



Legislation Text

File #: 2024-0532, Version: 1

Report to Mayor and City Council

Tuesday, July 02, 2024

Consent

SUBJECT:

CONSIDER TAKING A POSITION OF OPPOSITION AND SENDING A CORRESPONDING LETTER REGARDING SENATE BILL 1037, WHICH WOULD ALLOW THE STATE ATTORNEY GENERAL TO TAKE LEGAL ACTION AGAINST A CITY AND SEEK FINES UP TO \$50,000 PER MONTH FOR FAILURE TO ADOPT A COMPLIANT HOUSING ELEMENT OR IF THE CITY DOES NOT FOLLOW STATE LAWS THAT REQUIRE MINISTERIAL APPROVAL OF CERTAIN HOUSING PROJECTS (CITY COUNCIL)

I. SUMMARY

This item transmits a request for City Council to consider taking a position of opposition and sending a corresponding letter regarding Senate Bill 1037 (Wiener). The proposed letter is included as Exhibit 1 and the Bill Analysis is included as Exhibit 2.

This bill would allow the Attorney General to take legal action against a city and seek fines up to \$50,000 a month for failure to adopt a compliant housing element or if the city does not follow state laws that require ministerial approval of certain housing projects.

The bill would require that the penalties set forth in its provisions only apply when the local agency's acts or omissions, as described, are arbitrary, capricious, or entirely lacking in evidentiary support, contrary to established public policy, unlawful, or procedurally unfair.

Dozens of cities throughout California oppose this bill.

II. RECOMMENDATION

TAKE a position of OPPOSITION for Senate Bill 1037 and DIRECT staff to transmit a corresponding letter (Exhibit 1).

III. ALTERNATIVES

TAKE another action the City Council deems appropriate and that is consistent with applicable laws.

IV. BACKGROUND

See the above Summary and the attached Bill Analysis as Exhibit 2 for further information.

V. FISCAL IMPACT

This item implies no fiscal impact to the City of Carson and seeks approval of the letter only.

VI. EXHIBITS

1. Proposed Letter of Support for Senate Bill 1037 (pg. 3)
2. Bill Analysis (pgs. 4 - 14)

Prepared by: Michael George, Assistant to the City Manager