

# CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TTY/TDD: (510) 238-3254

February 25, 2021

**RULES & LEGISLATION COMMITTEE  
OAKLAND CITY COUNCIL**  
Oakland, California 94612

**Re: 2020 Legislative Report (Selected Laws) from the City  
Attorney's Office, Item No. 6 on the February 25, 2021, Rules  
Committee Agenda**

Dear Chairperson Thao and Members of the Committee:

Attached is the City Attorney's Report of Selected Legislation Enacted in 2020. The report identifies and provides a brief summary of new California laws of interest and relevance to municipalities (Attachment A). This report is on the February 25, 2021, Rules Committee agenda.

The information provided in the attached report was obtained from the League of California Cities Legislative Report, A Compilation of 2019 Statutes.

Respectfully submitted,

A handwritten signature in black ink that reads "Barbara J. Parker". The signature is fluid and cursive.

BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
Jennifer Logue, Supervising Attorney

Attachment

cc: Mayor Libby Schaaf  
Members of the City Council  
Edward Reiskin, City Administrator

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ITEM NO. 6  
RULES AND LEGISLATION COMMITTEE  
2/25/2021

# ATTACHMENT A

## Report of Selected Legislation Enacted in 2020

Information obtained from California League of Cities' Annual Legislative Summary which can be viewed in full at: <https://www.cacities.org/Resources-Documents/Policy-Advocacy-Section/Legislative-Resources/Legislative-Reports/2020-Legislative-Report>

Please note: Legislation marked with an asterisk (\*) has been identified as high priority by League staff.

### I. BUDGET AND TRAILER BILLS

#### *B. 2020 Budget Act Trailer Measures (p. 6)*

##### **AB 100 (Committee on Budget) State Government. Chapter 20, Statutes of 2020 (Urgency)**

This measure implements actions related to state administration involving elections and seismic safety:

- Allows costs related to the administration of an election during the COVID-19 pandemic to be a reimbursable expenditure; and
- Establishes the Alfred E. Alquist Seismic Safety Commission as a separate unit within Cal OES. This measure maintains the requirement that the League of California Cities submit at least four members for consideration to serve on the commission.

### II. COMMUNITY SERVICES

#### *A. Aging and Seniors (p. 14)*

##### **AB 2377(Chiu) Residential Facilities. Chapter 146, Statutes of 2020**

This measure expands closure requirements for Adult Residential Facilities (ARFs) and establishes notification requirements to residents and relevant entities. This measure also gives the city or county first opportunity to make an offer to purchase the closing ARF property and continue the operation of the ARF.

#### *E. Natural Disaster Preparedness (p. 16)*

##### **SB 1196 (Umberg) Price Gouging. Chapter 339, Statutes of 2020**

This measure includes within the existing scope of the crime of price gouging, a person or entity that was not selling specified goods and services prior to the proclamation or declaration of an emergency. This measure specifies that a person, business, or other entity may not sell specified goods and services for a price of more than 10 percent

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### Report on Legislation Enacted 2020

greater than the price charged by that person for those goods or services immediately prior to the proclamation or declaration of emergency, or prior to a date set in the proclamation or declaration. This measure also allows the Governor or the Legislature to extend the time frame for price gouging beyond 30 days without needing to have a new extension at the end of each 30 day period.

#### ***F. Parks and Recreation (p. 16)***

##### **SB 1003 (Jones) Skateboard Parks. Other Wheeled Recreational Devices. Safety and Liability.**

###### **Chapter 236, Statutes of 2020 (Urgency)**

This measure expands existing law providing public entities qualified immunity in connection with skateboarding in skateboard parks to also include the riding of other wheeled recreational devices, such as scooters and inline skates. This measure considers the riding of other wheeled recreational devices a “hazardous recreational activity” similar to skateboarding.

### **III. ENVIRONMENTAL QUALITY**

#### ***A. California Environmental Quality Act (p. 18)***

##### **SB 288 (Wiener) California Environmental Quality Act. Exemptions. Transportation-Related Projects.**

###### **Chapter 200, Statutes of 2020**

This measure exempts from the California Environmental Quality Act (CEQA), until 2023, various transit-related projects. These transit-related projects include projects such as pedestrian and bicycle facilities projects, transit prioritization projects, and projects for the institution or increase of new bus rapid transit, bus, or light rail service on existing public rights-of-way or existing highway rights-of-way.

### **IV. GOVERNANCE, TRANSPARENCY AND LABOR RELATIONS**

#### ***A. Elections (p. 25)***

##### **AB 646 (McCarty) Elections. Voter Eligibility. Chapter 320, Statutes of 2020**

This measure allows a person on parole to vote, preregister to vote, and register to vote. This measure also makes other technical and conforming changes if Proposition 17 of 2020 passes.

##### **AB 1276 (Bonta) Local Redistricting. Chapter 90, Statutes of 2020**

This measure makes technical, clarifying, and conforming changes to procedures and criteria pursuant to which counties, general law cities, and charter cities adopt supervisorial and council district boundaries for the purpose of electing members of a county’s board of supervisors or a city’s council. Some of these changes are

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necessary in order to accommodate for the delayed census timeline due to the COVID-19 health crisis.

#### **AB 2151 (Gallagher) Political Reform Act of 1974. Online Filing and Disclosure System.**

##### **Chapter 214, Statutes of 2020**

This measure requires a local government agency, within 72 hours of each applicable filing deadline, to post on its internet website a copy of any statement, report, or other document required to be filed pursuant to the campaign finance disclosure provisions of the Public Records Act (PRA), if the document is filed with that agency in paper format. This measure provides that if the final day of the 72-hour period is a Saturday, Sunday, or holiday, the deadline for posting copies of paper filings is extended to the next day that is not a Saturday, Sunday, or holiday. The local filing officer, before posting, shall redact the street name and building number of the persons or entity representatives listed on any statement, report, or document, or any bank account number required to be disclosed by the filer. This measure also requires a statement, report, or other document posted pursuant to the provisions of this bill to be made available for four years from the date of the election associated with the filing.

#### **ACA 4 (Mullin) Elections. Voting Age.**

##### **Chapter 30, Statutes of 2020**

This measure, if approved by the voters as Proposition 18 of 2020, authorizes a United States citizen who is 17 years of age, is a resident of the state, and will be at least 18 years of age at the time of the next general election to vote in any primary or special election that occurs before the next general election in which the citizen would be eligible to vote if at least 18 years of age.

#### **\*SB 970 (Umberg) Primary Election Date. Chapter 111, Statutes of 2020**

This measure changes the date of the statewide direct primary to the first Tuesday after the first Monday in June in even-numbered years in which there is no presidential primary.

#### ***B. Labor Relations (p. 26)***

#### **\*AB 685 (Reyes) COVID-19. Imminent Hazard to Employees. Exposure. Notification. Serious Violations.**

##### **Chapter 84, Statutes of 2020**

This measure requires that if an employer or representative of the employer receives a notice of potential exposure to COVID-19, the employer must take all of the following actions within one business day of the notice of potential exposure:

- Provide a written notice in a manner the employer normally uses to communicate employment-related information to all employees, and the employers of subcontracted employees, who were on the premises at

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- the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19;
- Provide a written notice to the exclusive representative, if any, of employees;
  - Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws; and
  - Notify all employees, the employers of subcontracted employees, and the exclusive representative, if any, on the disinfection and safety plan that the employer plans to implement and complete per the guidelines of the federal Centers for Disease Control and Prevention.

If an employer or representative of the employer is notified of the number of cases that meet the definition of a COVID-19 outbreak, within 48 hours, the employer must notify the local public health agency in the jurisdiction of the worksite of the names, number, occupation, and worksite of employees. This notice must contain the same information as would be required in an incident report in a California Division of Occupational Safety and Health (Cal/OSHA) Form 300 injury and illness log, unless the information is inapplicable or unknown to the employer. This requirement applies regardless of whether the employer is required to maintain a Cal/OSHA Form 300 injury and illness log. This measure also provides definitions for the following terms: "COVID-19," "infectious period," "notice of potential exposure," "qualifying individual," and "worksite." An employer is prohibited from retaliating against a worker for disclosing a positive COVID-19 test or diagnosis or order to quarantine or isolate. Workers who believe they have been retaliated against may file a complaint with the Division of Labor Standards Enforcement.

#### **AB 1945 (Salas) Emergency Services. First Responders. Chapter 68, Statutes of 2020**

This measure defines "first responder" as an employee of the state or a local public agency who provides emergency response services, including a peace officer, firefighter, paramedic, emergency medical technician, public safety dispatcher, or public safety telecommunicator.

#### **AB 1947 (Kalra) Employment Violation Complaints. Requirements. Time. Chapter 344, Statutes of 2020**

This measure extends the period of time within which people may file complaints with the Labor Commissioner subject to the six month deadline to within one year after the occurrence of the violations.

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**\*AB 2257 (Gonzalez) Worker Classification. Employees and Independent Contractors. Occupations. Professional Services.  
Chapter 38, Statutes of 2020 (Urgency)**

This measure provides that public agencies may engage in bonafide business to business relationships without having the contracted business be classified as employees under the AB 5 (Gonzalez, Chapter 296, Statutes of 2019) employment test.

**AB 2311 (Low) Public Contracts. Skilled and Trained Workforce Requirement. Notice.**

**Chapter 347, Statutes of 2020**

This measure requires a public entity, when the use of a skilled and trained workforce to complete a contract or project is required pursuant to existing law, to include in all bid documents and construction contracts a notice that the project is subject to the skilled and trained workforce requirement.

**AB 2765 (O'Donnell) Public Works. Prevailing Wages.**

**Chapter 355, Statutes of 2020**

This measure expands the definition of "public works," for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a charter school when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds, that were issued on or after January 1, 2021.

**AB 2967 (O'Donnell) Public Employees' Retirement System. Contracting Agencies. Exclusion from Membership.**

**Chapter 223, Statutes of 2020**

This measure deletes provisions of the Public Employment Retirement Law that authorized a public agency contracting with the California Public Employees' Retirement System (CalPERS) to make all or part of its employees members of the system. This measure prohibits exclusions of groups of employees from being made by amendment

of a public agency contract with CalPERS. This measure applies these provisions to contracts entered into, amended, or extended on and after January 1, 2021.

**AB 2992 (Weber) Employment Practices. Leave Time.**

**Chapter 224, Statutes of 2020**

This measure expands provisions to prohibit an employer from discharging, or discriminating or retaliating against, an employee who is a victim of crime or abuse for taking time off from work to obtain or attempt to obtain relief.



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**\*SB 1159 (Hill) Workers' Compensation. COVID-19. Critical Workers.  
Chapter 85, Statutes of 2020 (Urgency)**

This measure defines "injury" for an employee to include illness or death resulting from COVID-19 under specified circumstances, until January 1, 2023. This measure creates a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. This measure limits the applicability of the presumption under certain circumstances. This measure requires an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. This measure also makes a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days.

**\*SB 1383 (Jackson) Unlawful Employment Practice. California Family Rights Act. Chapter 86, Statutes of 2020**

This measure expands the California Family Rights Act to make it an unlawful employment practice for any employer with five or more employees to refuse to grant a request by an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as specified. This measure also requires an employer who employs both parents of a child to grant leave to each employee.

***C. Government Operations (p. 29)***

**\*AB 992 (Mullin) Open Meetings. Local Agencies. Social Media.  
Chapter 89, Statutes of 2020**

This measure provides that, until January 1, 2026, a member of a legislative body covered by the Brown Act may engage in separate conversations or communications outside of a meeting authorized by this act with any other person using an internet-based social media platform. The communications may be to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body, provided that a majority of the members do not use the internet-based social media platform to discuss among themselves, business of a specific nature that is within the subject matter jurisdiction of the legislative body. Additionally, a member shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

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#### **AB 1867 (Committee on Budget) Small Employer Family Leave Mediation. Handwashing. Supplemental Paid Sick Leave. Chapter 45, Statutes of 2020 (Urgency)**

This measure establishes additional employer requirements related to the health and safety of employees during the COVID-19 emergency as follows:

- Establishes a COVID-19 Supplemental Paid Sick Leave program for workers not performing duties from home employed by entities with 500 or more employees or those employed as health care providers or emergency responders. This measure applies the supplemental leave provisions to public entities; and
- Requires a food employee working in any food facility to be permitted to wash their hands every 30 minutes and more often as needed.

#### **\*ACA 5 (Weber) Government Preferences. Chapter 23, Statutes of 2020**

This measure, if approved by the voters as Proposition 16 of 2020, repeals Section 31 of Article I of the California Constitution, which was added by Proposition 209 of 1996. This particular section of the California Constitution prohibits the state, cities, counties, community college districts, public university systems, and special districts from discriminating or giving preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin with regard to public employment, public contracting or public education.

## **V. HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT**

### ***C. Homelessness (p. 31)***

#### **\*AB 2553 (Ting) Shelter Crisis Declarations. Chapter 147, Statutes of 2020 (Urgency)**

This measure expands the Shelter Crisis Act (AB 932, Ting, Chapter 786, Statutes of 2017) to all cities and counties in California. The Shelter Crisis Act allowed certain local jurisdictions that declared a shelter crisis to allow homeless individuals to occupy public facilities designated as emergency housing such as shelter beds, for the duration of the crisis. The Shelter Crisis Act also provides limited liability and suspends local housing, health, and safety standards for public facilities to the extent that full compliance would hamper mitigation of the effects of the shelter crisis.

Additionally, this measure removes the requirement that HCD review and approve any city or county's draft ordinance providing local standards and procedures for the design, site development, and operation of homeless shelters. Instead, a jurisdiction that adopts an ordinance must meet the standards provided in the 2019 California Residential Code, and any future standards adopted by HCD related to emergency housing or emergency housing facilities, unless the city or county adopts findings stating why the standards cannot be met. This measure sunsets on January 1, 2026.



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#### **SB 1065 (Hertzberg) CalWORKs. Homeless Assistance. Chapter 152, Statutes of 2020**

This measure modifies requirements for obtaining, extending and using homeless assistance in order to make program assistance by making changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) Homeless Assistance Program (HAP).

#### ***D. Land Use/Planning (p. 32)***

#### **\*AB 831 (Grayson) Planning and Zoning. Housing. Development Application Modifications.**

##### **Chapter 194, Statutes of 2020 (Urgency)**

This measure makes changes to the process for development projects approved by the streamlined, ministerial process created by SB 35 (Wiener, Chapter 366, Statutes of 2017). The change provides a path to modify approved development projects prior to the issuance of the final building permit required for construction, including provisions on how local governments must treat such an application for a modification. This measure also specifies how local governments must approve and construct public improvements provided in conjunction with the streamlined, ministerial development project in a manner that does not inhibit the development.

#### **\*AB 1561 (Garcia, Cristina) Planning and Zoning. Housing Element and Entitlement Extensions. Chapter 195, Statutes of 2020**

This measure requires cities and counties to evaluate the impact of government actions on the cost of housing and associated impacts to minority communities and extends by 18 months the time frame for the expiration, effectuation, or utilization of a housing entitlement for any housing entitlement that was issued prior to, and was in effect on, March 4, 2020, and will expire prior to December 31, 2021.

This measure also extends, by 30 days, the time frame under the California Environmental Quality Act (CEQA) for a Native American tribe to respond to a lead agency and request consultation in writing relating to an environmental impact report for any housing development project application determined or deemed complete on or after March 4, 2020 and prior to December 31, 2021.

#### **\*AB 725 (Wicks) General Plans. Housing Element. Moderate-income and Above Moderate-income Housing. Suburban and Metropolitan Jurisdictions. Chapter 193, Statutes of 2020**

This measure requires metropolitan and suburban jurisdictions, through their housing element process, to ensure that at least 25 percent of their regional housing need for moderate-income housing be allocated to sites with zoning that allows at least four units of housing, but no more than 100 units per acre of housing. This measure excludes unincorporated areas from this prohibition and does not apply to housing elements due before January 1, 2022.

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#### **\*AB 2345 (Gonzalez) Planning and Zoning. Density Bonuses. Annual Report. Affordable Housing.**

##### **Chapter 197, Statutes of 2020**

This measure revises the Density Bonus Law to increase the maximum allowable density and the number of concessions and incentives a developer can seek. This measure also requires that the annual report include information regarding density bonuses granted in accordance with specified law.

#### ***E. Landlord –Tenant (p. 34)***

#### **AB 3088 (Chiu) (as amended by SB 91 on 1-27-2021) Tenancy. Rental Payment Default. Mortgage Forbearance. State of Emergency. COVID-19. Chapter 37, Statutes of 2020 (Urgency)**

This measure establishes a limited moratorium on evictions for non-payment of rent due to COVID-19 financial hardship, subject to numerous conditions.

- For unpaid rent that accrued from March 1, 2020, through August 31, 2020, Tenants may not be evicted if they provide a declaration of Covid-19 related financial distress;
- For unpaid rent that accrued between September 1, 2020, and June 30, 2021, Tenants cannot be evicted if they provide a declaration of Covid-19 related financial distress and pay 25% of the amount owed for this period no later than June 30, 2021.

Additionally, this measure:

- Permits landlords to sue tenants for unpaid COVID-19 rental debt in small claims court beginning August 1, 2021, even if the debt exceeds existing small claims jurisdiction limits;
- Increases the time that tenants have to respond to a demand to pay COVID-19 rental debt from three business days to 15 business days;
- Requires landlords to provide all tenants with unpaid COVID-19 rental debt with a notice informing them of their rights under this bill;
- Delays effective date of any Covid-19 related eviction protections adopted by local governments until 7-1-2021. **Note:** This prohibition does not affect laws in existence as of August 19, 2020, such as Oakland's eviction moratorium;
- Expands the Homeowners Bill of Rights until January 1, 2023 to cover small landlords; and
- Requires a mortgage servicer that denies a borrower's request for forbearance on mortgage payments for a property consisting of no more than four residential units to provide the borrower with a written explanation of the denial.

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#### *F. Foreclosure (p. 35)*

##### **SB 1079 (Skinner) Residential Property. Foreclosure. Chapter 202, Statutes of 2020**

This measure seeks to mitigate blight, vacancy, and the transfer of residential property ownership from owner occupants to corporate landlords. This measure:

- Increases local governments' authority to assess fines on owners of blighted properties acquired at foreclosure sales;
- Requires local governments to provide these owners with more detail as to the alleged blight and giving owners more time to remedy issues before any fine is assessed against them;
- Provides tenants with 45 days after a home foreclosure auction to match the highest bid. Other eligible bidders, including prospective owner occupants, non-profits, and government agencies, have 45 days after a home foreclosure auction to make an offer for the home that exceeds the highest bid. Prohibits sales of bundled properties at foreclosure auctions;
- Requires a notice of sale to contain a specified notice to a tenant regarding the tenant's potential right to purchase a property; and
- Requires a trustee to maintain an internet website and a telephone number to provide specified information on the properties that is free of charge and available 24 hours a day, seven days a week.

This measure sunsets on January 1, 2026.

#### **VI. PUBLIC SAFETY**

##### *B. Cannabis (p. 45)*

##### **SB 67 (McGuire) Cannabis. Marketing. Appellations of Origin. County, City, or City and County of Origin. Chapter 298, Statutes of 2020 (Urgency)**

This measure prohibits cannabis cultivators from designating a city of origin for cannabis if any of the cannabis was not produced within the designated city. Specifically, cannabis cultivators cannot advertise or market their products as originating in a city if the cannabis was grown even partially elsewhere. This restriction has already been applied to designating a county of origin. This reserves the right for only cannabis cultivators who grow entirely in that city to advertise their products using that city's name.

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Additionally, this measure limits the approval of appellations of origin for cannabis unless it requires the practice of planting in the ground in the canopy area and excludes the practices of using structures and any artificial light in the canopy area. This ensures that indoor grows, where plants are potted and exposed primarily to artificial light, are not provided appellations of origin, which create consumer expectations about how a product was influenced by its environment.

#### ***J. Juvenile Welfare (p. 58)***

##### **AB 2425 (Stone, Mark) Juvenile Police Records. Chapter 330, Statutes of 2020**

This measure prohibits law enforcement, social workers, or probation agencies from releasing juvenile police records when a juvenile has participated in or completed a diversion program. Specifically, these records cannot be released if the subject of the juvenile police record is:

- A minor who has been diverted by police officers from arrest, citation, detention, or referral to probation and who is currently participating in a diversion program or who has satisfactorily completed a diversion program;
- A minor who has been counseled and released by police officers without an arrest, citation, detention, or referral to probation; and
- A minor who does not fall within the jurisdiction of the juvenile delinquency court under current state law.

Additionally, this measure requires the law enforcement agency that seals a juvenile police record of a diverted minor to notify the applicable diversion service provider and require the records in the diversion service provider's custody to be kept confidential. The bill requires the Judicial Council to develop forms to implement these provisions by January 1, 2022.

#### ***K. Law Enforcement (p. 59)***

##### **AB 1196 (Gipson) Peace Officers. Use of Force. Chapter 324, Statutes of 2020**

This measure prohibits a law enforcement agency from authorizing the use of a carotid restraint or a chokehold by any peace officer employed by that agency. This may require law enforcement agencies to amend their existing use of force policies.

##### **AB 1506 (McCarty) Police Use of Force. Chapter 326, Statutes of 2020**

This measure creates a division within the Department of Justice (DOJ) to, upon the request of a law enforcement agency, review the use-of-force policy of the agency and make recommendations beginning July 1, 2023. This measure also requires a state prosecutor to conduct an investigation of any officer-involved shooting that resulted in the death of an unarmed civilian. For each investigation, the state

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prosecutor must prepare a written report including a statement of facts, a detailed analysis and conclusion, recommendations to modify the policies and practices of the law enforcement agency (if necessary), and if criminal charges against the involved officer are found to be warranted, initiate and prosecute a criminal action against the officer. These reports must be posted on a public internet website.

#### **SB 388 (Galgiani) Missing Persons. Reports. Local Agencies. Chapter 228, Statutes of 2020**

This measure deletes provisions that allow local agencies to make missing persons reporting requirements inoperative in a local jurisdiction by resolution. Specifically, this measure mandates all local law enforcement agencies to promptly obtain the release of dental and skeletal X-ray records upon acceptance of a missing person report and to broadcast a 'Be on the Lookout' bulletin if the missing person is under 21 years of age.

Additionally, this measure mandates a written declaration by local law enforcement if a missing person is determined to be an at-risk person and has not been found within 30 days, in order to facilitate the release of dental or skeletal X-ray if not already obtained.

#### ***L. Mental Health and Public Health (p. 61)***

#### **AB 465 (Eggman) Mental Health Workers. Supervision. Chapter 137, Statutes of 2020**

This measure requires any programs or pilot programs permitting mental health professionals to respond to emergency mental health crisis calls in collaboration with law enforcement to be supervised by a licensed mental health professional, including a licensed clinical social worker.

### **VII. REVENUE AND TAXATION**

#### ***B. Local Government Finance (p. 66)***

#### **AB 2107 (Rodriguez) Local Government. Securitized Limited Obligation Notes. Chapter 213, Statutes of 2020**

This measure extends, until December 31, 2024, the authorization for special districts to issue securitized limited obligation notes for the acquisition or improvement of land, facilities, or equipment.

#### **\*SB 998 (Moorlach) Local Government. Investments. Chapter 235, Statutes of 2020**

This measure increases the commercial paper limit for cities and special districts that have more than \$100 million in investment assets from 25 percent to 40 percent of their total surplus funds and allows local agencies to invest in securities backed or issued by the federal government that could result in zero or negative interest accrual

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if held to maturity during a period of negative market interest rates. This measure also prohibits cities from investing more than 10 percent of their commercial part and medium-term investments in any single issuer.

#### *C. Miscellaneous (p. 67)*

##### **SB 1473 (Committee on Governance and Finance) Local Government Omnibus Act of 2020.**

##### **Chapter 371, Statutes of 2020**

This measure is the annual local government omnibus which makes several minor changes to state laws governing local agencies' powers and duties. Notably for cities, this measure:

- Allows public agencies to accept electronic filing of claims, under the Government Torts Claim Act, if they adopt procedures to do so;
- Updates government code sections pertaining to the requirement that the Board of Equalization to survey counties to determine the adequacy of the assessment procedures and practices employed by the county assessor; and
- Excludes properties with outstanding Mello-Roos debt from the exemption for affordable project established in current law therefore requiring that these properties pay Mello-Roos taxes until the debt is retired.

## VIII. TRANSPORTATION, COMMUNICATIONS AND PUBLIC WORKS

#### *C. Micromobility (p. 70)*

##### **\*AB 1286 (Muratsuchi) Shared Mobility Devices. Agreements.**

##### **Chapter 91, Statutes of 2020**

This measure requires shared mobility device providers to obtain a permit or agreement with the city or county it seeks to operate in and comply with all local operation, parking, maintenance, and safety rules. This measure also requires shared mobility device providers to maintain minimum commercial general liability insurance coverage of not less than \$1 million for each occurrence of bodily injury or property damage and not less than five million dollars aggregate for all occurrences during the policy period.

#### *F. Telecommunications (p. 71)*

##### **AB 2421 (Quirk) Land Use. Permitting. Wireless Communications. Emergency Standby Generators.**

##### **Chapter 255, Statutes of 2020**

This measure sets forth a streamlined local permitting process for siting back-up power generators on macro cell tower sites through January 1, 2024. Specifically, this measure provides that siting an emergency standby generator proposed at an existing



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permitted macro cell tower site is subject only to a ministerial permitting process. Additionally, a local agency that receives a permit application to install an emergency standby generator is required to approve or deny the application with 60 days of submittal of the application, or the application will be deemed approved. Local agencies can impose a fee to cover costs associated with administering these permits. Local agencies can also revoke a permit or approval status for an emergency standby generator that is determined to violate state or local laws or regulations, including building and fire safety codes.

DRAFT