

CITY OF CARSON

August 3, 2021

The Honorable Philip Ting
California State Assembly
State Capitol, Room 6026
Sacramento, CA 95814

Dear Assemblymember Ting:

SUPPORT – ASSEMBLY BILL 33 (TING) AS REVISED ON JULY 15, 2021 - ENERGY CONSERVATION ASSISTANCE ACT OF 1979. ENERGY STORAGE SYSTEMS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE. NATIVE AMERICAN TRIBES.

The City of Carson **supports** your Assembly Bill 33 (AB 33), as revised on July 15, 2021.

The City of Carson is pleased to support your AB 33 (Ting), which would expand the eligibility of projects under the California Energy Commission's (CEC) Energy Conservation Assistance Account (ECAA) to include installation of energy storage systems and electric vehicle (EV) infrastructure.

Specifically, AB 33 would require the Energy Commission, in administering the account, to provide grants and loans to local governments and public institutions to maximize energy use savings, expand installation of energy storage systems, and expand the availability of electric vehicle charging infrastructure, including technical assistance, demonstrations, and identification and implementation of cost-effective energy efficiency, energy storage, and electric vehicle charging infrastructure measures and programs in existing and planned buildings or facilities.

The City of Carson is a member of the Clean Power Alliance and supports the expansion of clean energy technologies including electric vehicle infrastructure within and around our City. AB 33 will aid all California cities in the effort to expand much needed electric vehicle infrastructure. For these reasons, Carson supports AB 33.

If you have any questions, do not hesitate to contact our Sharon Landers, City Manager at sllanders@carsonca.gov or (310) 952-1731.

Sincerely,

Mayor Lula Davis-Holmes

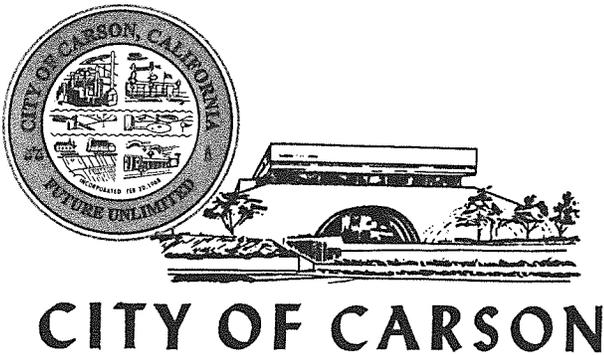
Mayor Pro-Tem Jim Dear

Council Member Jawane Hilton
District 1

Council Member Cedric L. Hicks, Sr.
District 3

Council Member

cc: Senator Steven Bradford, 35th District
Assemblymember Mike A. Gipson, 64th District



CITY OF CARSON

August 3, 2021

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
State Capitol
Sacramento, CA 95814

Dear Senator Umberg:

SUPPORT [AS PROPOSED TO BE AMENDED] – ASSEMBLY BILL 361 (RIVAS) – OPEN MEETINGS: LOCAL AGENCIES: TELECONFERENCES

The City of Carson **supports** Assembly Bill 361 (Rivas), which will provide local agencies with the ability to meet remotely during declared state emergencies to ensure the continued delivery of critical public services.

AB 361 would codify portions of the Governor of California’s Executive Orders (“the Orders”) from March 2020 relating to the Ralph M. Brown Act (“the Brown Act”), which made it safe for local agencies to meet. The Orders limited their operation to the time period during which state or local public health officials have imposed or recommend social distancing measures. In similar fashion, the provisions of this bill are operative only in circumstances when it is unsafe for the members of the legislative body of the local agency to meet in person. The bill’s provisions are only able to be utilized pursuant to a formal state of emergency, and the declared emergency must directly threaten the safety of the agency members, staff, or the public. By establishing such an extraordinarily high standard for agencies to meet remotely, this bill avoids creating a “one-size-fits-all” approach that would otherwise apply in all future emergencies. An agency would not be able to rely upon these provisions to meet remotely if the emergency does not pose a threat to the agency.

Existing law requires that local agencies post advance notice of the intent to hold a meeting along with posting the agenda of planned meetings. This bill does not eliminate the responsibility of local agencies to post meeting notices or agendas; instead it merely allows local agencies to fulfill this requirement without physically posting these notices in areas that may have been rendered unsafe due to an emergency. Meetings must still be noticed online, and notice must still be provided in a newspaper of general circulation and/or radio or television station as may be required by statute.

This bill would also ensure that the public is guaranteed the opportunity to observe agency meetings and the opportunity to provide public comment. Meeting notices and agendas would be required to explain how the public may observe the meeting and offer public comment.

When meeting remotely during an emergency, AB 361 would require a local agency both a) identify and b) include an opportunity for the public to attend via a call-in option or an internet based service option. In this way, the public is guaranteed access to the meeting, and agency board members remain accountable to the interested public.

Similarly, the provisions of AB 361 forbid local agencies from requiring members of the public to submit their public comments in advance, a directive which is absent from the Governor's March 2020 Orders. By building upon the Orders in this way, AB 361 increases the level of transparency and accessibility of local agency boards and their meetings; local agency board members would remain directly accountable to the public in their proceedings.

Over the course of the last several months, local agencies have used remote meetings to continue their operations during the pandemic. The experience of these local agencies meeting remotely has provided additional insight into the challenges surrounding remote meetings – specifically, the appropriate procedures to be followed in the event that a remotely-conducted meeting becomes inaccessible as a result of a technological disruption.

AB 361 clarifies the proper procedure when there is a disruption which prevents the local agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from submitting public comments. AB 361 would specify that actions taken on agenda items during such a disruption are subject to challenge proceedings, and that the local agency must not take any action on any items appearing on the agenda without first restoring the public's access to the meeting. Given that challenge proceedings could invalidate the actions taken by a local agency, there is significant incentive for local agencies to avoid any appearance of taking any action during a disruption. In this way, AB 361 provides additional clarity surrounding local agencies' obligation to ensure public access to remote meetings, thereby protecting the public's right to participate in public meetings.

Under normal circumstances, the provisions of AB 361 would be used only in exceedingly rare occasions – given the extraordinarily narrow circumstances in which local agencies would be able to utilize the provisions contained within AB 361, it is difficult to imagine a scenario wherein a local agency is relying on its provisions to meet remotely more than once or twice a year. Regardless, AB 361 contains safeguards in order to address potential concerns of abuse; local agency boards would have to approve a resolution to meet remotely by a majority vote of its members, putting those members on the record as having supported the determination that the declared emergency directly threatens the safety of the agency members, staff, or the public.

Furthermore, the resolution approving the transition to remote meetings is limited to a 30-day period, expiring no later than 30 days after teleconferencing for the first time pursuant to the terms of AB 361. While the local agency board may choose to extend this resolution, the board is required to do so again by majority vote, supporting the finding that the emergency continues to pose a threat to the safety of the agency members, staff, or the public. Additionally, neither the initial resolution nor the extending resolution are valid in the event that the formally-declared state of emergency lapses or is otherwise terminated.

While California Government Code § 54953 authorizes the use of teleconferencing, this code section does not adequately address the demands of an emergency situation. California Government Code § 54953 requires the physical posting of meeting notices and agendas in locations where the physical safety of agency members and/or staff cannot be guaranteed. Furthermore, the Code requires that each of the remote meeting locations be accessible to members of the public, a mandate that runs counter to the practice of social distancing and quarantining as recommended by state and local health officials. The Orders, recognizing the dilemma posed by this situation, waived these requirements. By providing relief from these requirements, this bill will allow local agencies to conduct business without exposing local agency board members, staff, or the public to potential harm. This bill also provides for members of a local agency's legislative body to participate in a remote meeting from beyond the agency's jurisdiction consistent with the conditions posed in an emergency.

The governor's March 2020 Orders facilitated local agencies' transition to remote meetings so that they could continue to operate while observing directives meant to help slow the spread of disease during a pandemic. The changes made by the orders were integral to allowing local agencies to meet; without them, local agencies would potentially have been forced to make tough decisions about meeting cancellations, potential exposures of agency board members and staff, compliance with health directives, and more. This bill strikes an appropriate balance between the intent of these executive orders – to allow local agencies to continue to meet and do business during an emergency – and the spirit of the protections woven throughout the Brown Act.

For these reasons, the City of Carson supports AB 361 (Rivas).

If you have any questions, do not hesitate to contact Sharon Landers, City Manager at sllanders@carsonca.gov or (310) 952-1731.

Sincerely,

Mayor Lula Davis-Holmes

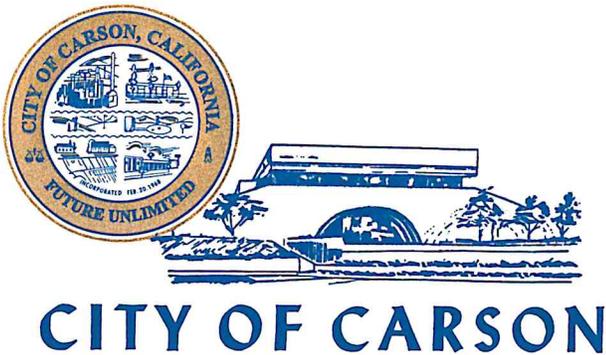
Mayor Pro-Tem Jim Dear

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District 1

Council Member Cedric L. Hicks, Sr.
District 3

Council Member

cc: Senator Steven Bradford, 35th District
Assemblymember Mike A. Gipson, 64th District



August 3, 2021

The Honorable Toni Atkins
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

Dear Senate Pro Tem Atkins:

SUPPORT – SENATE BILL 5 (ATKINS) – AFFORDABLE HOUSING BOND ACT OF 2022

The City of Carson **supports** Senate Bill 5 (Atkins) as a way to address affordable housing in California. Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, home ownership for very low and low-income households, and down payment assistance for first-time homebuyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law and requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks.

This bill would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of \$6,500,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to fund affordable rental housing and homeownership programs. The bill would state the intent of the Legislature to determine the allocation of those funds to specific programs. This bill would provide for submission of the bond act to the voters at the November 8, 2022, statewide general election in accordance with specified law.

The City of Carson is proud to support this bill and acknowledges the key role that state funding plays in rental housing and homeownership programs, as well as to effectively promote the development of affordable housing in the state and in our local communities. For these reasons, the City of Carson supports SB 5 (Atkins).

If you have any questions, do not hesitate to contact Sharon Landers, City Manager at slanders@carsonca.gov or (310) 952-1731.

Sincerely,

Mayor Lula Davis-Holmes

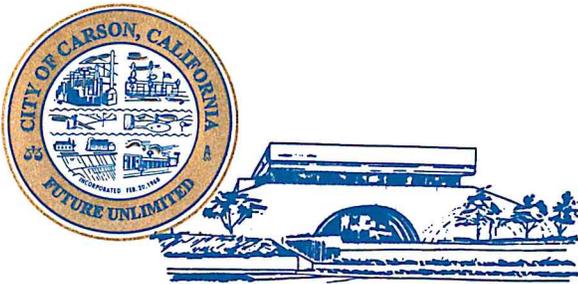
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Assemblymember Mike A. Gipson, 64th District



CITY OF CARSON

August 3, 2021

The Honorable Scott Wiener
California State Senate, 11th District
State Capitol Room 5100
Sacramento, CA 95814

Dear Senator Wiener:

OPPOSE – PLANNING AND ZONING LAW: HOUSING DEVELOPMENT PROJECTS

The City of Carson respectfully **OPPOSES** Senate Bill 478 (Wiener), which would prohibit a local government from imposing a floor-to-area ratio (FAR) below a certain point on certain housing developments.

Specifically, SB 478 would prohibit a local government from adopting a FAR that is less than 1.0 for a housing development consisting of three to seven units, and from adopting a FAR less than 1.25 for a housing development consisting of eight to ten units. Additionally, SB 478 would prohibit a local government from denying a housing development project located on an existing parcel solely on the basis that the lot area of the proposed lot does not meet the local requirements for minimum lot size. This bill would effectively reduce local control over land use.

California is made up of many diverse communities, each with their own unique qualities and history that help determine how to appropriately address land use decisions in a given jurisdiction. Issues of land use such as minimum lot sizes and FARs are best decided at the local level. In some communities, the FARs suggested by this bill may be appropriate; however, they will not be appropriate in all communities. Local elected officials are tasked with receiving input from their residents and local stakeholders and are therefore in the best position to determine the most appropriate land uses for their communities.

For these reasons, the City of Carson stands alongside other entities including nearby City of Torrance, California Cities for Local Control, the City of Cupertino, and others in opposition to SB 478 (Wiener).

If you have any questions, do not hesitate to contact Sharon Landers, City Manager at sllanders@carsonca.gov or (310) 952-1731.

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