

## REGULAR MEETING FORT ORD REUSE AUTHORITY (FORA) LEGISLATIVE COMMITTEE

920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933 (Executive Officer's Conference Room) **Monday, April 23, 2018 at 11:00 a.m.** 

#### **AGENDA**

- 1. CALL TO ORDER/ESTABLISHMENT OF QUORUM
- 2. PLEDGE OF ALLEGIANCE
- 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
- 4. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes and will not receive Committee action. Whenever possible, written correspondence should be submitted to the Committee in advance of the meeting, to provide adequate time for its consideration.

#### 5. APPROVAL OF MEETING MINUTES

**ACTION** 

a. September 28, 2017 Meeting Minutes

#### 6. REPORTS FROM LEGISLATIVE OFFICES

**INFORMATION** 

- a. 20<sup>th</sup> U.S. Congressional District Kathleen Lee
- b. 17th State Senate District Nicole Hollingsworth
- c. 29th State Assembly District Erica Parker

#### 7. BUSINESS ITEMS

INFORMATION/ACTION

- a. 2018 Legislative Agenda
- Report on Proposed Positions on State Legislation
  - i. Senate Bill 50
  - ii. Legislative Mission Trip to Sacramento
- c. 2018 Legislative Session
- d. Transition Legislative Update
- e. Discuss and Schedule Future Meeting Dates
- 8. ITEMS FROM MEMBERS
- 9. ADJOURNMENT

**NEXT MEETING: TBD** 

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### FORT ORD REUSE AUTHORITY (FORA)

#### LEGISLATIVE COMMITTEE MEETING MINUTES

3:30 p.m., Thursday, September 28, 2017 920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

#### 1. CALL TO ORDER

Chair John Phillips called the meeting to order at 3:00 p.m.

#### **Voting Members Present:**

Supervisor John Phillips (Chair)
Mayor Jerry Edelen (City of Del Rey Oaks)
Council member Frank O'Connell (City of Marina)
Mayor Mary Ann Carbone (City of Sand City)

#### 2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Prevailing Wage/ Risk Coordinator Sheri Damon.

#### 3. ACKNOWLEDGMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

There were no acknowledgements, announcements or correspondence.

#### 4. PUBLIC COMMENT PERIOD

There were no verbal comments received from the public.

#### 5. APPROVAL OF MEETING MINUTES

a. April 20, 2017 Legislative Committee Minutes

<u>MOTION</u>: On motion by Committee member O'Connell and second by Committee member Phillips and carried by the following vote, the Legislative Committee moved to approve the regular meeting minutes for April 20, 2017.

ABSTAIN: Carbone

#### MOTION PASSED

#### 6. REPORTS FROM LEGISLATIVE OFFICES

- a. 20<sup>th</sup> U.S. Congressional District Kathleen Lee No Report
- b. 17<sup>th</sup> State Senate District Nicole Charles No Report
- c. 29<sup>th</sup> State Assembly District Erica Parker
   Ms. Parker provided a summary of 2017 bills sent to the Governor

#### 7. BUSINESS ITEMS

a. FORA Transition Task Force (TTF) Recommendation

Prevailing Wage/Risk Coordinator Sheri Damon provided an overview of the work conducted by the TTF and the recommendation being taken to the Board. The Committee was asked to consider modifying the Legislative Agenda to incorporate modifications to the FORA extension to address the TTF recommendation/concerns. During this item the Committee also reviewed items from 7b below.

MOTION: On motion by Committee member Edelen and second by Committee member Carbone and carried by the following vote, the Legislative Committee moved to recommend that the FORA Board approve the 2018 Legislative Agenda and accept the TTF recommendation to modify item B – "Legislative Coordination Regarding FORA Transition Issues" that carries over language from the 2016/2017 Legislative Agenda.

#### **MOTION PASSED UNANIMOUSLY**

- b. Review 2018 Annual Fort Ord Reuse Authority Legislative Agenda
  Executive Officer Michael Houlemard reviewed each item on the 2018 Legislative
  Agenda. Staff responded to questions and comments from the Committee. This item
  was for information only. There were no comments from the public.
- c. Report on 2017 Positions on State Legislation JEA & Associates President John Arriaga provided a report on the 2017 positions on State legislation and a legislative track that provided information on the measures, authors, topic, location [in the legislative process], a brief summary, and [FORA] position. This item was for information only. There were no comments from the public.

#### 8. ITEMS FROM MEMBERS

There were no items from members.

#### 9. ADJOURNMENT

The meeting was adjourned at 4:32 p.m.

COMMITTEES
BUDGET & FISCAL REVIEW
BUDGET SUBCOMMITTEE 3
ON HEALTH & HUMAN SERVICES
HEALTH
JUDICIARY
LEGISLATIVE ETHICS
NATURAL RESOURCES & WATER
RULES

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#### Senator Monning's 2017-18 Legislative Bill Package

#### **Health Legislation**

Senate Bill (SB) 241 - Changes state law to specify that patients have the right to receive an electronic copy of their medical record, if the health care provider maintains it electronically, and that they can receive a copy of their medical record in the form and format of their choice, if the health care provider can readily produce the record. The bill also eliminates the ability of providers to collect a retrieval fee for medical records, in accordance with federal law, and aligns state privacy laws for mental health patients with federal law by permitting the disclosure of patient information from providers to business associates or health care operations in accordance with the federal "minimum necessary" standard.

(Status: Chapter 513, Statutes of 2017)

**SB 300** - Requires a health-warning label be placed on sugar-sweetened beverages sold in California that contain added sweeteners and 75 calories or more per 12 ounces. The warning label will inform consumers about the risks that link sugary drink consumption to obesity, type 2 diabetes, and tooth decay.

(Status: Senate Committee on Health)

SB 398 – Extends the sunset date of the Traumatic Brain Injury (TBI) program to 2024.

(Status: Assembly Committee on Human Services)

**SB 449** – Requires two hours of classroom training for Certified Nurse Aides (CNAs) to be dedicated to address the special needs of those with Alzheimer's and related dementias. Of the current 60 classroom hours of training for CNAs, 50 hours are prescribed in regulation by the California Department of Public Health.

(Status: Chapter 282, Statutes of 2017)

**SB 538 -** Allows the benefits of hospitals being able to consolidate to promote coordination, while mitigating consumer harm if hospitals attempt to use that market power to increase prices. (*Status: Assembly Committee on Health*)

**SB 997** - Current law allows health care service plans to list non-physician providers as Primary Care Providers until January 1, 2019. SB 997 removes the January 1, 2019 sunset date and allows this designation to be permanent.

(Status: Senate Committee on Appropriations)

**SB 1113** - Authorizes the Mental Health Services Oversight and Accountability Commission to engage workplace mental health experts, consumers, and public and private employers to create a voluntary standard for Mental Health in the Workplace. The standard would combat mental health stigma, increase awareness of mental health needs and prevention opportunities, and promote mental health wellness.

(Status: Senate Committee on Health)

**SB 1192** - Requires a restaurant, which serves a meal primarily targeted and marketed to children, to make the default drink option served in those bundled meals a healthy beverage - water, sparkling water, flavored water with no added sweeteners, or milk. Customers can still explicitly ask to replace the healthy drink with a sugary beverage at no cost, but the default beverage offered in a children's meal must be a healthy option.

(Status: Senate Committee on Rules)

**Senate Resolution 34 -** Proclaims May 2017 as Cystic Fibrosis Awareness Month.

(Status: Enrolled 2017)

#### **Education Legislation**

**SB 1321** – Clarifies the existing process for school districts seeking a waiver from the Superintendent of Public Instruction for the eligibility requirements for the Necessary Small Schools supplemental grant. (Status: Senate Committee on Education)

#### **Transportation Legislation**

**SB 1236** - Implements a federal rule that requires those seeking a commercial driver's license (CDL) complete a certified course of instruction from a commercial driving institution or program offered by an employer. The Department of Motor Vehicles is required to adopt regulations to comply with the federal rule by June 5, 2020. Additionally, it establishes minimum behind-the-wheel training be completed as part of obtaining a CDL.

(Status: Senate Committee on Appropriations)

#### **Energy Legislation**

**SB 1090** - Calls on the California Public Utilities Commission to approve elements of the Joint Proposal, as modified by the community impact mitigation settlement, which were submitted as part of the Diablo Canyon Nuclear Power Plant retirement application.

(Status: Senate Committee on Rules)

#### **Environmental Legislation**

**SB 377** - Aligns California law with the US Environmental Protection Agency's Renovation Repair and Painting rule by establishing a state certification process for contractors to work on renovation, repair, and painting projects that are likely to contain lead paint. Fourteen other states have already successfully aligned state and federal lead laws. (Status: Assembly Floor Inactive File)

**SB 623 -** Establishes the Safe and Affordable Drinking Water Fund to make short- and long-term drinking water solutions available to low-income Californians who lack safe and affordable drinking water. (Status: Assembly Committee on Rules)

**SB 1079** - Authorizes the Director of the Department of Forestry and Fire Protection (CAL FIRE) to allow advanced payments from the Forest Health Grant and Fire Prevention Fund Grant Programs. (*Status: Senate Committee on Rules*)

**Senate Concurrent Resolution (SCR) 23** - Designated the Spring Equinox of every year as California Wildlife Day to help to educate the public about the importance of protecting and nurturing the state's wildlife, as well as to increase the public's awareness of the need to protect, restore, and care for our natural resources.

(Status: Resolution Chapter 16, Statutes of 2017)

#### **Worker-Related Legislation**

**SB 295** - Authorizes the state Labor Commissioner to cite Farm Labor Contractors (FLCs) when there is a finding that no or inadequate sexual harassment prevention training has occurred; when no records of training have been provided; when falsified training records are given to farm workers; and/or when there is failure to train workers in a language they understand. The bill also requires FLCs to annually disclose to the Labor Commissioner the training materials being used and to report the total number of farm workers who have been trained in the previous calendar year. (*Status: Chapter 424, Statutes of 2017*)

**SB 632** - Establishes the presumptive time limit of seven hours in any civil action for mesothelioma, similar to federal law. A licensed physician would be required to attest that the deponent is over 70 years of age and his/her health is such that a deposition of more than seven hours will prejudice the deponent's interest in the litigation or, without regard to the age of the deponent, the deponent suffers from an illness or condition that raises substantial medical doubt of the survival of the deponent beyond six months.

(Status: Assembly Floor Inactive File)

#### **Underground Economy**

**SB 486** - Allows the Contractors State License Board (CSLB) to establish an intermediary level of discipline to address less egregious violations of the law and to direct funds that are saved to increased enforcement efforts. The CSLB will use this new authority to address violations that do not involve financial injury or an order of correction for consumers, such as advertising violations.

(Status: Chapter 308, Statutes of 2017)

**SB 1042 -** Allows the Contractors State License Board to host informal citation appeal conferences to resolve administrative citations it issues to licensed and unlicensed contractors, prior to a formal appeal, through an administrative hearing.

(Status: Senate Committee on Business, Professions, and Economic Development)

#### **Insurance Legislation**

**SB 261** - Authorizes the electronic submission of specified reports, and establishes standards and procedures for reports that are required by the Insurance Code to be submitted to legislative committees.

(Status: Assembly Floor Inactive File)

**SB 569** - Requires the Insurance Commissioner, in the event of a disaster declaration by the President or the Governor and at the request of an insured or the insured's legal representative that is unable to identify the insurer for a property located in the disaster area, to provide the insured's name and property location information to insurers who issue homeowners' insurance policies in the state. Insurers would have 30 days to respond and have to indicate whether the property is covered by a homeowners' insurance policy. That information would then be provided by the California Department of Insurance to the insured or the insured's legal representative within 14 days after receipt.

(Status: Chapter 361, Statutes of 2017)

#### **Public Safety Legislation**

**SB 321** - Requires the Governor to appoint a special master to oversee the state's exoneree compensation claims process, currently administered by the California Victims Compensation Board. The special master must, at a minimum, have training and experience in the evaluation of evidence, making determinations of fact, and applying the facts to the law, particularly in the area of wrongful convictions.

(Status: Senate Committee on Appropriations)

**SB 420** - Includes sentencing information in the existing list of criminal background information that the California Department of Justice is authorized to provide to specified entities who are eligible to receive Criminal Record Offender Information.

(Status: Chapter 333, Statutes of 2017)

**SB 766 -** Authorizes out-of-state and foreign attorneys to represent parties in international commercial arbitrations held in California.

(Status: In the Assembly)

**SB 1129 -** Establishes protections for victims of domestic violence by ensuring that they cannot be forced to financially support their abusive spouse through court ordered spousal support, payment of their spouse's attorney's fees, or the splitting of their community property.

(Status: Senate Committee on Judiciary)

# FORA LEGISLATIVE TRACK AS OF APRIL 19, 2018

MEASURE	AUTHOR	Торіс	STATUS	BRIEF SUMMARY	NOTES / POSITION
AB 1804	Berman D	California Environmental Quality Act: categorical exemption: infill development.	4/18/2018-In committee: Set, first hearing. Referred to APPR. suspense file.		
AB 1901	Obernolte R	California Environmental Quality Act: exemption: roadway projects.	4/18/2018-Read second time and amended.	CEQA, until January 1, 2020, exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, as defined, if the project or activity is carried out by a city or county with a population of less than 100,000 persons to improve public safety and meets other specified requirements, including a requirement that the project involves negligible or no expansion of an existing use beyond that existing at the time of the lead agency's determination. This bill would extend the above exemption to January 1, 2023. The bill would revise the requirement described above to specify that the exemption applies if, among other things, the project involves negligible or no expansion of an existing vehicular use beyond that existing at the time of the lead agency's determination.	
AB 2035	Mullin D	Affordable housing authorities.	4/17/2018-Re-referre d to Com. on H. & C.D.	Current law authorizes a city, county, or city and county to adopt a resolution creating an affordable housing authority with powers limited to providing low- and moderate-income housing and affordable workforce housing, as provided, by means of tax increment financing. Current law defines various terms for these purposes. This bill would additionally define the terms "authorizing resolution" and "property tax increment" for these purposes.	
AB 2065	Ting D	Local agencies: surplus land.	4/17/2018-Re-referre d to Com. on APPR.	Current law prescribes requirements for the disposal of surplus land by a local agency. Current law defines "local agency" for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land.	

AB 2225	<u>Limón</u> D	State government: storing and recording electronic media.	4/18/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (April 17). Re-referred to Com. on APPR.	Would require the Secretary of State, in consultation with the Department of Technology, to approve and adopt appropriate uniform statewide standards for the purpose of storing and recording permanent and nonpermanent documents in electronic media, and would require "cloud computing" to be defined by the Department of Technology based on industry-recognized standards, consistent with the intent of the state law.	
AB 2249	Cooley D	Public contracts: local agencies: alternative procedure.	4/16/2018-Read second time. Ordered to Consent Calendar.	Would authorize public projects of \$60,000 or less to be performed by the employees of a public agency, authorize public projects of \$200,000 or less to be let to contract by informal procedures, and require public projects of more than \$200,000 to be let to contract by formal bidding procedures.	Support?/Watch
AB 2258	<u>Caballero</u> D	Local agency formation commissions: grant program.	4/18/2018-Action From L. GOV.: Do pass.To APPR	Current law establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities. This bill would require the Strategic Growth Council, until January 1, 2024, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of inactive districts, the payment of costs associated with a study of the services provided within a county by a public agency, and for other specified purposes, including the initiation of an action, based on determinations found in the study, as approved by the commission.	Support
AB 2383	Voepel R	Veterans.	2/15/2018-From printer. May be heard in committee March 17.	Current law authorizes the board of supervisors of any county to grant financial assistance, relief, and support to indigent veterans, administered through and by organizations created to aid veterans, as specified. Current law requires any organization desiring to assist veterans in this way to first file specified information with the board of supervisors of the county in which it is operating or intending to operate. This bill would require the board of supervisors to set a day for the consideration of this filing not more than 15 days after the date of filing.	
AB 2434	Bloom D	Strategic Growth Council: Health in All Policies Program.	4/4/2018-From committee: Do pass and re-refer to Com. on NAT. RES. (Ayes 14. Noes 0.) (April 3). Re-referred to Com. on NAT. RES.	Current law establishes the Strategic Growth Council, prescribes the membership of the council, and requires the council to, among other things, recommend policies and investment strategies and priorities, as specified, to encourage the development of sustainable communities. This bill would establish the Health in All Policies Program, to be administered by the council, for the purposes of incorporating health, equity, and sustainability considerations into decision-making across sectors and policy areas, as specified.	Watch
AB 2447	Reyes D	California Environmental Quality Act: land use: environmental justice.	4/17/2018-From committee: Do pass and re-refer to Com. on E.S. & T.M. (Ayes 7. Noes 3.) (April 16). Re-referred to Com. on	CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA prohibits a lead agency from approving or carrying out a project for which a certified EIR identifies one or more significant effects on the environmental unless the lead agency makes certain	Look at expansion

			E.S. & T.M.	findings. This bill would require the Office of Environmental Health Hazard Assessment, by June 30, 2019, to publish a list of subject land uses, as specified, and a map that identifies disadvantaged communities and areas within 1/2 mile radius of the disadvantaged communities.	
AB 2528	Bloom D	Climate adaptation.	4/16/2018-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations]	Current law requires the Natural Resources Agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy to identify vulnerabilities to climate change by sectors, including the biodiversity and habitat sector, and priority actions needed to reduce the risks in those sectors. This bill would specify that the biodiversity and habitat sector includes habitat resilience areas, as defined. The bill would also require state agencies to maximize the objective of protecting and enhancing habitat resilience areas.	
AB 2553	Friedman D	Vertical housing districts.	4/18/2018-Re-referre d to Com. on H. & C.D.	Would authorize a city or county to designate a high-transit area as a vertical housing zone by adopting a resolution to that effect that contains specified information. The bill would authorize a taxing entity to agree to participate in an existing vertical housing zone by adopting a resolution to that effect. The bill would authorize the developer of a multifamily housing project that meets specified requirements located within that zone to submit an application for a housing zone project designation to the city or county or participating taxing entity. The bill would require the city or county to approve any application for designation so submitted if the project meets certain requirements, including that the project has obtained necessary entitlements and that it is not located within specified areas.	Watch
AB 3160	Grayson D	Federal public lands: conveyances: defense base closure and realignment.	4/18/2018-Read second time and amended.	Current law generally establishes a policy of the state to discourage conveyances of federal public lands in California from the federal government. Current law specifies that these conveyances are void ab initio unless the State Lands Commission was provided with the right of first refusal or the right to arrange for the transfer of the federal public land to another entity. Under curent law, if the commission was provided with the right of first refusal or the right to arrange for the transfer of the federal public lands to another entity, the commission is required to issue a certificate affirming certain compliance before the conveyance of federal public lands in California. This bill would authorize the executive officer of the commission to issue these certifications of compliance.	
SB 827	Wiener D	Planning and zoning: transit-rich housing bonus.	4/18/2018-April 17 set for first hearing. Failed passage in committee. (Ayes 4. Noes 6.) Reconsideration granted.	Would require a local government to, if requested, grant a development proponent of a transit-rich housing project a transit-rich housing bonus if that development at the time of submittal meets specified planning standards, including complying with demolition permit requirements, complying with any local inclusionary housing ordinance or, if the local government has not adopted an inclusionary housing ordinance, agreeing to provide a specified percentage of awarded units as onsite affordable housing, preparing a relocation benefits and assistance plan, complying with any locally adopted objective zoning standards, complying with any locally adopted minimum unit mix requirements, and if the development includes specified types of parcels, agreeing to replace those units and to offer units at one of 2 specified affordable rates.	Watch

SB 914	Dodd D	Local agency contracts.	4/12/2018-Read second time. Ordered to third reading.	Current law authorizes a county, until January 1, 2023, with approval of the board of supervisors, to utilize construction manager at-risk construction contracts for the erection, construction, alteration, repair, or improvement of any building owned or leased by the county, subject to certain requirements, including that the method may only be used for projects that are in excess of \$1,000,000. This bill would authorize the use of this method of contracting for the erection, construction, alteration, repair, or improvement of any infrastructure, excluding roads.	Watch
SB 1043	Newman D	Department of Veterans Affairs: veterans' services.	3/23/2018-Set for hearing April 24.	Current law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that have established and maintain a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer under a formula based upon performance developed by the department. This bill would define a workload unit for purposes of these provisions to mean a specific claim activity that is used to allocate subvention funds to counties, which is approved by the department, and performed by county veterans service officers.	Watch
SB 1049	Moorlach R	Public contracts: local public entities: project labor agreements.	4/10/2018-Set for hearing April 25.	Current law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities and requires a project labor agreement for a construction project used or entered into by a public entity, or required of contractors by the public entity, to include specified provisions. This bill would delete all of the specified prohibitions. This bill contains other current laws.	
SB 1178	Newman D	California Disabled Veteran Business Enterprise Program.	4/2/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on V.A. April 10 set for first hearing canceled at the request of author.	Would prohibit a business that is not a small business or microbusiness from being a DVBE if it has 10 or more participation years, as defined, in the program	Watch/Oppose
SB 1179	Newman D	Public contracts: Disabled Veteran Business Enterprise Program.	4/17/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on V.A.	Current law makes it a crime to, among other things, knowingly and with intent to defraud, fraudulently represent participation of a disabled veteran business enterprise in order to obtain or retain a bid preference or a state contract. Current law requires the Department of General Services to suspend, for a specified period, any person who violates these provisions from bidding on, or participating as either a contractor, subcontractor, or supplier in, any state contract or project, as specified. This bill would require an awarding department to give a prime contractor that fails to comply with the certification requirements described above reasonable opportunity to cure the failure.	Watch
SB 1180	Newman D	California Disabled Veteran Business Enterprise Program.	4/12/2018-Set for hearing April 24.	Current law requires an awarding department, upon completion of an awarded contract for which a commitment to achieve a DVBE goal was made, to require the prime contractor that entered into a subcontract with a DVBE to certify to the awarding	Watch

would require an awarding department to maintain all records of the information provided by the prime contractor pursuant to those provisions and to retain the records for a minimum of 6 years after collection. The bill would require the awarding department to maintain those records in a manner that facilitates access and review by external auditors.	department specified information relating to amounts paid under the contract. This bill
for a minimum of 6 years after collection. The bill would require the awarding department to maintain those records in a manner that facilitates access and review by	would require an awarding department to maintain all records of the information
department to maintain those records in a manner that facilitates access and review by	
external auditors.	department to maintain those records in a manner that facilitates access and review by
	external auditors.

Total Measures: 20

Total Tracking Forms: 20