



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Striplen

DATE: June 14, 2022

SUBJECT: STATE LEGISLATION: AB 1797, AB 2142, AB 2295, SB 866, AND SB 1479

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council:

1. Support AB 2142 (Gabriel).
2. Oppose AB 1797 (Weber), AB 2295 (Bloom), SB 866 (Wiener), and SB 1479 (Pan).
3. Transmit position statements to the authors of the bills, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Newsom, the League of California Cities, and other stakeholder organizations.

BACKGROUND

The following state legislative items were presented to the City Council Legislative Committee on May 16, 2022. Included as part of this report is a brief summary of each piece of legislation and its current status in the state legislative process.

Assembly Bill 1797

Existing law permits health care providers and youth-based agencies, including schools and childcare facilities, to disclose immunization information from the patient's medical or client's records to local health departments and the State Department of Public Health. Additionally, existing law allows for a parent or guardian to lock immunization records and restrict sharing of this information between the aforementioned agencies.

Authored by Assembly Member Akilah Weber (D-79-San Diego), Assembly Bill 1797, requires, instead of permits, health care providers and youth-based agencies, including schools and

childcare facilities, to disclose immunization information from the patient's medical or client's records to local health departments and the State Department of Public Health. This bill retains the right for a parent or guardian to lock immunization records and restrict sharing of this information between the aforementioned agencies.

Additionally, in the case of the COVID-19 state emergency, this bill authorizes schools, childcare facilities, family childcare homes, and county human services agencies to perform immunization status assessments of youth, adults, and clients. In the case of schools, this provision only applies to schools under a school district governing body that has adopted a policy mandating COVID-19 immunization for school attendance. This provision sunsets on January 1, 2026.

None of the school districts within the City have adopted a policy mandating COVID-19 immunization.

Assembly Bill 1797 was pending a Third Reading in the Assembly, at the time this report was developed.

Assembly Bill 2142

Authored by Assembly Member Jesse Gabriel (D-45-Encino), Assembly Bill 2142 reinstates a personal income tax exclusion for amounts received as a rebate, voucher, or other financial incentive issued by a local water agency, local government, or state agency for participation in a turf removal water conservation program. If passed, this tax exemption would sunset on January 1, 2027.

State law previously exempted turf rebates from taxable income but those provisions were allowed to sunset on January 1, 2019. Additionally, existing federal and state law excludes, from gross income, any subsidy provided by a public utility for the purchase or installation of any "energy conservation measure." An "energy conservation measure," in turn, is defined as any installation or modification primarily designed to reduce the consumption of electricity or natural gas or to improve the management of energy demand in a dwelling unit, as specified.

Moreover, existing state law also provides an exclusion for any rebate, voucher, or other financial incentive issued by the California Energy Commission, the Public Utility Commission, or a local publicly owned electric utility for an expense incurred by a taxpayer to purchase or install a specified thermal system, solar system, wind energy system, or a fuel cell generating system.

According to the National Integrated Drought Information System, 100 percent of the State is currently experiencing at least moderate drought conditions and 87 percent of the State, in turn, is in severe drought, which is marked by inadequate grazing lands, a longer fire season, and increased wildlife disease. These conditions led to Governor Newsom issuing a proclamation on October 19, 2021, extending the statewide drought emergency and calling on Californians to increase their water conservation efforts. However, on March 15, 2022, CalMatters reported that Californians used 2.6 percent more water in January 2022 compared to before the drought emergency declaration.

The Santa Clarita Valley Water Agency (SCVWA) offers residents and businesses a turf replacement rebate of \$3 per square foot. Additionally, on April 26, 2022, the SCVWA Board of Directors approved to move into Stage 2 of its Water Shortage Contingency Plan, which among other things, limits landscape watering to three days per week. The SCVWA Board of Directors is in support of Assembly Bill 2142.

The recommendation to support Assembly Bill 2142 is consistent with the City of Santa Clarita 2022 Executive and Legislative Platform. Specifically, Component 48 under the “State” section advises that the City Council, “Monitor and influence legislation or other actions related to the reasonable management of water, consistent with being good water stewards, and oppose policies that outright prohibit local water accessibility.”

Assembly Bill 2142 was pending a Third Reading in the Assembly, at the time this report was developed.

Assembly Bill 2295

Authored by Assembly Member Richard Bloom (D-50-Santa Monica), Assembly Bill 2295 requires local governments to approve a residential development on property owned by a local education agency and preempts local zoning and local land use authority, if the following criteria is met:

- The housing development consists of at least 10 housing units;
- The housing development shall have a recorded deed restriction that ensures, for a period of at least 55 years, that the majority of the units of the housing development shall be set at an affordable rent to lower-income or moderate-income households. However, at least 30 percent of the units shall be affordable to lower-income households;
- 100 percent of the units of the housing development shall be rented by local educational agency employees, local public employees, and general members of the public pursuant to the following procedures. However, priority is to go to a local education agency’s employees;
- The residential density for the housing development, as measured on the development footprint, shall be at least 30 units per acre;
- The height limit for the housing development shall be no less than 30 feet; and
- The property is adjacent to a property that permits residential uses.

There are over 1,000 local education agencies (LEA) in the State, which includes school districts, county offices of education, and charter schools. Collectively, they own more than 150,000 acres of land. Furthermore, of land owned by LEAs, it is estimated that there are 7,068 properties with potentially developable land of one acre or more, totaling 75,000 acres statewide.

Schools in the City are located in the City’s Public/Institutional (PI) Zone. Although the PI Zone permits a dwelling, it does not include specifications for a residential multifamily subdivision, as outlined in this legislation, and therefore a proposed multifamily project within a PI Zone would require a zone change to be considered for development purposes.

In addition to LEA property within the City’s PI zone, some LEAs also own property outside of the PI Zone. Proposed projects by an LEA for these properties would be reviewed for consistency with City standards included in the City Municipal Code.

The recommendation to oppose Assembly Bill 2295 is consistent with the City of Santa Clarita 2022 Executive and Legislative Platform. Specifically, Component 1 under the “State” section advises that the City Council, “Oppose legislation that would interfere with, limit, or eliminate the decision-making authority of municipalities in the area of local land use.”

Assembly Bill 2295 passed the Assembly Committee on Local Government (6-1-1) on April 27, 2022, and Assembly Committee on Appropriations (12-4) on May 11, 2022. Assembly Member Tom Lackey (R-36-Palmdale) voted in opposition of the bill as a member of the Assembly Committee on Local Government.

Assembly Bill 2295 was pending a Third Reading in the Assembly, at the time this report was developed.

Senate Bill 866

Existing state law authorizes minors to consent to specified medical treatment without the consent of their parent or guardian as follows:

- A minor who is 15 years of age or older, living separately from their parent, and managing their own financial affairs including medical and/or dental care, may consent to medical and/or dental care;
- A minor who is 12 years of age or older may consent to mental health treatment or counseling when the mental health professional determines that the minor is mature enough to participate and that the minor poses a danger to themselves or is the victim of child abuse;
- Any minor may consent to medical care related to the prevention or treatment of pregnancy, with the exception of sterilization services;
- A minor who is 12 years of age or older may consent to medical care related to the treatment or prevention of a sexually transmitted disease; and
- A minor who is 12 years of age or older may consent to medical care and counseling relating to the diagnosis and treatment of a drug- or alcohol-related problem.

Authored by Senator Scott Wiener (D-11-San Francisco), Senate Bill 866 allows minors aged 12 and older to receive a vaccination that has been approved by the Food and Drug Administration

(FDA) without the consent of their parent or guardian.

Senate Bill 866 passed the Senate (21-8-11) on May 12, 2022. Senator Scott Wilk (R-21-Santa Clarita) voted in opposition of the bill and Senator Henry Stern (D-27-Malibu) did not record a vote during the Senate Floor vote. Senate Bill 866 was pending a hearing with the Assembly Committee on Judiciary, at the time this report was developed.

Senate Bill 1479

Authored by Senator Richard Pan (D-6-Sacramento), Senate Bill 1479 requires each school district, county office of education, and charter school to create a testing plan that is consistent with guidance from the California Department of Public Health.

Under current guidance by the Los Angeles County Department of Public Health (County Department of Public Health), school districts in the County must have a COVID-19 Containment, Response and Control Plan (Plan) that describes each school's comprehensive approach to preventing and containing the spread of COVID-19 on campus. The Plan includes a testing plan consistent with guidance from the California Department of Public Health. As such, each school within the City has adopted a plan, consistent with provisions included in this bill and guidance by the County Department of Public Health.

Senate Bill 1479 passed the Senate (27-9-4) on May 24, 2022. Senator Scott Wilk (R-21-Santa Clarita) voted in opposition of the bill and Senator Henry Stern (D-27-Malibu) voted in support of the bill during the Senate Floor vote. Senate Bill 1479 was ordered to the Assembly, at the time this report was developed.

None of the school districts within the City have taken a position on the state legislative items included in this report.

ALTERNATIVE ACTION

Other direction, as provided by the City Council.

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted FY 2021-22 budget.

ATTACHMENTS

Assembly Bill 1797 - Bill Text

Assembly Bill 2142 - Bill Text

Assembly Bill 2295 - Bill Text

Senate Bill 866 - Bill Text

Senate Bill 1479 - Bill Text