

**ENVIRONMENTAL QUALITY POLICY COMMITTEE  
HIGHLIGHTS**

Thursday, April 7, 2016  
Handlery Hotel, San Diego

**ATTENDANCE**

Members: Martin-Milius, Tara (V. Chair); Andersson, Brandt; Angelocci, Rick; Briggs, Bryan; Canavan, Jon; Carlton, Cat; Carney, Kendra; Cleveland, Stan; Cole, John; Collacott, Robert; Downs, Kathryn; Eklund, Pat; Gharpetian, Vartan; Goodhart, Jim; Grigsby, Daryl; Holland, Bill; Holstine, Clay; Layba, Mina; Mainez, Larry; Masson, John; McCloskey, Jerry; McIntyre, Alex; Mohler, Marjorie; Morse, Cheryl; Moyer, George; O'Brien, Richard; Overholt, June; Pilch, Nick; Pyle, Darrel; Rapp, Lisa Ann; Rojas, Joel; Rosenthal, Laura; Sierra, Mario; Terwilliger, Jon; Uranga, Roberto; Villenas, Fabian; Wong, Gilbert

League Partner: France, Emily; Kindelberger, Mark

Staff: Jason Rhine

**I. State Budget and Issues Briefing**

The April 2016 Policy Committee meetings began with a general session briefing. League Executive Director Chris McKenzie began with a "1,000 foot level" review. He confirmed that the League's first priority is transportation funding, and shared that there are some glimmers of hope in the legislature. The League also continues to work on the development of a health insurance exchange. A contract has been signed for coverage of current employees, and work is now being done on a contract for retired employees. The League will be distributing more information soon. Mr. McKenzie shared the good news that the court of appeal ruled in cities favor in the court case on AB 1484 regarding redevelopment. Unfortunately the same cannot be said for the legislation regarding SB 7 (prevailing wages), as the court of appeal upheld the legislation. The lead cities are weighing their options for appeal. Finally, Mr. McKenzie shared that the polling results for the draft stormwater initiative was not encouraging, so the initiative has been shelved for now. The League continues to weigh other options to address the problem.

Dan Carrigg, League Legislative Director, provided a short update on the state budget. The budget continues to be relatively stable, and does not hold bad news for cities. Revenues for the current year are coming in at good levels, and the state is working to build their reserve fund (now at \$4.5 billion, the Governor wants to bring it to \$8 billion). There is some disagreement on how much to build it this year, as the legislative democrats want to use part of the surplus on other programs.

Kendra Harris, League Legislative Representative, briefed members on the large volume of housing bills, sharing that many would remove local land use authority. The League is pleased to already support several affordable housing bills, and expects that the Assembly Democrats will be releasing an affordable housing proposal in the coming weeks. In addition, Ms. Harris reported that legislation to extend the sunset date for the California Massage Therapy Council is pending, and that League-sponsored AB 2403 (Bloom) regarding group homes is moving along nicely.

Rony Berdugo, League Legislative Representative, shared with members that there continues to be three major transportation funding proposals: one from the Governor; AB 1591 by Assembly Member Frazier; and SBx1 1 by Senator Beall. Senator Beall is currently negotiating with Republicans to reach a bipartisan deal, and his bill seems to have the most momentum. In addition to funding, there is a group of troublesome public contracting bills that cities need to

weigh in on: SB 885 (Wolk); SB 1170 (Wieckowski); AB 1669 (Hernández); and AB 1505 (Hernández). Cities should also oppose AB 2586 (Gatto), the Parking Bill of Rights.

Jason Rhine, League Legislative Representative, informed attendees that the legislature continues to develop a plan to allocate cap and trade revenues. Cities can get up to date information on the League's webpage. Between the Governor's proposal and the 48 bills introduced that include ideas on how to spend the funds, there is a lot to track. Regarding the drought, Mr. Rhine reported that with the better snow pack, the Water Board may decide to loosen water restriction at their meeting on April 20. Mr. Rhine pointed out a few bills that cities need to be following: SB 1233 (McGuire) creates a PACE-like program for water efficiency; AB 2040 (Melendez) provides a tax credit for removing lawn in favor of drought resistant landscaping; and AB 2693 (Dababneh) would eliminate PACE financing.

Tim Cromartie, League Legislative Representative, discussed the themes he is seeing in the area of public safety. In particular, the legislature has introduced a number of bills on human trafficking. In addition, Mr. Cromartie discussed SB 1286 (Leno), which would require more disclosure on police discipline. In the area of drones, there is a battle over local control, and cities should oppose preemption provisions in both state and federal legislation. The League opposes AB 2320 (Calderon), which preempts local authority. A better option is SB 868 (Jackson). The League also supports AB 2724 (Gatto) regarding liability insurance requirements. There are also several bills regarding medical marijuana: AB 1575 (Bonta) is a clean up to the bill last year; SB 987 (McGuire) imposes a 15% point of sale tax; and AB 2740 (Low) creates a standard for marijuana use while driving.

Dane Hutchings, League Legislative Representative, reported that the legislature passed a new minimum wage hike with very little notice. Significant bills in employee relations include SB 897 (Roth) which would extend 4850 time for local public safety officers by one year. In administrative services, the hot issue is the California Voting Right Act. Mr. Hutchings reported there are several bills pending in that area of law and the League is trying to deal with them proactively. There are also several bills relating to local campaign financing requirements.

Dan Carrigg, League Legislative Director, wrapped up the briefing by reminding attendees of the League's Legislative Action Day on April 27.

## **II. Welcome and Introductions**

Vice Chair Tara Martin-Milius welcomed committee members and provided an introduction.

## **III. Public Comment**

No public comment.

## **IV. Carlsbad Desalination Plant**

Frank Belock, with the San Diego County Water Authority, gave a presentation on the Claude "Bud" Lewis Desalination Plant in Carlsbad. The power point focused on many aspects of the project including construction of the pipeline, use of existing infrastructure, environmental enhancements, and economic benefits.

## **V. Revisit the 2015 Annual Conference Resolution #4: Compensation for Prolonged Electrical Power Outages**

The Committee discussed the possibility of reconsidering Resolution #4 Compensation for Prolonged Electrical Power Outages, which called upon the Governor and the Legislature to work with the League of California Cities to enact legislation or to otherwise compel Southern

California Edison (SCE) to create a program to automatically provide direct compensation to its customers affected by a prolonged electrical power outage under specified circumstances.

The Committee unanimously voted to recommend that the resolution be tabled and instead focus on AB 1800 and AB 2709, two pending bills related directly to electrical power outages.

## **VI. Legislative Agenda**

The Committee took action on the following bills:

### AB 1800 (Hadley) Utility Outage Compensation Claims: Annual Posting

This measure would require each electrical corporation and local publicly owned electric utility to annually post on its Internet Web site specified information relating to utility outage compensation claims for the previous year.

The EQ Policy Committee discussed this measure at length. Most of the discussion focused on the type of information that should be reported and to whom it should be reported to. A motion was made to recommend an opposed unless amended position on AB 1800. The amendments are as follows:

- Require all electric utilities to post their claims programs in a prominent location on their Internet Website;
- Collect only basic information about the claims process; and
- Report the data to the CPUC or the governing body of the municipal utility.

### AB 2709 (Quirk) Mylar Balloons: Power Outages

This measure would make it a crime to sell or distribute any balloon made from electrically conductive material (commonly known as foil balloons or Mylar balloons) or balloons attached to electrically conductive material. The bill would also make it a crime to release such a balloon outdoors. Both would be punishable by a fine of up to \$250 for a first offense.

Members of the EQ Policy Committee expressed many different opinions regarding the need and scope of AB 2709. A number of members expressed support for the bill, but felt the fines were too high and a misdemeanor too severe for a second offense. Others didn't think the measure went far enough and wanted to see latex balloons included in the ban. Those opposed to the bill thought it was a nanny government measure.

A motion was made to recommend a support position on AB 2709 if amended to remove the misdemeanor provision. The motion passed with 12 aye votes, 6 no votes, and 1 abstention.

### SB 1000 (Leyva) General Plan: Environmental Justice

This measure would require a new stand-alone environmental justice element within the general plan.

After relatively little discussion, the EQ Policy Committee overwhelmingly voted (only one no vote) to recommend an opposed unless amended position. The EQ Policy Committee would like to seek amendments to SB 1000 to remove the mandated Environmental Justice element and replace it with an optional element.

### S. 2533 (Feinstein) California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act

This measure would provide \$1.3 billion in authorizations to help communities most at risk of running out of clean water; support long-term solutions including water storage, desalination and

recycling; protect threatened and endangered species; and facilitate the movement of water to communities most in need while adhering to all environmental laws.

Many members of the EQ Policy Committee expressed strong support for Senator Feinstein's proposal. Most supporters believed that the measure would help address California's extreme drought conditions while also protecting the Delta ecosystem. The EQ Policy Committee unanimously voted to recommend a support position on S. 2533.

**VII. Other Legislative Bills of Interest**

Jason Rhine, League staff, discussed several pending bills of interest to the Committee. These measures included AB 45 (Mullin) Household Hazardous Waste; SB 970 (Leyva) Organic Food Waste Diversion; AB 2381 (Hernandez) Power Outages; SB 1383 (Lara) Short Lived Climate Pollutants; and AB 2040 (Melendez) Outdoor Water Efficiency Act of 2016 –Personal Income Tax Credit.

**Next Meeting: Thursday, June 2, 2016, Sacramento Convention Center**