federal Emergency Solutions Grant Program funds received by the state, taking into account specified considerations relating to homelessness. (Fiscal)

Status: In Assembly Committee on Housing and Community Development. **Amended:** N/A

AB 534 (Swanson) – Civil Rights: Homeless Persons

Amends existing law regarding the Department of Fair Employment and Housing. Provides that a homeless person has the right to be free from violence or intimidation by threat of violence directed against that person on the basis of that person's status as a homeless person. Provides these provisions do not enlarge or diminish an existing duty by an owner of residential rental or commercial property to protect a homeless person. (Fiscal)

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 4 of 13

(Bill is same as AB 312.)

Status: In Assembly Judiciary Committee

Amended: N/A

AB 542 (Allen) – Housing Element: Regional Housing Need.

Requires a city or county to determine whether each site in their inventory of land suitable for residential development can accommodate some portion of the city's or county's share of the regional housing need by income levels. Requires specified densities to be deemed appropriate to accommodate housing for lower income households. (Non fiscal)

Status: Passed Assembly Committee on Local Government, Referred to Committee on Housing and Community Development.

Amended: N/A

AB 579 (Monning) – Mobilehome Parks: Liability Attorney's Fees.

Permits the award of attorney's fees and, in some cases, other litigation expenses, to a local governmental entity in an action brought by the owner of a mobilehome park to challenge the validity or application of a local ordinance, rule, regulation, or initiative measure that regulates space rent or is intended to benefit or protect residents in a mobilehome park, if the local government entity is determined to be the prevailing party. (Non fiscal)

Status: In Assembly Committee on Judiciary.

Amended: N/A

AB 683 (Ammiano) – Homelessness.

Requires the Department of Housing and Community Development to create a state identified homeless integrated data warehouse to compile data from collaborative agencies Homeless Management Information Systems for the purpose of developing a composite portrayal of the homeless population in the state, as well as the services currently provided to people who are homeless. Requires the department to collaborate with other specified agencies to create the warehouse. (Fiscal)

Status: In Assembly Business, Professions and Consumer Protection.

Amended 4/12/11

AB 910 (Torres) – Infrastructure Financing Districts: Facilities/Projects.

Amends existing law that authorizes counties and cities to form infrastructure financing districts and requires that a district only finance public capital facilities of community significance. Requires a district, in addition to public capital facilities, to finance affordable housing facilities and economic development projects. (Non fiscal)

Status: To Assembly Local Government Committee.

Amended: 3/31/11

AB 931 (Dickinson) – Environmental exemption for infill housing projects.

Amends the California Environmental Quality Act that exempts infill housing projects meeting a community level environmental review that were adopted or certified within a certain number of years. This bill extends the time period and redefines residential projects for purposes of CEQA. (Fiscal)

Status: To Assembly Committees on Natural Resources and Housing and Community Development.

Amended: N/A

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 5 of 13

AB 934 (Feuer) – Privileged Communications.

Amends existing law that makes certain publications and communications privileged. Identifies specified communications that are not made privileged including certain communications relating to real property transactions, or local laws regarding the regulation of rents, termination of tenancy, eviction, or harassment of residential tenants, or discrimination against residential tenants. (No fiscal)

Status: Passed Judiciary Committee, On Assembly Floor, Third Reading. **Amended:** 3/29/11

AB 936 (Hueso) – Redevelopment: Debt Forgiveness: Public Notice.

Requires any matter on a meeting agenda to forgive a loan, advance, or indebtedness of a redevelopment agency by a local legislative body be made public at a public meeting prior to the adoption of any action relating to that matter. Requires the chief financial official of the local legislative body to be present. (Fiscal)

Status: In Assembly Committee on Housing and Community Development. **Amended:** N/A

AB 1124 (Skinner) – Low-Income Energy Efficiency Program.

Requires the Public Utilities Commission to ensure that low-income multifamily rental apartment buildings receive energy efficient furnaces and water heating systems and energy efficient measures in common areas recommend by an energy audit pursuant to the LIFE program or other energy efficiency programs under the jurisdiction of the commission. (Fiscal)

Status: In Assembly Committee on Utilities and Commerce. **Amended:** 4/7/11

AB 1167 (Fong) – Homelessness: Interagency Council on Homelessness.

Creates the California Interagency Council on Homelessness. The council will be composed of specified members and be authorized to perform various activities including acting as the lead for coordinating and planning the state's response to homelessness. Requires the council to seek all available federal funding to fund the council and its activities. (Fiscal)

Status: Passed Assembly Committee on Business, Professions and Consumer Protection, Referred to Assembly Committee on Housing and Community Development. **Amended:** 4/4/11

AB 1198 (Norby) – Housing Element: Need Assessment.

Repeals the requirement that the Department of Housing and Community Development determine the existing and projected need for housing for each region, and other specified provisions relating to the assessment of allocation of regional housing need. (Fiscal)

Status: To Assembly Committees on Housing and Community Development and Local Government Committees. **Amended:** N/A

AB 1234 (Norby) – Redevelopment Agencies Financing.

Prohibits redevelopment agencies from using specified revenue for the promotion, recruitment, or retention of any sports team, or any related activity or anything related to a facility related to a professional sports team. Makes technical, nonsubstantive changes in provision that authorize a redevelopment agency to pledge its tax increment revenues for the payment on loans, advances, or other indebtedness. (Non fiscal)

Status: In Assembly Committees on Local Government, Housing and Community Development. **Amended:** 3/31/11

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 6 of 13

AB 1235 (Hernandez R) – Redevelopment: Hazardous Property Substance Immunity.

Amends the Polanco Redevelopment Act to apply the immunities afforded to a redevelopment agency for remedial or removal actions for releases of hazardous substances to any person or entity that acquires property previously owned by the redevelopment agency upon the dissolution of that agency. (Non fiscal)

Status: To Assembly Committees on Judiciary and Housing and Community Development. From Judiciary with amendments and re-referred to Judiciary Committee. **Amended:** 3/31/11

AB 1250 (Alejo) – Redevelopment: Planning.

Makes technical, nonsubstantive changes to the community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas in those communities known as project areas. Requires each agency to prepare a redevelopment plan for each project area. (Non fiscal)

Status: Held at Assembly Desk. **Amended:** N/A

AB 1338 (Hernandez R) – Economic Development: Financial Assistance.

Requires a local agency that provides financial subsidies for economic development prior to paying Any financial subsidies to make a written finding that the financial subsidy is not a gift of public funds. Requires the developer to provide a 3rd-party appraisal of the property based on the fair market value. Prohibits the local agency from providing more than 25% of the total financial subsidy. (Non fiscal)

Status: To Assembly Committee on Local Government. **Amended:** N/A

SB 2 (Calderon R) – Mortgage Loans

Amends existing law that prohibits any person who offers to perform residential mortgage loan modifications or forbearance for a fee from receiving any performance compensation, requiring collateral to secure final payment, or taking power of attorney from the borrower. Extends such provisions to a specified date and to persons who facilitate mortgage loan modifications or forbearance. Extends such prohibitions to persons who facilitate the sale of a dwelling for less than the remaining debt. (Fiscal)

Status: To Senate committees on Banking and Financial Institutions and Judiciary.

Amended: 4/7/11

SB 4 (Calderon R) – Mortgages

Amends existing law regarding notice of default in cases of nonjudicial foreclosure. Requires that a notice of sale, given pursuant to a deed of trust or mortgage secured by real property contain language notifying potential bidders of the risks involved in bidding in a trustee's sale, and a notice to the property owner about how to obtain information regarding any postponement of the sales. Requires a good faith effort to be made to provide current information regarding sale dates and postponements. (Non fiscal)

Status: In Senate Judiciary Committee

Amended: 4/7/11

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 7 of 13

SB 119 (Lowenthal A) – Emergency Youth Shelter Facilities

Includes in the definition of a community care facility an emergency youth shelter facility for specified youth under 18 years of age who are homeless or at risk of being homeless. Requires adoption of regulations for these facilities which would be the only standards applicable to such shelters. Allows a shelter that is operating under a group home license to apply for an immediate transfer to an emergency youth shelter license, upon the adoption of the required regulations.

(Non fiscal)

Status: Passed Senate Human Services Committee; In Appropriations Committee

Amended: 3/21/11

SB 214 (Wolk) – Infrastructure Financing Districts: Voter Approval

Eliminates the requirement of voter approval to issue bonds to finance infrastructure facilities and authorizes the legislative body to create an infrastructure financing district, adopt a financing plan, and issue the bonds by resolutions. Specifies that the date on which the district would cease to exist would not be more than 40 years from the date on which the legislative body adopted the resolution adopting the infrastructure financing plan. (Non fiscal)

Status: In Senate Governance and Finance Committee

Amended: N/A

SB 123 (Liu) – Runaway, Homeless, and Exploited Youth Act.

Enacts the state Runaway, Homeless, and Exploited Youth Act. Requires the State Emergency Management Agency to develop, in collaboration with the Senate Office of Research and interested parties, a statewide plan for runaway, homeless and exploited youth. (Fiscal)

Status: Passed Senate Committee on Public Safety; To Appropriations. **Amended:** 3/21/11

SB 286 (Wright) – Redevelopment: Local Education Agency Payments.

Amends the Community Redevelopment Law. Requires that an agency's payments to a local education agency be adjusted to ensure that the local education agency continues to receive, at a minimum, the amount attributable to the agency's property tax revenue received during the year immediately preceding the adoption or amendment of the redevelopment plan. (Fiscal)

Status: In Senate Governance and Finance Committee.

Amended: N/A

SB 301 (DeSaulnier) – Housing and Community Development: Seismic Retrofits.

Amends the Community Redevelopment Law that authorizes a redevelopment agency, to take those actions within a project area that it determines necessary, and consistent with local, state, and federal law, to provide for seismic codes, with respect to specified types of buildings. Revises building code reference. (Non fiscal)

Status: Passed Senate, Held at Assembly Desk

Amended: 4/7/11

SB 310 (Hancock) – Local Development.

Eliminates the requirement for voter approval of an infrastructure financing district. Authorizes the legislative body to create a district, adopt the plan, and issue bonds by resolutions. Authorizes the district to reimburse a developer that meets specified requirements for permit expenses or expenses related to the construction of affordable housing units. Establishes the Transit Priority Project Program that requires cities and counties to adopt streamlined permitting procedures with zoning variances. (Non fiscal)

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 8 of 13

Status: In Senate Committees on Governance and Finance and Rules.

Amended: 3/24/11

SB 450 (Lowenthal) – Redevelopment Agencies Housing Expenditures.

Existing law requires redevelopment agencies to deposit 20 percent of tax increment into a Low and Moderate-Income Fund to be used to increase, improve and preserve the community's supply of low and moderate income housing at an affordable housing cost. The law also establishes standards for expenditure of these funds. SB 450 was introduced to address concerns of potential misuse or ineffective use of the Low and Moderate-Income Housing Funds. Reforms include requirements to restrict the use of the Low- and Moderate-Income Housing Funds for planning and general administrative expenses, provides funding for audits of redevelopment agency housing programs by the Department of Housing and Community Development. Authorizes the State Controller to conduct quality control reviews of independent financial audits and recommend suspension of auditors if not conducting audits in accordance with applicable standards and guidelines. (Fiscal)

Status: In Senate, referred to Senate Appropriations Committee.

Amended: 4/11/11

SB 475 (Wright) – Infrastructure Financing.

Authorizes a local governmental agency to enter into an agreement with a private entity for the financing of specified types of revenue generating infrastructure projects. Requires an agreement to include adequate financial resources to perform terms of the agreement. Permits the agreements to lease, license to or provide for other permitted uses by the private entity for a term of up to 50 years, after which time the project would revert to the governmental agency. (Non fiscal)

Status: In Senate Committee on Governance and Finance.

Amended: 4/12/11

SB 729 (Leno) – Mortgages and Deeds of Trust: Foreclosure.

Prohibits a mortgagee, trustee, beneficiary, or authorized agent from recording a notice of default unless that party makes reasonable and good faith efforts to evaluate the borrower for all available loss mitigation options to avoid foreclosure or until various notice requirements regarding loan modifications are fulfilled. Requires information the borrower including the deadline for applying for a loan modification. Prohibits the recordation of a notice of default if the borrower has filed for modification. (Fiscal)

Status: In Senate Banking and Financial Institutions Committee.

Amended: 3/24/11

SB 907 (Evans) – Master Plan for Infrastructure Financing and Development.

Creates the State Infrastructure Financing and Development Commission. Requires the commission to prepare and submit a strategy and master plan for infrastructure financing and development in the state that meets certain criteria to the Legislature and Governor by a specified date.

Status: In Senate Committee on Governance and Finance.

Amended: 4/11/11

II. Land Use and Planning.

AB 49 (Gatto) – Development: Expedited Permit Review.

Requires the Office of Permit Assistance to provide information to developers explaining the permit approval process and to assist them in meeting statutory environmental quality requirements, assist state and local agencies to streamline the permit approval process and applicants to identify needed permits, to develop related guidelines, provide local permit process technical assistance and develop a consolidated project information form. (Fiscal)

Status: Passed Assembly Committee on Local Government, Referred to Committee on Natural Resources. **Amended:** 3/24/11

AB 147 (Dickinson) – Subdivisions.

Amends the Subdivision Map Act which authorizes a local agency to require the payment of a fee as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing bridges or major thoroughfares. Authorizes a local ordinance to require payment of a fee subject to the Mitigation Fee Act, as a condition of approval of a final map or permit for purposes of defraying the actual transportation facilities cost. Relates to permit streamlining and development projects. (Nonfiscal)

Status: Passed Assembly Local Government Committee. **Amended:** 4/4/2011

AB 208 (Fuentes) – Subdivision Maps: Expiration Dates.

Extends by 24 months the expiration date of any approved tentative map or vesting tentative map that has not expired as of the effective date of this act and will expire prior to a specified date. Provides that a tentative map extended pursuant to its provisions is also subject to the truncated 3-year period and that the local agency is not prohibited from levying a fee, or imposing a condition that requires the payment of a fee upon the issuance of a building permit, with respect to underlying units. (Fiscal)

Status: Passed Assembly Appropriations Committee/To Assembly Floor. **Amended:** 4/7/2011.

AB 441(Monning) – State Planning.

Requires the state Transportation Commission to include health issues in the guidelines promulgated by the commission for the preparation of regional transportation plans. Requires the Office of Planning and Research to develop guidelines that contain advice on how local and regional agencies can incorporate health issues into local or regional general plans. (Fiscal)

Status: Passed Assembly Committee on Local Government; To Appropriations Committee.
Amended: 3/24/11

AB 485 (Ma) – Transit Village Development Districts.

Requires a city or county that uses infrastructure financing district bonds to finance its transit village development district to use at least 20% of the revenue from those bonds for the purposes of increasing, improving, and preserving the supply of low- and moderate-income housing and rental units. (Fiscal)

Status: Passed Assembly Local Government, Pending on Assembly Floor **Amended:** N/A

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 10 of 13

AB 654 (Hueso) – Local Government: Historical Property.

Requires historical property contracts to include an inspection of the interior and exterior of the premises by the assessor prior to a new agreement, and every 5 years thereafter, and that periodic examinations may also be conducted by the Department of Parks and Recreation and the State Board of Equalization when necessary. Provides conditions for the cancellation or enforcement of the contract. ((Fiscal))

Status: In Assembly Committee on Local Government

Amended: 4/4/2011

AB 679 (Allen) - Housing Element.

Requires the council of government, or department to reduce the county's share if specified conditions relating to the transfer of shares are met, including the condition that the county's share of low-income and very low-income housing can only be reduced in proportion to the amount by which the county's share of moderate- and above moderate-income housing is reduced. (Non fiscal)

Status: To Assembly Committees on Housing and Community Development and Local Government.

Amended: N/A

AB 710 (Skinner) – Local planning.

States the intent of the Legislature to eliminate excessive minimum parking requirements for infill and transit-oriented development. Prohibits city or county from requiring more than one parking space per residential unit per 1,000 square feet of commercial space for a residential project located in a transit intensive area. Modifies the description of sustainable communities to include communities that incentivize infill development. (Fiscal)

Status: To Assembly Committees on Housing and Community Development and Local Government.

Amended: N/A

AB 827 (Atkins) – Housing Element.

Makes technical, nonsubstantive changes to the Planning and Zoning Law requiring a city or county to adopt a comprehensive, long-term general plan that includes various, mandatory elements, including a housing element. ((Non Fiscal))

Status: Referred to Assembly Committees on Local Government and Housing and Community Development.

Amended: N/A

AB 1103 (Huffman) –Housing Element.

Provides that a city or county may request its council of government to adjust the city's or county's densities for the city's or county's share of regional housing need for lower-income households based on certain conditions. Specifies a city or county may meet the appropriate regional housing needs assessment without using land use controls. Authorizes a local government to count each housing unit that meets the requirements of the jurisdiction's sustainable community strategy. (Non Fiscal)

Status: To Assembly Committees on Housing and Community Development and Local Government.

Amended: 3/31/11

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 11 of 13

AB 1216 (Fuentes) --: Notice of Proposed Change in Assisted Housing.

Amends provisions of the Planning and Zoning Law that require an owner of an assisted housing development to provide specified entities notice of an opportunity to submit and offer to purchase the development prior to the termination of a subsidy contract or the sale or disposition of the development. Authorizes any affected public entity or tenant to enforce there requirements in law or in equity. (Non fiscal)

Status: In Assembly Utilities and commerce Committee.

Amended: 3/21/11

AB 1220 (Alejo) --Planning: Cause of Actions: Time Limits.

Relates to actions or proceedings against local zoning and planning decisions of a legislative body to encourage or facilitate the development of affordable housing. Authorizes a certain notice to be filed any time within a specified number of years after a specified action pursuant to existing law. Provides that in any action brought against a city, county, or city and county to challenge the adequacy of a housing element if a court makes certain findings. (Non fiscal)

Status: To Assembly Committees on Housing and Community Development and Local Government Committees.

Amended: N/A

SB 184 (Leno) --Zoning Regulations.

Amends the Planning and Zoning Law that authorizes a city or county to adopt ordinances regulating zoning within its jurisdiction. Authorizes the legislative body of any city or county to adopt ordinances to establish, as a condition of development, inclusionary housing requirements. Makes technical, nonsubstantive changes. (Fiscal)

Status: In Senate Committee on Transportation and Housing.

Amended: 3/24/11

SB 226 (Simitian) -- Land Use Planning.

Amends the California Environmental Quality Act as regards to land use planning. Authorizes the referral of a proposed action to adopt or substantially amend a general plan to a city or county within or abutting the area covered by the proposal by a planning agency prior to action by a legislative body to adopt or amend the general plan to be conducted concurrently with a scoping meeting. (Fiscal)

Status: Passed Senate, In Assembly held at desk.

Amended: N/A

SB 244 (Wolk) --: Disadvantaged Unincorporated Communities.

Relates to the Planning and Zoning Laws and housing elements in comprehensive plans for the preservation, improvement, and development of community housing. Requires a city or county to review and update one or more elements of its general plan as necessary to address the presence of island, fringe, or legacy unincorporated communities inside or near its boundaries. Relates to the requirements of an updated plan and to local agency formation commission development determinations.

Status: In Senate Committee on Governance and Finance.

Amended: 3/15/11

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 12 of 13

SB 403 (Strickland) – Housing Element.

Makes a technical, nonsubstantive change to require each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a housing element that analyzes existing and projected housing needs and includes a statement of foals, qualified objectives, policies, financial resources, and scheduled programs for the maintenance, preservation, improvements, and development of housing. (Non fiscal)

Status: To Senate Committee on Rules.

Amended: N/A

SB 444 (Evan) –: Subdivisions: Rental Mobilehome Parks.

Amends the Subdivision Map Act relating to rental mobilehome park conversions. Clarifies that a local agency is required to consider the results of a survey in making its decision to approve, or disapprove the map if it finds that the results of the survey have not demonstrated adequate resident support. (Non fiscal)

Status: In Senate Committee on Transportation and Housing.

Amended: N/A

SB 469 (Vargas) – Development Project Review: Superstore.

Requires a city, county, or city and county, including a charter city, prior to approving or disapproving a proposed development project that would permit the construction of a superstore retailer, to cause an economic impact report to be prepared that includes as assessment of the effect that the construction and operation of the facility will have on retail operations and employment I the same market area. Requires the governing body to provide opportunity for a public comment on the report. (Fiscal)

Status: In Senate Committee on Environmental Quality.

Amended: 4/12/11

SB 808 (Hancock) – Land Use Planning: Cause of Action.

Makes technical changes to existing law that requires an action or proceeding against local zoning and planning decisions of a legislative body to be commenced and the legislative body to be served within a year of accrual of the cause of action if it meets certain requirements and the action or proceeding is brought in support of or to encourage or facilitate the development of housing. (Non fiscal)

Status: In Senate committee on Rules.

Amended: N/A

PUBLIC OUTREACH

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting.)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting.)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a

Community and Economic Development Committee

Re: Report on Key Legislative Items

April 15, 2011

Page 13 of 13

Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers.)**

This document will be posted on the City's website for the April 25, 2011, Community and Economic Development Committee, where the Council and the public have the opportunity to comment.

EVALUATION AND FOLLOW-UP

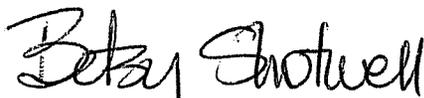
The City Council will be informed as to the status of these measures as part of the regular Intergovernmental Relations legislative updates.

COORDINATION

This memo was coordinated with the City's Legislative Representative in Sacramento and the City Attorney's Office.

POLICY ALIGNMENT

The measures and critical funding issues identified in the memorandum are based on the City of San José's 2011 Legislative Guiding Principles, Priorities and Advocacy Issues adopted by the City Council on December 14, 2010.



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