



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: May 16, 2023

DEPARTMENT: CITY ATTORNEY'S OFFICE

FROM: CHRISTOPHER A. CALLIHAN, CITY ATTORNEY

TITLE: ASSEMBLY BILL 513 (RODRIGUEZ)
SENATE BILL 831 (CABALLERO)

RECOMMENDED MOTION:

A motion to approve a Resolution expressing the City of Salinas's support of AB 513 and SB 831.

RECOMMENDATION:

It is recommended that the City Council consider approving a Resolution expressing the City of Salinas's support of AB 513 and SB 831.

BACKGROUND:

On April 18, 2023, Council member Rocha, with the support of Council members González and Osornio, requested the City Council consider whether to support AB 513 and SB 831.

Assembly Bill 513

Assembly Bill 513 (Rodriguez) is titled the California Individual Assistance Act. This bill proposes to enact the California Individual Assistance Act (which would be administered by the California Office of Emergency Services [Cal OES]) to establish a grant program to provide financial assistance to local agencies, community-based organizations, and individuals for specified costs related to a disaster. The intent of this bill is to "provide local agencies, community-based organizations, and individuals with the assistance they need to quickly recover following a disaster."¹

Under this bill, funds from the Disaster Assistance Fund may be used to provide financial assistance to local agencies, community-based organizations, and individuals for several purposes, including the following:

- To fund personnel costs, equipment costs, translation services, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of

¹ "Community-based organization" is defined in the bill to mean "a public or private nonprofit organization of demonstrated effectiveness that represents a community or significant segments of a community and provides support and services to individuals in the community."

emergency proclaimed by the Governor, excluding the normal hourly wage costs of employees engaged in emergency work activities.

- To reimburse local agencies or community-based organizations that provide individual and family grants.
- To provide direct individual and family grants, including housing assistance and other needs assistance, to individuals. “Other needs assistance” is defined in the bill to mean “assistance to offset expenses and losses in income not covered by insurance or by other financial assistance resources,” including, but not limited to, the following:
 - Income losses;
 - Costs to clean, repair, or replace essential personal property items;
 - Costs that are reasonable and necessary to make the essential living areas of a primary residence safe, sanitary, and functional; and
 - Medical, dental, and funeral expenses resulting from the local emergency.
- To fund necessary and required site preparation costs for evacuation and local assistance centers as deemed necessary.

This bill would direct the Cal OES Director to adopt regulations to govern the administration of the program and would require the Director to enter into agreements with local agencies or community-based organizations to *retroactively* provide individual and family grants for specific disaster events, including the December 2022/January 2023 and the February 2023 severe winter storms and flooding that impacted Monterey County (Federal Emergency Management Agency Declarations DR-4683-CA and DR-4699-CA, respectively).

If approved by the State Legislature, this bill would take effect immediately as an urgency statute. Assembly Speaker-Elect Rivas and Senator Caballero are both co-authors of this bill.

Senate Bill 831

Senate Bill 831 (Caballero) is titled the Lawful Permanent Resident Pilot Program. This bill would authorize the Governor to enter into an agreement with the federal government to establish a workgroup to develop a pilot program for an agricultural employee, as defined in the bill, who meets specified eligibility criteria, including that they have lived continuously in the United States for five years, to be granted lawful permanent resident status.² In addition to having lived in the United States for five years, an agricultural employee may be eligible for lawful permanent resident status under the pilot program if the individual meets all of the following:

- They have demonstrated good moral character; and
- They have not been convicted of a crime.

Once the pilot program is established, the Department of Community Services and Development would establish an application process which would include, but not be limited to, all of the following:

- The payment of application fees to the Department and any federal entity to obtain lawful permanent resident status;
- A criminal history background check; and

² “Agricultural employees” is defined to mean “one engaged in agriculture” to include “farming in all its branches, and, among other things, includes the cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities..., the raising of livestock, bees, furbearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or to market or to carriers for transportation to market.”

- A national security check.

Between one-third to half of all farmworkers in the United States reside in California, which would include about 500,000 to 800,000 people, according to the Center for Farmworker Families.³ And, approximately 75% of California's farmworkers are undocumented.⁴ This bill is an attempt to both create a path to citizenship for undocumented farmworkers and to stabilize California's agricultural workforce. Senator Caballero described the bill as "[c]reating a pathway to permanent residency status [that] allows our undocumented friends, families, and neighbors to come out of the shadows, to live lives free of fear and allow them to qualify for the safety net programs that they deserve and pay into."

Should the City Council choose to express its support for either of both of these pieces of legislation, letters would be drafted for those Council members in support and then sent to the appropriate state offices and agencies.

CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378).

STRATEGIC PLAN INITIATIVE:

This item relates to the City Council's Strategic Goal of providing effective and culturally responsive government.

DEPARTMENTAL COORDINATION:

The City Attorney's Office will coordinate with the City's Administration on preparation and transmittal of letters in support of either or both of these pieces of legislation, as determined by the City Council.

FISCAL AND SUSTAINABILITY IMPACT:

There is no direct impact on the City's General Fund with the City Council's support of these pieces of legislation.

ATTACHMENTS:

Resolution
AB 513
SB 831

³ <https://farmworkerfamily.org/information>

⁴ <https://farmworkerfamily.org/information>

RESOLUTION NO. _____ (N.C.S.)

A RESOLUTION OF THE SALINAS CITY COUNCIL IN SUPPORT OF ASSEMBLY BILL 513 (RDRIGUEZ)—THE CALIFORNIA INDIVIDUAL ASSISTANCE ACT—AND SENATE BILL 831 (CABALLERO)—THE LAWFUL PERMANENT RESIDENT PILOT PROGRAM

BE IT RESOLVED BY THE CITY COUNCIL OF SALINAS that the Salinas City Council supports both Assembly Bill 513 (Rodriguez) and Senate Bill 831 (Caballero) and directs the preparation of letters from the City Council to the appropriate state offices and agencies expressing the City Council's support thereof; and

BE IT FURTHER RESOLVED that the Salinas City Council encourages the State Legislature to affirmatively act on both pieces of legislation without delay.

PASSED AND APPROVED this 24th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Kimbley Craig, Mayor

ATTEST:

Patricia M. Barajas, City Clerk