



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Administration

MEETING DATE: September 24, 2002

PREPARED BY: Scott Ochoa, Assistant City Mgr.

AGENDA LOCATION: *I-3

TITLE: Legislative Bulletin.

OBJECTIVE: This report will provide the Council with information on proposed legislation, and request authorization to contact Monrovia's elected representatives in Sacramento and Washington, DC for their support. These bills are reviewed from the framework of how they may impact Monrovia.

DISCUSSION/ANALYSIS: The Legislative Bulletin highlights and summarizes pending legislation. This matrix is intended to provide the Council with information on proposed legislation that may be important to Monrovia and provides a brief analysis of the potential impacts to the City. The recommendations made by staff reflect the City's priorities and programs, as well as the direction taken by the League of California Cities.

COUNCIL ACTION REQUIRED: Should the Council concur with staff's recommendations, the appropriate action would be

"Approval of the Legislative Bulletin and direct staff to contact Monrovia's elected representatives for their support."

Respectfully,

Donald R. Hopper
City Manager

Attachment

*I-3

Land Use

Bill No	Background	Analysis/Potential Impact	Status	League/ City Position
<p>AB 1866 (Wright). Housing density bonus</p>	<p>Land use authority is one of the most basic rights and important tenets of local control. Existing law allows fairly wide latitude to local governments in determining appropriate land uses, development standards and residential densities on property.</p>	<p>This bill appears to be predicated on the notion that resolution to the State's housing crisis is to facilitate housing, regardless of the impacts such a policy has on other related policy areas. AB 1866 is a shortsighted bill that will sacrifice good land use planning, local land use decision-making and public input. Essentially, AB 1866 is designed to silence all public discussion when a homeowner decides to build a second housing unit in their backyard. This bill requires local governments to employ only a ministerial process for approving second housing units. Moreover, it prohibits local governments from applying any development standard that would have the effect of precluding an affordable housing development from receiving a density bonus and other concessions.</p>	<p>Enrolled</p>	<p>Oppose/ Oppose</p>
<p>AB 2292 (Dutra). General Plans residential density</p>	<p>Land use authority is one of the most basic rights and important tenets of local control. Existing law allows fairly wide latitude to local governments in determining appropriate land uses, development standards and residential densities on property.</p>	<p>This bill would damage this area of home rule by prohibiting a city or county from reducing the residential density for any parcel below the density that was utilized in determining compliance with the jurisdiction's housing element. This prohibition would be made regardless of the administrative, adjudicative, legislative action or vote of the electorate. Local government would only be allowed to reduce the density if it makes written findings supported by substantial evidence that the reduction is consistent with the adopted general plan, including the housing element, and other provisions of law relating to density and incentives for developers to build lower income housing. AB 2292 removes both discretion and authority from the local government, restricts the freedom of a property owner to obtain a desired down-zoning or rezoning of their property from a local government, and provides an incentive for litigation.</p>	<p>Enrolled</p>	<p>Oppose/ Oppose</p>

Human Resources

Bill No	Background	Analysis/Potential Impact	Status	League/ City Position
<p>SB 905 (Parata). Public Employees</p>	<p>Under existing law, public employers like cities and counties may utilize payroll deductions for such purposes as family support payments, garnishments, legal judgements, etc. Additionally, employees of public agencies may authorize payroll deductions for such purposes as union dues. Additionally, unless prohibited by a collective bargaining agreement, existing law allows for voluntary payroll deductions for the purposes of supporting political action committees</p>	<p>This bill would prohibit for all public employees payroll deductions not expressly allowed by State law. Second, it bans payroll deductions for payments to political action committees (PAC's), other than employee unions. Finally, it expressly authorizes the diversion of union dues for political contributions. Regardless of how one may feel about payroll deductions, union activities and PAC's, SB 905 is about limiting the freedom of speech of some groups, while expressly protecting the rights of others. Though slyly written, this bill will likely be challenged as unconstitutional on the grounds that it limits 1st Amendment rights</p>	<p>Enrolled</p>	<p>Oppose/ Oppose</p>