



Date: April 24, 2020

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager *T.M.*

Subject: **2020 State Legislative Proposals**

This memorandum provides a preliminary report on the City of Long Beach's (City) sponsored legislative proposals for the second year of the 2019-20 State Legislative Session (Session): AB 2932 (O'Donnell) and AB 2687 (O'Donnell). The proposals are consistent with the City's 2020 State Legislative Agenda, which was approved by the City Council on January 7, 2020. The proposals were vetted by the City Manager's Office, affected departments, and the City's legislative advocates in Sacramento, and the Chair of the State Legislative Committee was briefed. However, due to the COVID-19 pandemic and the need to shift legislative and budgetary priorities to meet the urgency of the crisis, the timeline for the City's sponsored legislative proposals has changed.

Background

In response to the COVID-19 emergency, the State Legislature adjourned on March 16 and is tentatively scheduled to return on May 4. During this time, the nature of the Session has changed significantly. No bills have progressed through the legislative process since March 16. Additionally, Assembly Speaker Anthony Rendon and Senate President pro tempore Toni Atkins have informed their members of the necessity to prioritize COVID-19-related and urgent legislative proposals for the remainder of the Session, due to State budget and time constraints presented by the crisis. City staff has been working closely with State representatives to determine their Session priorities and identify the impact on the City's sponsored legislation.

AB 2932 (O'Donnell)

Assemblymember O'Donnell introduced AB 2932 on behalf of the City. This legislative proposal would allow the City to use the design-build process for a specified infrastructure project. The project's purpose is to comply with *Ochoa, et al. v. City of Long Beach*, by constructing up to 4,500 accessible sidewalks and curb ramps by the end of the City's fiscal year 2022. According to Section 22161 of the Public Contract Code, "design-build" means a project delivery process in which both the design and construction of a project are procured from a single entity, streamlining the construction process. Given the City's deadline, AB 2932 includes an urgency clause and is a legislative priority for this Session. The urgency clause will enable measures outlined in the bill to be effective immediately, if the Legislature approves the bill by a two-thirds vote and Governor Newsom signs the bill into law.

AB 2687 (O'Donnell)

The second City-sponsored legislative proposal introduced by Assemblymember O'Donnell, AB 2687, is unlikely to move forward this Session. AB 2687 aims to remove the existing \$300 million cap on the State Oil Trust Fund (Fund). SB 71 (Chapter 81, Statutes of 2005) established the Fund for oil well abandonment costs up to \$300 million. The \$300 million cap was reached in 2014. However, since then, the State Lands Commission has identified costs for oil abandonment to be closer to \$840 million, leaving the Fund significantly underfunded by an estimated \$540 million. Given the eventual need to cap oil wells in the Long Beach Tidelands, the City has sponsored this legislative proposal to lift the Fund cap three years in a row, and staff will continue to push the concept forward in the future.

Next Steps

Staff will provide additional updates related to City-sponsored legislation as the State Legislative Session progresses. If you have any questions, please contact Tyler Bonanno-Curley, Manager of Government Affairs, at (562) 570-5715 or Tyler.Curley@longbeach.gov.

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