TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE
Thursday, January 18, 2018
10:00 a.m. – 3:00 p.m.
Sacramento Convention Center, Room 202, 1400 J Street, Sacramento

AGENDA

SPECIAL ORDER: State Budget and Issues Briefing for all policy committee members
10:00 – 10:45 a.m., Room 204, Sacramento Convention Center
Upon adjournment, individual policy committee meetings will begin

I. Welcome and Introductions

II. Public Comment

III. Overview of Parliamentary Procedure and Roberts Rules (Attachment A) Informational

IV. Committee Orientation (Attachment B) Informational

V. Update of Existing Policy & Guiding Principles (Attachment C) Action

VI. Strategic Goals for 2018 (Attachment D) Informational

VII. SB 1 – Transportation Funding Informational
- Speaker: George Lola, Chief Operating Officer, State Controller’s Office

VIII. City and County Pavement Improvement Center Informational
- Speaker: John Harvey, Civil and Environmental Engineering, UC Davis, Director, UC Pavement Research Center

IX. Telecommunications Infrastructure Informational
- Speaker: Harriet A. Steiner, Partner, Best Best & Krieger Attorneys at Law

X. Legislative & Policy Updates (Attachment E) Action
- Transportation Funding
- Local Government Plans for Micro-Wireless Facility Permitting and Leasing
- City and County Pavement Improvement Center

XI. 2018 Draft Work Program (Attachment F) Action

Next Meeting: April 12, 2018, Sheraton Fairplex Hotel, 601 West McKinley Ave., Pomona

Brown Act Reminder: The League of California Cities’ Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:
1) Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared. (Note: If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or
2) A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.

A majority of a city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.

NOTE: Policy committee members should be aware that lunch is usually served at these meetings. The state’s Fair Political Practices Commission takes the position that the value of the lunch should be reported on city officials’ statement of economic interests form. Because of the service you provide at these meetings, the League takes the position that the value of the lunch should be reported as income (in return for your service to the committee) as opposed to a gift (note that this is not income for state or federal income tax purposes—just Political Reform Act reporting purposes). The League has been persistent, but unsuccessful, in attempting to change the FPPC’s mind about this interpretation. As such, we feel we need to let you know about the issue so you can determine your course of action. If you would prefer not to have to report the value of the lunches as income, we will let you know the amount so you may reimburse the League. The lunches tend to run in the $30 to $45 range. To review a copy of the FPPC’s most recent letter on this issue, please go to www.cacities.org/FPPCletter on the League’s Website.
Parliamentary Procedure Basics Relating to League Policy Committees
(adapted from Robert's Rules of Order Newly Revised¹)

Note: This document is designed to provide practical examples of common procedural matters encountered by League policy committees. It strives to provide guidance to foster productive and efficient meetings; it is not meant to be an exhaustive or comprehensive discussion of Robert's Rules. As always, it is the role and discretion of the chair to provide helpful guidance to individuals that may digress from the appropriate form and substance related to the conduct of meetings and the presentation of motions and other procedural matters set forth below.

I. COMMON MOTIONS

1. Main Motions
   Purpose: To introduce items to the committee for their consideration.
   Example: "I move the staff recommendation to support AB 123."

2. Motion to Amend
   Purpose: Retains the main motion under discussion, but changes it in some way.
   Example: "I move to amend the (presented main) motion to support AB 123 if amended."

"Friendly" Amendments
   Purpose: To offer an amendment to the main motion that is still supportive of the main motion.
   Example: If there is currently a motion to support AB 123 on the floor and a committee member makes a "friendly" amendment to support AB 123 and also request that staff report back after contacting the sponsor for clarification on specific language.

Note: This is commonly mishandled procedurally. Often the individual that seeks to offer the "friendly" amendment will inquire if the maker of the original motion will "accept" the amendment, and if so the chair will treat the motion as amended. This is not the proper way to handle such an amendment. It is not the discretion of the mover of the original motion (or the chair) to accept or decline the amendment, rather it must be adopted by the committee.

However, if it appears to the chair that an amendment (or any other motion) is uncontroversial, it is proper for the chair to ask if there is "any objection" to adopting the amendment. If no objection is made, the chair may declare the amendment adopted. If even one member objects, however, the amendment is subject to debate and vote like


any other, regardless of whether its proposer calls it "friendly" and regardless of whether the maker of the original motion endorses its adoption.

3. **Substitute Motion**  
   *Purpose:* Removes the motion under discussion and replaces it with a new motion.

   *Example:* When there is a main motion on the floor to support a bill, a substitute motion would be, “I move a substitute motion that the committee oppose AB 123.”

**Addressing Multiple Motions**

The following examples provide guidance relating to how multiple motions are handled, and the impact failed substitute motions have on original (main motions) and any proposed amendments. The last motion presented should be considered first.

*Note:* Substitute motions commonly occur during policy committee meetings, yet Robert's Rules does not make a distinction between motions to amend and substitute motions. However, motions to amend must be considered prior to a main motion. Because the use of "substitute" motions is fairly widespread, the label as it is reflected in practice is used in the examples below. Rosenberg's Rules of Order do reference substitute motions and their impact is also reflected below.

**Example 1**

Committee Member 1: "I move that we support AB 123."
Committee Member 2: "I move that we support AB 123, if amended."
Committee Member 3: "I move a substitute motion that we oppose AB 123."

**Characterizing the Motions:**

In the above example:
- Committee Member 1 has made a (main) motion.
- Committee Member 2 has made an amendment to Committee Member 1's motion.
- Committee Member 3 has made a substitute motion to Committee Member 1's motion.

**Order for Consideration and the Possible Outcomes**

Committee Member 3's motion is considered first. If Committee Member 3's motion fails, Committee Member 2's motion will be considered next. If Committee Member 2's motion fails, Committee Member 1's motion will be considered. If Committee Member 2's motion passes, there is no need to consider Committee Member 1's motion.

If Committee Member 3's motion passes, there is no need to consider Committee Member 1's motions because Committee Member 3's motion replaces Committee Member 1's original motion. There is also no need to consider Committee Member 2's motion since it is an amendment to Committee Member 1's motion that has been replaced by Committee Member 3's substitute motion.

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**Example 2**
Committee Member 1: "I move that we support AB 123."
Committee Member 2: "I move a substitute motion that we oppose AB 123."
Committee Member 3: "I move that we oppose AB 123 unless amended."

**Characterizing the Motions**
In the above example:
Committee Member 1 has made a (main) motion.
Committee Member 2 has made a substitute motion to Committee Member 1's motion.
Committee Member 3 has made an amendment to Committee Member 2's substitute motion (sometimes referred to as a substitute to a substitute motion).

**Reviewing the Possible Outcomes**
Committee Member 3’s motion should be considered first. If the motion fails,
Committee Member 2’s motion is considered.
If Committee Member 2’s motion passes, it is not necessary to consider Committee Member 1’s motion because Committee Member 2's motion substitutes for it.

If Committee Member 3’s motion fails, Committee Member 2's motion is considered. If Committee Member 2's motion fails, the substitute motion for Committee Member 1's motion fails, and Committee Member 1's motion is considered.

If Committee Member 3’s motion passes, it is not necessary to consider Committee Member 1’s motion because Committee Member 3's motion substitutes for it.

**Example 3**
Committee Member 1: "I move that we support AB 123."
Committee Member 2: "I move a substitute motion that we oppose AB 123."
Committee Member 3: "I move a substitute to the substitute motion that we take no position on AB 123."

**Characterizing the Motions**
In the above example:
Committee Member 1 has made a (main) motion.
Committee Member 2 has made a substitute motion to Committee Member 1's motion.
Committee Member 3 has attempted to make a substitute to Committee Member 2's substitute motion (sometimes referred to as a substitute to a substitute motion).

**Reviewing the Possible Outcomes**
While procedurally permissible, in an effort to avoid confusion Committee Member 3’s motion should not be entertained by the chair until Committee Member 1 and Committee Member 2's motions have been discussed and voted upon.

Committee Member 2's motion should be considered first. If the motion fails,
Committee Member 1’s motion is considered. If Committee Member 1's motion fails, then Committee Member 3’s may make the motion to "take no position on AB 123."

If Committee Member 2's motion passes, it is not necessary to consider Committee Member 1’s motion because Committee Member 2's motion substitutes for it.
4. **Motion to Withdraw**  
*Purpose:* To withdraw an item from discussion.

*Making the Motion to Reconsider:* Only the individual that made the initial motion can make a motion to withdraw an item from discussion. The individual may interrupt a speaker (after being recognized by the chair) to withdraw the motion under discussion at any time.

*Note:* This type of motion typically occurs following some debate by the committee that may provide additional information that influences the mover to reconsider continued debate on the original motion presented. Another member may subsequently make the same motion after it has been properly withdrawn.

*Example:* “Madame Chair, I move to withdraw my motion to support AB 123.”

5. **Motion to Reconsider**  
*Purpose:* To revisit discussion of an issue.

*Making the Motion to Reconsider:* A motion to reconsider must be made by an individual that previously voted in the majority of the original motion. A motion to reconsider made by an individual that previously voted in the minority must be characterized as out of order.

*Timing:* A motion to reconsider must be made at the same meeting where the original motion was discussed, or the next meeting of the body. Motions for reconsideration following the next meeting are out of order.

*Example:* “I move to reconsider the committee’s position to support AB 123.”

6. **Motion to Table**  
*Purpose:* This motion is often used in the attempt to "kill" a motion by setting it aside. The option is always present, however, to "take from the table," for reconsideration by the committee.

*Note:* This type of motion should be reserved to temporarily set an item aside if agreed upon by a majority of the committee to take up an item of immediate urgency. However, in practice it is sometimes used as an option to end debate and prevent a vote, and not typically to take up an item of immediate urgency. This is technically improper procedure (or out of order) under Robert's Rules.

*Example:* “I move that the committee table the motion to support AB 123.”

7. **Call for the Question**  
*Purpose:* To refocus the committee on the agenda in the event there is sentiment that the discussion has drifted. The individual seeking to end debate must first be recognized by the Chair, make the motion and the motion must receive a second. The motion must be adopted by a 2/3 vote or unanimous consent.

*Example:* “I move the previous question.”
Note: The above procedure is consistent with Roberts Rules, however, in practice when an individual calls for the question a vote is not usually taken. The motion simply serves as an indicator to the chair that the debate may have drifted from the agenda, and the chair should remind the committee to return to the agenda. If there is a sense that the current discussion is productive the chair may elect to ask for a vote relating to the motion to call for the question, or the chair may propose continued discussion for some short period to allow individuals that wish to speak the opportunity.

8. Motion to Appeal
   **Purpose:** To appeal a ruling made by the chair. A committee member may move to appeal a ruling by the Chair, but it must be seconded and receive a majority vote to be reversed.

   **Example:** "I move to appeal the Chair's ruling that the committee approved support of AB 123."

9. Adding an Item to the Agenda for Consideration
   **Purpose:** To have the committee discuss an item that is not on the prepared agenda before them. Because the League is committed to complying with the legal requirements and spirit of the Brown Act additional agenda items may be considered only if they fall within any of the below exceptions:

   - An item may be added to the agenda by circulation to the committee members and posting on the League website at least 72 hours prior to the meeting.

   - An item may be placed on the agenda at the meeting if the majority decides that it is an “emergency situation.” An emergency situation includes work stoppage, crippling disaster, or any other activity that impairs public health safety or both.

   - Two-thirds of the committee members present (or all of the members if less than two-thirds are present) must determine that there is a need for immediate action, and the need to take action arose subsequent to the circulation of the agenda.

   If an item does not fall within one of these exceptions it may not be discussed and acted upon, but may be added to a subsequent agenda.

   **Note:** This procedure is typically used when there is a supplemental agenda that is distributed at the meeting that was not mailed to the committee prior to the meeting.

II. OTHER ITEMS

1. Point of Privilege
   **Purpose:** To draw attention to an item that interferes with the comfort of the meeting.

   **Example:**
   Committee Member: “Point of privilege.”
   Chair: “State your point.”
   Committee Member: “Madame Chair, may we inform the hotel staff that the room is uncomfortably hot and request that the air conditioning be adjusted.”
2. **Point of Order**  
*Purpose:* To draw attention to inappropriate conduct at the meeting.

*Example:*  
Committee Member: “Point of order.”  
Chair: “State your point.”  
Committee Member: “Madame Chair, the motion was approved without opportunity for debate.”

3. **Public Comment**  
In the spirit of the Brown Act an opportunity for public comment is included on all agendas. The chair should exercise discretion in determining the appropriateness and extent of public comment during committee meetings setting reasonable limits as needed.

### III. HOW TO PRESENT A MOTION

1. Obtain the floor by raising your hand and wait to be recognized by the chair.
2. Make your motion.  
   a. Speak clearly and concisely.  
   b. Always state a motion affirmatively. For example, "I move the staff recommendation that we support AB 123..." rather than, "I move that we do not take a position ...".  
   c. Avoid comments unrelated to the subject of the motion.  
   d. Avoid making any arguments supporting your motion at this time, simply state the motion.
3. Wait for someone to second your motion.  
4. Another member will second your motion or the chair will call for a second.  
5. If there is no second to your motion it is lost and no vote will be taken by the committee.  
6. If there is a second to your motion the chair should re-state the motion, or ask League staff to re-state the motion.  
   a. The chair will say, "it has been moved and seconded that we ..." This places the motion before the committee for consideration and action.  
   b. The committee then either debates the motion or may move directly to a vote.  
   c. Once a motion is presented to the committee by the chair it becomes "committee property," and cannot be changed by the maker of the motion without the consent of the committee.  
7. At this point the individual making the initial motion (the mover) may elect to expand on the motion. For example, this would be the appropriate time for the mover to present an argument in support of the motion.  
8. The chair should always recognize the mover first.  
   a. All comments and debate must be directed to the chair.  
   b. Keep to the time limit (if any) for speaking that has been established.  
   c. The mover may speak again only after other speakers are finished, unless called upon by the chair.  
9. Putting the Question to the Committee  
   a. The chair asks, "Are you ready to vote on the question?"  
   b. If there is no more discussion, a vote is taken on the motion.  
   c. If the motion passes, the committee moves on to the next item on the agenda.
d. If the motion fails, and no other motion is on the floor, then a new motion is in order.

*Note: If a motion to support AB 123 fails, this does not mean that there is opposition to AB 123 by default. A separate motion to oppose AB 123 or some other formal motion must be made and voted on by the committee.*

IV. VOTING ON A MOTION

1. Voting is Conducted by Voice
   The chair asks those in favor to say, "aye," those opposed to say "no." If the outcome is unclear by voice, a hand vote may be taken. Any member may move for an exact count. Following the vote, the chair should announce the outcome.

   *Example:*  
   Chair: There is a motion and a second to support AB 123. All those in favor say, "aye." All those opposed say, "no." If the outcome by voice is clearly in support the chair would announce that, "The motion to support AB 123 passes." If the outcome results in opposition to the motion, the chair would announce that, "The motion to support AB 123 fails." If the outcome is unclear the chair, or another member may ask for a hand count.

V. QUORUM

1. Presumption of a Quorum
   The presence of a quorum is presumed unless the issue is raised.

   *Note: It is not necessary, and is disfavored for the chair to routinely begin a meeting inquiring about the presence of a quorum.*

2. Calculating the Presence of a Quorum
   If the issue of whether a quorum is present is raised, a quorum consists of a majority of all appointed, voting members of a policy committee. A majority simply means more than half, not fifty percent plus one.

3. Votes Taken Prior to the Question of Whether a Quorum is Present Are Valid
   If a vote(s) is taken prior to the question of whether a quorum was present is asked, and it is later determined that a quorum was not present when the vote(s) was taken, the action taken is still valid.

4. Votes Taken in the Absence of a Quorum are Advisory
   A vote may be taken on matters even if a quorum is not present, but all votes taken by that body will be advisory to the League Board or the General Resolutions Committee, and the Board or the General Resolutions Committee must be advised that a quorum of the body was not present. The vote count should also be noted and communicated.
COMMITTEE ORIENTATION

Policy Committee Subject Matter
The League has eight (8) policy committees, each with its own subject matter jurisdiction. You may refer to the “Summary of Existing Policy and Guiding Principles” booklet (Summary) to find the subject matter for each committee. This document is updated every two years. Policy in the Summary is used to determine League legislative and regulatory positions. The Summary, in its entirety, is located on the League’s Website at www.cacities.org/summary. Individual sections are located on each policy committee’s Web page, which are available at www.cacities.org/polcomm.

Policy Committee Legislative Agenda Items
League policy committees review bills or regulatory proposals on issues for which the League does not have existing policy, or for which staff members feel a policy discussion needs to occur for greater clarity or background on an issue. Staff will lobby legislation, funding proposals, or regulatory changes where existing policy provides clear direction.

Role and Responsibility of Committee Members
The strength of the League’s policy process and ability to effectively engage in the legislative process is based on the active involvement of and the expertise of city officials. We rely on your technical and policy knowledge, thoughtfulness, strategic thinking, and political savvy. Your role is to engage in thoughtful discussions at the meeting. Members should review the agenda and background material prior to the meetings, attend each meeting, and stay for the entire duration of the meeting.

Committee Recommendations on Positions on Bills
The committee’s actions or positions are a recommendation to the League Board of Directors for a formal League position. Possible committee recommendations can be:

- Support
- Oppose
- Support-if-amended (as appropriate, specific amendments may be requested)
- Oppose-unless-amended (as appropriate, specific amendments may be requested)
- No position
- Neutral

There are nuanced differences between some of these positions. For example, “support-if-amended” sends a very different message than “oppose-unless-amended.” Both positions might seek the same change but the support-if-amended position means that the League would be listed with the “supporters” of the bill in most legislative analysis. In addition, “no position” and “neutral” have different meanings and require different actions from staff. Selection of one or the other depends in part upon what type of
message or political posture the League needs to take. Staff will advise the committee about the implications of each on a case-by-case basis.

Approval by League Board Needed for All Committee Recommendations
All committee actions are recommendations to the League Board, which has the final say on all positions. Under no circumstances are individual committee members or the committee itself authorized to speak on behalf of the League. When a committee action is supported by a large majority (e.g., 32 to 3), the recommendation is placed on the Board’s consent calendar. When the committee vote is split (e.g., 15 to 13), the item will be presented as an action item for the Board’s discussion. Staff will also provide information about the reasons behind the committee’s recommendation to the Board.

Most of the time, the Board adopts the recommendation of the policy committee. When the Board adopts a different position, staff will notify the committee members of the reason for the different position. This likely will be done in the next regular communication with the committee.

Some issues cut across more than one committee. When this occurs, staff will coordinate and bring a bill to more than one committee for review and recommendation. The recommendations are then forwarded to the League Board and if there is a different recommendation, the League Board resolves the difference.

Role of the Committee Chair
The chair’s role is to balance the often competing needs of the membership to have a full and thoughtful discussion on the issues within the very real time constraint. The chair will often limit debate – either in the number of speakers or the amount of time each speaker has – in order to ensure that we can move ahead on our agenda and cover the items included. We ask that when you make comments on issues before the committee that you be brief and concise and that you not repeat what has already been stated. Also, if you have already spoken on an issue, the chair may ask you to hold your comments until after new speakers are able to share their comments.

Committee Schedule and Process
Committees generally meet three times a year (January and June in Sacramento, April in Southern California), plus an abbreviated meeting at the Annual Conference (September in Sacramento) to review resolutions if any are assigned to it. (The September meeting schedule will be announced in mid-July). Meetings begin at 10:00 a.m. and conclude by 3:00 p.m., although some subcommittees may meet at 9:00 a.m. Please plan to be present for the full duration of the committee meetings.

Agendas/Disseminating Information
Agenda packets will only be sent via email and posted online. If you prefer a hard copy of the agendas and highlights, please contact Meg Desmond by email: mdesmond@ cacities.org or phone: 916-658-8224. Highlights that summarize committee actions are prepared by staff and provided to committee members about two to three weeks after the meetings. All materials are also available on the League’s Website: www.cacities.org/polcomm.

We encourage you to visit the League’s Website: www.cacities.org. In addition to containing committee materials, the Website contains information on the League’s priorities and a link to track individual bills and the League’s position on them. You should also subscribe to the League’s electronic newsletter CA Cities Advocate.
How League Policy Committees Work

For meetings that are heavy in legislative review (generally in March/April and June), staff will try to find a balance between getting the agenda packet out early and the need to delay finalizing the agenda packet in order to include as many legislative items as possible and in their most current version. At some meetings, staff may use a supplemental agenda for last minute legislative issues. We will use e-mail as appropriate to send out late-breaking information or to gather committee input throughout the year. It is important that we have your preferred e-mail.

How to Get an Item on the Agenda

Because staff prepares background material in advance of the meeting, and prepares the agenda in consultation with the Chair and Vice Chair, it is difficult to add items at the last minute. In addition, the League tries to comply with the spirit of the Brown Act in its meetings. If you wish to have the committee discuss an item, you should contact staff well in advance of the meeting in order to determine the feasibility of including it on the agenda, and if so, allow staff time to prepare the appropriate background material. Because of time constraints and a full work program before the committee, it may not always be possible to respond to such requests.

Issues Should Have Statewide Impact

Although some of you may represent your division, your department, your affiliate organization, or simply yourself, we should all keep in mind that the League must address issues of statewide impact and interest. Thus, while an issue or bill may be of interest to your city or region, if it does not have broader, statewide implications, the League likely will not engage in that policy discussion or take a position. You should keep this in mind if you wish to suggest an item for discussion.

Brown Act and Roberts Rules of Order

The League tries to comply with the spirit of the Brown Act. Thus, when the committee discusses items not already on the agenda (e.g., supplemental legislative agenda), the Chair will ask for a vote of approval to add that item to the agenda. The League also follows Roberts Rules of Order and provides a brief overview of key procedural steps in Roberts Rules as they apply to committees.

Staffing for Committee

Each committee has a staff lobbyist assigned to it. This individual is your main point of contact for logistics or questions about the agenda. Generally, each lobbyist has a “main” committee and will remain with the committee throughout the meeting. Occasionally he/she may leave the meeting to make guest appearances in other committees to discuss issues or bills. Additional staff may also be present to support the committee’s work.

League Partners and Other Guests

The League Partners have non-voting representatives assigned to each policy committee and are seated at the table with other committee members. In addition, city officials, other members of the League Partners Program, and interested members of the public are welcome to attend the meetings. We provide an opportunity for our League Partners and other members of the public to offer comment on items before the committee during the designated public comment period on the agenda.
SUMMARY OF EXISTING POLICIES AND GUIDING PRINCIPLES

2018 DRAFT

Every two years, the League updates its “summary of Existing Policies and Guiding Principles” to reflect new League policy adopted during the past two years. The purpose of this update is not to develop new League policy or revisit existing League policy. The document provided indicates new policy adopted during the past two years in **bold underlining** or **bold strikeouts**. This is new policy that has been adopted through Annual Conference Resolutions, League positions on bills approved by the League Board of Directors, or broad League policy approved by the League Board of Directors over the last two years.

Committee members should review the proposed update and consider whether it accurately reflects the actions taken by the policy committee (and League Board) over the last two years, and whether there are any missing policy items or errors in describing policy. Committee members who wish to propose new League policy or to revisit existing League policy should suggest that the issue be placed on an agenda for a future policy committee meeting, as opposed to attempting to modify the policy through this update.

Transportation, Communication and Public Works

**Scope of Responsibility**

The Committee on Transportation, Communication and Public Works reviews both state and federal legislation as it relates to issues of transportation funding, construction, public works, telecommunications, and other related areas.

**Summary of Existing Policy and Guiding Principles**

**Transportation**

The League supports additional funding for local transportation and other critical unmet infrastructure needs. One of the League’s priorities is to support a consistent and continuous appropriation of new monies from various sources directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system. New and additional revenues should meet the following policies:

- **System Preservation and Maintenance.** Given the substantial needs for all modes of transportation, a significant portion of new revenues should be focused on system preservation. Once the system has been brought to a state of good repair, revenues for maintenance of the system would be reduced to a level that enables sufficient recurring maintenance.

- **Commitment to Efficiency.** Priority should be given to using and improving current systems. Recipients of revenues should incorporate operational improvements and new technology in projects.

- **All Users Based System.** New revenues should be borne by all users of the system from the traditional personal vehicle that relies solely on gasoline, to those with new hybrid or electric technology, to commercial vehicles moving goods in the state, and even transit, bicyclists, and pedestrians who also benefit from the use of an integrated transportation network.
• **Alternative Funding Mechanisms.** Given that new technologies continue to improve the efficiency of many types of transportation methods, transportation stakeholders must be open to new alternative funding mechanisms. Further, the goal of reducing greenhouse gases is also expected to affect vehicle miles traveled, thus further reduce gasoline consumption and revenue from the existing gas tax. The existing user based fee, such as the base $0.18-cent gas tax is a declining revenue source. Collectively, we must have the political will to push for sustainable transportation revenues.

• **Unified Statewide Solution.** For statewide revenues, all transportation stakeholders must stand united in the search for new revenues. Any new statewide revenues should address the needs of the entire statewide transportation network, focused in areas where there is defensible and documented need.

• **Equity.** New revenues should be distributed in an equitable manner, benefiting both the north and south and urban, suburban, and rural areas as well as being equally split between state and local projects.

• **Flexibility.** Needs vary from region to region and city to city. New revenues and revenue authority should provide the flexibility for the appropriate level of government to meet the goals of the constituents.

• **Accountability.** All tax dollars should be spent properly, and recipients of new revenues should be held accountable to the taxpayers, whether at the state or local level.

The League supports a permanent shift of the sales tax on gasoline for transportation purposes and an allocation formula equivalent to 40/40/20 split of 40 percent to cities and counties, 40 percent to STIP and 20 percent to transit.

The League supports enhanced autonomy for local transportation decision-making and pursues transportation policy changes that move more dollars and decisions to local policy leaders. The League supports spending transportation moneys for transportation purposes. The League will seek the maximum share of available funding for local transportation programs. The League supports implementation of federal transportation funding re-authorization legislation in a manner that supports these principles.

**The League supports constitutional protections for transportation funding to be dedicated for transportation purposes only and opposes any efforts to reduce or eliminate transportation funding for local government.**

The League supports bicycle and pedestrian access with maximum local flexibility to prioritize this transportation need, as long as funding is available directly for it and other transportation priorities are not affected. Furthermore, this funding should not compete with preservation of the road system in light of the identified $70 billion in unmet needs on the city and county street and road system, as identified in the California Statewide Local Streets and Roads Needs Assessment Report completed in 2016.

The League opposes requiring a city or parking processing agency to automatically cancel notices of parking violations, prior to a request from a vehicle owner, if the violation does not substantially match the corresponding information on the vehicle registration.

The League supports the visionary effort of the High-Speed Rail project, and supports the involvement of local officials in the project planning and implementation. However, the League opposes efforts to exempt the High-Speed Rail project from the California Environmental Quality Act (CEQA) and other processes that provide an opportunity for local input. The League also supports efforts to reaffirm voters support of the project, including voter reconsideration for the bond.
The League supports the development of best practices and funding to support all modes of goods movement including ports, roadways, storage/distribution centers, rail and air. A focus should be kept on job creation and retention, economic development, and safety. The League encourages cities to actively engage their region and the state in making goods movement decisions.

The League supports efforts to improve the California Public Utilities Commission’s ability to respond to and investigate significant transportation accidents in a public and timely manner to improve rail shipment, railroad, aviation, marine, highway, and pipeline safety.

The League supports efforts to expand the Caltrans Business Logo Program.

**The League supports having a balanced regulatory framework over both the taxi and TNC industries and encourage the PUC to include the biometric identification data from TNC drivers and to have TNC companies conduct vehicle safety inspection and a policy where both industries where they are regulated by the state’s PUC, while giving cities the ability to regulate both industries when any given city finds that state regulation is insufficient for their community.**

**The League supports the Full Funding Grant Agreement (FFGA) process for the Federal Transit Administration’s (FTA) Capitol Investment Grant (CIG) program.**

**Public Works**

The League supports retaining maximum flexibility for timely and cost-effective completion of public works projects. The League supports innovative strategies including public private partnerships at the state and local levels to enhance public works funding.

The League supports efforts to divert products that contribute to decreased capacity and increased maintenance costs at wastewater treatment facilities.

The League encourages the state to adopt maximum response time for all necessary state reports, including Project Study Reports, to allow for a timely and cost-effective completion of public works projects. The League supports the certification of private firms to complete reports when state staff is unavailable.

The League supports expedited permitting when the work is necessary to ensure the integrity of gas pipelines, provided that local permitting and plan review requirements are met.

**Vehicles**

The League opposes all efforts that allow vehicles and vehicle operators on the road that will jeopardize the integrity of the public infrastructure or the health and safety of the motoring public. The League supports all efforts to retain maximum control of the local street and road system. The League supports traffic safety enhancements such as motorcycle helmets, child restraints, seat belt and speed limit laws.

The League opposes any efforts to increase truck size or weight. The size and weight of trucks is important because it affects the stability and control of the truck, the way it interacts with other traffic, and the impact it has when colliding with other vehicles. Truck safety is particularly important because these vehicles share city streets and county roads with users — such as, motorists, pedestrians, cyclists, motorcyclists, and bus riders.
The League encourages cities to promote safe driving across California and the education of the general public about the dangers of texting while driving.

The League supports a requirement that all state rulemaking bodies consider the following factors for any proposed rule impacting vehicles: the weight added to any vehicle; the effect any added weight would have on pavement wear; and the resulting costs to state and local governments.

The League supports efforts to protect consumers from unscrupulous tow trucker companies and operators.

The League holds that increasing vehicle fines do not improve safety around school zones and encourages other efforts, such as increased police presence and additional crossing guards as better solutions to safety issues in school zones.

The League supports legislation that authorizes the testing or conducting of pilot projects for autonomous vehicles.

Contracts

The League supports maintaining maximum local flexibility in the area of contracting and contract negotiations. The League supports changes to law that allow cities options to use design-build contracting and other innovations designed to bring efficiency to public contracting. The League also supports contracting out with private entities to increase project delivery efficiency and affordability.

The League opposes efforts to shift additional legal costs and liability away from design professionals and contractors to local governments.

Telecommunications

The League supports a state tax levied on direct broadcast satellite television service providers if the proceeds are distributed to support local public safety programs consistent with a geographic distribution methodology that reflects households using this service, and provided that the tax is repealed should the revenues be diverted by the state for another purpose.

Traditional franchising at the local level has served the valuable purpose of tailoring service to unique local conditions and needs and assuring responsiveness of providers to consumers. The continued involvement of local government in any new state or federal regulatory scheme by way of locally negotiated agreements is an essential component of telecommunications regulations; best serves the needs of consumers, and is consistent with the goal of providing consumers greater choice in telecommunications options.

Any new state or federal standards must conform to the following principles:

- Revenue Protection
  - Protect the authority of local governments to collect revenues from telecommunications providers and ensure that any future changes are revenue neutral for local governments.
  - Regulatory fees and/or taxes should apply equitably to all telecommunications service providers.
- A guarantee that all existing and any new fees/taxes remain with local governments to support local public services and mitigate impacts on local rights-of-way.
- Oppose any state or federal legislation that would pre-empt or threaten local taxation authority.

**Rights-of-Way**
- To protect the public’s investment, the control of public rights-of-way must remain local.
- Local government must retain full control over the time, place and manner for the use of the public right-of-way in providing telecommunications services, including the appearance and aesthetics of equipment placed within it.

**Access**
- All local community residents should be provided access to all available telecommunications services.
- Telecommunications providers should be required to specify a reasonable timeframe for deployment of telecommunications services that includes a clear plan for the sequencing of the build-out of these facilities within the entire franchise area.

**Public Education and Government (PEG) Support**
- The resources required of new entrants should be used to meet PEG support requirements in a balanced manner in partnership with incumbent providers.
- For cities currently without PEG support revenues, a minimum percentage of required support needs to be determined.

**Institutional or Fiber Network (INET)**
- The authority for interested communities to establish INET services and support for educational and local government facilities should remain at the local level.

**Public Safety Services**
- The authority for E-911 and 911 services should remain with local government, including any compensation for the use of the right-of-way. All E-911 and 911 calls made by voice over internet protocol shall be routed to local public safety answering points (PSAPs); i.e., local dispatch centers.
- All video providers must provide local emergency notification service.

**Customer Service Protection**
- State consumer protection laws should continue to apply as a minimum standard and should be enforced at the local level. Local governments should retain the authority to assess penalties to improve customer service.

**Other Issues**
- Existing telecommunications providers and new entrants shall adhere to local city policies on public utility undergrounding.
- The League supports the authority of cities to zone and plan for the deployment of telecommunications infrastructure. The League supports the ability of cities to maintain and manage the public right-of-way and receive compensation for its use. The League supports the innovation and economic development potential of the “information superhighway” and the many possible benefits in the areas of telecommuting and productivity it promises. The League will work with the California Public Utilities Commission, the various telephone companies and federal regulatory agencies to improve telephone area code planning in California.
Plain Old Telephone System (POTS):

The League believes the following principles in order to ensure minimum standards are met before service withdrawals of plain old telephone systems are made:

- **Require that reliable communications systems are in place prior to any technology transition to ensure vital government services and public safety operations are available to communicate with citizens during emergencies.**

- **Telecommunications service should be technology neutral to include similar regulatory protections and obligations, such as maintenance of infrastructure, access to facilities, and provision of basic voice and broadband service.**

- **Ensure a transparent process for the phase out of POTS, avoiding self-certification and arbitrary timelines for CPUC review of withdrawal requests.**

- **Require carriers to assist local governments in a proposed service withdrawal area to determine which public services are dependent on them.**

- **Require the CPUC to consult with State and local agencies to verify alternative communications services that meet or exceed POTS quality, accessibility, reliability, and affordability and determine adequate transition times, especially to ensure functionality of the 911 system.**

- **For wireless technology alternatives, local governments must have guaranteed priority access to the 911 system.**

- **Ensure State enforcement and accountability over any proposed service withdrawals.**

- **Require that the transition to an alternative service is cost neutral for consumers, with additional costs borne by the carriers, including ancillary costs such as software and equipment, for instance.**

- **Require the CPUC to notify and work with cities and other local governments of proposed service withdrawals to ensure appropriate transitions.**

- **Carrier cost savings from any such transition should be shared with customers, including local governments through a state developed and administered financial assistance program.**

- **Require that “Lifeline” rates for customers with special needs are cost and technology neutral, in the short and long term.**

- **Require that telecommunications companies that withdraw plain old telephone service within any given area continue to maintain the infrastructure and if no longer in use, be responsible and pay for the removal of the infrastructure.**

Air Pollution

The League will monitor developments and the ramifications of efforts to regulate air quality and related congestion strategies as it is related to transportation.

Note: The League will review new legislation to determine how it relates to existing League policies and guiding principles. In addition, because this document is updated every two years to include policies and guiding principles adopted by the League during the previous two years, there may be new, evolving policies under consideration or adopted by the League that are not reflected in the current version of this document. However, all policies adopted by the League Board of Directors or the League’s General Assembly become League policy and are binding on the League, regardless of when they are adopted and whether they appear in the current version of “Summary of Existing Policies and Guiding Principles.”
2018 LEAGUE STRATEGIC GOALS

1. **Address Public Safety Concerns of California Cities.**

   Address public safety concerns arising from recently enacted reduced sentencing laws.

   Protect local funding and authority in the implementation of the Adult Use of Marijuana Act.

   Continue to preserve city rights to deliver emergency medical services (Health and Safety Code 1797.201).

   Seek additional tools and resources to address critical community challenges such as homelessness, mental health, domestic violence, drug rehabilitation, ex-offender reentry, and human trafficking.

2. **Ensure Sustainability of Public Pension and Retirement Health Benefits.**

   Consistent with the League’s adopted pension sustainability principles, work with affected stakeholders, employees, CalPERS, legislators and the Governor to achieve meaningful options for cities to address growing unfunded pension liabilities that will ensure cities remain solvent and provide services to residents while continuing to offer employees meaningful and sustainable pension and health benefits.

3. **Protect Existing Transportation Funding for Local Priorities.**

   Protect existing transportation funding for local priorities and oppose efforts that would reduce or eliminate funding for cities.

4. **Improve Housing Affordability and Support Additional Resources to Address the Homelessness Crisis.**

   Increase state and federal financial support and provide additional local incentives and tools to improve housing affordability and develop more workforce and affordable housing. Support additional resources and tools to address the homelessness crisis and advance the recommendations of the CSAC-League Homelessness Task Force.
1. Transportation Funding
For over 10 years, city officials had been raising concerns about the declining of local streets and roads. Beginning with a report in 2008, the League partnered with the California State Association of Counties and regional governments to review local conditions statewide through the biennial needs assessment report. The 2016 report documented $70 billion in unmet funding needs for the local transportation network, that absent any new funding would have grown by another $20 billion in just 10 years.

Governor Brown’s 2018-2019 January Budget Transportation Proposal

Summary:
The Governor’s 2018-2019 budget proposes an $18.7 billion overall transportation budget, anticipated to deliver over $2.7 billion in fuel excise tax revenue to cities and counties. A significant portion of this revenue is derived from last year’s SB 1 (Beall), a historic transportation funding plan generating $54 billion over the next decade.

Background:
In addition to the shortfall for the local network, the state highway system faced a similar backlog exceeding $59 billion over the next 10 years, with similar underfunding for transit as well. In short, transportation infrastructure would have continued to deteriorate.

After 25 years without new federal transportation funding, increased vehicle fuel efficiency standards, decades of lost purchasing power due to inflation, and severe storms finally taking their toll to wipe out aged infrastructure, 2017 represented the culmination of a perfect storm for the successful passage of the Road Repair and Accountability Act of 2017. With 25 other states increasing fuel taxes, vehicle and transportation related fees across the country, the chart below helps explain why California needed to do the same:

![SB 1 Restored Lost Purchasing Power for the Gas Tax](image)
Therefore, securing funding for transportation, especially for our city streets was the League’s top strategic priority for a number of years. In partnership with other local governments, business, and labor, the League formed the Fix Our Roads Coalition and helped push for SB 1 to make it across the finish line.

**Fiscal Impact:**
SB 1 will provide $4.6 billion in transportation year in FY 2018–2019 fiscal year, with funding distributed from the Road Maintenance and Rehabilitation Account to the following programs:

**Local Allocations:**
- $1.2 billion for local streets and roads, including $600 million for cities and $600 million for counties.
- $330 million for the Transit and Intercity Rail Capital Program (TIRCP).
- $355 million for State Transit Assistance (STA).
- $200 million for the State-Local Partnership Program (SLPP).
- $100 million for the Active Transportation Program (ATP).
- $36 million for Commuter Rail and Intercity Rail.
- $25 million for Local Planning Grants.

**State Allocations:**
- $1.2 billion for maintenance of the state highway system known as the State Highway Operation and Protection Program (SHOPP).
- $400 million for bridges and culverts.
- $250 million for commuter corridors.
- $306 million for trade corridor enhancements.
- $79 million for the Department of Parks and Recreation.
- $25 million for freeway service patrol.
- $26 million for the Department of Food and Agriculture.
- $7 million for transportation-related research at the California State University and University of California.
- $5 million for the Transportation Workforce Development Board.
- $8 million for the Department of Motor Vehicles.

SB 1 funding in FY 2018–19 is generated from:
- $1.5 billion from the tiered Transportation Improvement Fee ($25–$175 depending on vehicle value);
- $1.8 billion from the 12 cent increase to the gasoline excise tax;
- $672 million from the 11 cent increase to the diesel excise tax;
- $286 million from the increase of four percent to the diesel sales tax; and
- $235 million from the general fund for loan repayment.

In addition to providing transportation funding for local streets and roads, bridges, the state highway system, transit, active transportation, trade corridors, congestion management, self-help municipalities, intercity rail, commuter rail, transportation research and freeway patrols, the Governor’s January budget summary also notes the following:
- $100 million in annual efficiencies are expected to be achieved by the California Department of Transportation (Caltrans) from reducing overhead costs, accelerating work, innovation in contracting tools, value engineering, environmental streamlining, and new technologies.
• A new Inspector General has been appointed by the Governor to oversee the newly created Office of the Inspector General that has audit and investigative oversight over Caltrans.
• $2.4 billion generated by new SB 1 revenue and Cap-and-Trade auction proceeds will bolster the Transit and Intercity Rail Capital Program, with awards expected to go out by April 30, 2018.
• The California Transportation Commission (CTC) is expected to select projects by May 16, 2018 for matching funds through the SLPP.
• Project selection for the ATP has already been completed.
• The CTC expects to complete project selection for the Commuter Corridors program, Trade Corridors Enhancement program, and matching funds for the SLPP by May 16, 2018.

Existing League Policy:
Transportation. “[The League supports additional funding for local transportation and other critical unmet infrastructure needs. One of the League’s priorities is to support a consistent and continuous appropriation of new monies from various sources directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system. New and additional revenues should meet the following policies:

System Preservation and Maintenance. [Given the substantial needs for all modes of transportation, a significant portion of new revenues should be focused on system preservation. Once the system has been brought to a state of good repair, revenues for maintenance of the system would be reduced to a level that enables sufficient recurring maintenance.]
Commitment to Efficiency. [Priority should be given to using and improving current systems. Recipients of revenues should incorporate operational improvements and new technology in projects.]
All Users Based System. [New revenues should be borne by all users of the system from the traditional personal vehicle that relies solely on gasoline, to those with new hybrid or electric technology, to commercial vehicles moving goods in the state, and even transit, bicyclists, and pedestrians who also benefit from the use of an integrated transportation network.]
Alternative Funding Mechanisms. [Given that new technologies continue to improve the efficiency of many types of transportation methods, transportation stakeholders must be open to new alternative funding mechanisms. Further, the goal of reducing greenhouse gases is also expected to affect vehicle miles traveled, thus further reduce gasoline consumption and revenue from the existing gas tax. The existing user based fee, such as the base $0.18-cent gas tax is a declining revenue source. Collectively, we must have the political will to push for sustainable transportation revenues.]
Unified Statewide Solution. [For statewide revenues, all transportation stakeholders must stand united in the search for new revenues. Any new statewide revenues should address the needs of the entire statewide transportation network, focused in areas where there is defensible and documented need.]
Equity. [New revenues should be distributed in an equitable manner, benefiting both the north and south and urban, suburban, and rural areas as well as being equally split between state and local projects.]
Flexibility. [Needs vary from region to region and city to city. New revenues and revenue authority should provide the flexibility for the appropriate level of government to meet the goals of the constituents.]"
Accountability. [All tax dollars should be spent properly, and recipients of new revenues should be held accountable to the taxpayers, whether at the state or local level.]

[The League supports a permanent shift of the sales tax on gasoline for transportation purposes and an allocation formula equivalent to 40/40/20 split of 40 percent to cities and counties, 40 percent to STIP and 20 percent to transit.]

[The League supports enhanced autonomy for local transportation decision-making and pursues transportation policy changes that move more dollars and decisions to local policy leaders. The League supports spending transportation moneys for transportation purposes. The League will seek the maximum share of available funding for local transportation programs.]

Comments:
For city and county transportation funding, it is important to note the increase in this year’s growth in new transportation dollars of $1.2 billion as compared to last year’s partial year of funding of $445 million, which are divided equally between cities and counties. As mentioned earlier, city and county funding will grow to approximately $1.5 billion by next fiscal year and grow over the following years as adjustments for inflation are made, and as all the revenue increases go into effect.

Support-Opposition:
Informational item only.

Staff Recommendation:
Informational item only.

Committee Recommendation:
Informational item only.

Board Action:
Informational item only.
2. Local Government Plans for Micro-Wireless Facility Permitting and Leasing

Summary:
The emergence and growing need for wired and wireless broadband access in communities across the country has evolved from being a service for the privileged few to a fundamental human right. In order to succeed in local and global markets, accessibility to reliable high-speed internet is critical. Unfortunately, as is the case with any natural resource and critical infrastructure, certain segments of the population are often left behind, either with lower quality resources or infrastructure or no resources or infrastructure at all.

While California remains home to Silicon Valley and robust deployment of broadband infrastructure generally, there are still significant segments of the population with low quality service, unaffordable service, or no service. This problem doesn’t only exist in rural California where the lack of service may be more acute, but it also exists in communities where residents cannot afford the service around or where internet service providers have made business decisions to not deploy.

While the technology continues to improve, cities and counties continue to adapt as providers seek to deploy their facilities in every community. The new frontier of high-speed broadband internet access will require the densification of wireless facilities smaller than the macro cell towers communities are accustomed to, to supplement existing wireless coverage and potentially bring wireless coverage where it may not exist today.

Recognizing the evolution of wireless technology, the League has drafted legislation that will encourage cities and counties to think proactively about the densification of smaller wireless facilities so that communities can be prepared for the more rapid deployment of this critical infrastructure, while maintaining authority and control over key aspects of wireless deployment. The concepts the League is exploring for potential bill introduction includes the following basic framework:

- When approached by a Licensed Communications Service Provider (certified by the California Public Utilities Commission), local governments would be required to develop a plan for deployment of micro-wireless facilities, utilizing a Master License Agreement.
- The Master License Agreement or Right-of-Way User Agreement would encourage local governments to negotiate all of their own terms with providers, but not dictate what those terms are, such as:
  - Annual lease/attachment/license fee for each micro-wireless facility.
  - Term of the lease (existing law requires a 10 year minimum)
  - Any method for annual adjustments to the lease (helps ensure cities are getting a fair price for use of public property)
  - Uniform aesthetic control and design review so that wireless facilities in Laguna Beach are appropriate for Laguna Beach, while wireless facilities in Lake Tahoe (insert your community) are appropriate in Lake Tahoe.
  - Location controls that ensure cities can prevent facilities from being installed in front of a residential or business window.
  - Accountability measures such as security deposits, liability protection, performance and maintenance requirements.
  - Ability for cities to negotiate other terms in exchange for reasonable and proportional public benefits, such as free Wi-Fi in public parks, or improved traffic signals, etc.
Again, the main objective is to demonstrate the value local governments place on the deployment of the most advanced wireless infrastructure and that local governments recognize how the technology has evolved. Ultimately, this framework attempts to preserve the control local governments will care most about, while acknowledging the growing need for this new infrastructure.

**Background:**
In 2017, the League was able to successfully advocate for a Governor’s veto of SB 649 (Hueso), which would have:

- Forced local governments to lease out public property for the installation of “small-cell” wireless facilities.
- Eliminated the ability for local governments to negotiate fair market rate leases with for-profit wireless companies for their private use of public property, such as street lights and city buildings and instead require companies to simply pay $250 annually for each site, which is well below market value.
- Eliminated city discretion by requiring an over-the-counter permit for “small-cell” equipment larger than 35 cubic feet (the size of a commercial refrigerator) and additional “ancillary” equipment that had no size or quantity limitations.

Fortunately, the League of California Cities, in partnership with the Rural County Representatives of California, the Urban Counties of California, the American Planning Association – California Chapter, the California State Association of Counties, the California Labor Federation, the California State Council of Laborers, the Communications Workers of America, the Teamsters, AARP, and various city advocates, we were able to build a groundswell of opposition as well as get major newspapers in this state to urge rejection of SB 649. Ultimately, our opposition efforts led to the Governor’s veto, which states:

*To the Members of the California State Senate:*

*I am returning Senate Bill 649 without my signature.*

*This bill establishes a uniform permitting process for small cell wireless equipment and fixes the rates local governments may charge for placement of that equipment on city or county owned property, such as streetlights and traffic signal poles.*

*There is something of real value in having a process that results in extending this innovative technology rapidly and efficiently. Nevertheless, I believe that the interest which localities have in managing rights of way requires a more balanced solution than the one achieved in this bill.*

*Sincerely,*

*Edmund G. Brown Jr.*

**Fiscal Impact:**
Unknown, potentially no fiscal impact to the State since cities and counties would still be able to negotiate their own lease/attachment/license fees.

**Existing League Policy:**
Telecommunications. Revenue Protection. “[Protect the authority of local governments to collect revenues from telecommunications providers and ensure that any future changes are revenue neutral for local governments. Regulatory fees and/or taxes should apply equitably to all telecommunications service providers. A guarantee that all existing and any new fees/taxes remain with local governments to support local public services and mitigate impacts on local rights-of-way. Oppose any state or federal legislation that would pre-empt or threaten local taxation authority.] …

Rights-of-Way. [To protect the public’s investment, the control of public rights-of-way must remain local. Local government must retain full control over the time, place, and manner for the use of public right-of-way in providing telecommunications services, including the appearance and aesthetics of equipment placed within it.]

Access. [All local community residents should be provided access to all available telecommunications services. Telecommunications providers should be required to specify a reasonable timeframe for deployment of telecommunications services that includes a clear plan for the sequencing of the build-out of these facilities within the entire franchise area.]

Other Issues. [Existing telecommunications providers and new entrants shall adhere to local city policies on public utility undergrounding. The League supports the authority for cities to zone and plan for the deployment of telecommunications infrastructure. The League supports the ability for cities to maintain and manage the public rights-of-way and receive compensation for its use.]

Comments:
While the League was able to successfully defeat SB 649 with a strong coalition of opposition, the industry will continue to push for preemption of state and local authority on multiple fronts. In fact, the wireless industry is currently pursuing local preemption regulations through the Federal Communications Commission (FCC) proceedings and have circulated federal draft legislation in Congress looking to achieve many of their same goals in SB 649.

It will be an ongoing challenge to respond to these multiple efforts by the wireless industry, but it is staff’s assessment that proposing a balanced framework with a Governor seeking such balance is worth pursuing. Ultimately, the success of a proposal from local government will require a broad coalition of supporters and future negotiations. Regardless, protecting the ability for local governments to preserve the unique characters of their community, while acknowledging the need to plan for advanced wireless infrastructure may present a better option than simply opposing efforts by the powerful wireless industry.

Support-Opposition:
None on file. Bill has not been introduced.

Staff Recommendation:
Given that, in his veto message, Governor Brown expressed interest in “a more balanced” approach for the more rapid and dense deployment of smaller wireless facilities, the committee may wish to consider the following staff recommendation:

1. The League should authorize staff to work with key coalition stakeholders to explore and potentially introduce the model framework here, which aims to require local governments to develop wireless deployment plans and Master License Agreements when
approached by wireless providers and give League staff flexibility to negotiate such proposal in a way that preserves the best interests of cities.

Committee Recommendation:

Board Action:
3. **City and County Pavement Improvement Center**

**Summary:**
With the passage of SB 1 and the $15 billion dedicated to cities and counties to help address the billions of dollars of unmet funding needs over the next 10 years, it will be essential to demonstrate that local governments are good stewards of the new funds, that funding will be used to improve road conditions, and that funds are being put to efficient use. Local governments are responsible for over 80% of the roadway pavement lane-miles in California and carry 45% of the vehicle miles traveled. If you think about where every trip begins and every trip ends, undoubtedly it starts and ends on a local road.

While public works directors across the state have miraculously maintained our existing transportation network with the limited resources available, SB 1 provides an opportunity to improve the ability for public works directors to get even more out of their pavement funds. The proposed partnership between the League of California Cities, the California State Association of Counties, and the University of California Davis to establish the City and County Pavement Improvement Center (CCPIC) is one potential source for improving the ability for local governments to maximize new transportation funding. This committee will consider establishing this partnership with the following scope and governance structure, respectively:

**Scope of CCPIC activities:**
1. **Training and Technology Transfer.** Provide technology transfer through on-line and in-person training, peer-to-peer exchanges, and dissemination of research results and best practices in a variety of formats for a variety of audiences (i.e. policy makers, engineers, planners, community members).
2. **Guidance and Tools.** Develop technical briefs, guidance, sample specifications, tools, and other resources based on the latest scientific findings and tested engineering solutions for local government pavement engineers, managers, and the consultants who support them.
3. **Certificate Program.** Establish a pavement engineering and management certificate program for working professionals through the UC Institute of Transportation Studies.
4. **Resource Center.** Serve as a resource center for up-to-date information, regional in-person training, pilot study documentation, and forensic investigations.
5. **Research and Development.** Conduct research and development that produces technical solutions that respond to the pavement needs of both urban and rural local governments.

**Overview of Proposed Governance and Organizational Structure**

**League of California Cities and California State Association of Counties**

1. **Governing Board.** The governance board would have approximately 10 to 15 members divided between city and county representatives with a range of technical expertise and representing differing regions in California as well as urban and rural communities. The Governing Board will have a chair, or co-chairs, who determine the set-up of the Governing Board and division of responsibilities of its members.
2. **CCPIC Academic Partners.** The day-to-day operations of CCPIC will be led by the academic partners. The University of California Pavement Research Center (UCPRC) will provide overall direction and leadership with support from the California State University (CSU) partners and Institute of Transportation Studies (ITS), Davis and Institute of Transportation Studies (ITS), Berkeley. Together, the CCPIC Director,
Assistant Directors and Executive Support Officer will form an Advisory Council for the Governing Board.

**Background (Snapshot):**
The proposed governance framework for CCPIC is based on a white paper recently completed by the UCPRC for the National Center for Sustainable Transportation with funding from Caltrans titled “Local Government Pavement Research, Development, and Implementation Organization in Several States”. The white paper summarizes the successes, challenges, funding methods and levels, and organization and governance structures of five state-wide local government pavement/transportation centers and one regional center. These centers have been identified as national models. The proposed governance and operations framework is also based on the experience of more than 20 years that the UCPRC has been operating a similar program for Caltrans, and many years of working on similar programs for the Federal Highway Administration and the Federal Aviation Administration.

1. Purpose of the City and County Pavement Improvement Center?
   a. Help local government improve the cost-effectiveness, customer satisfaction and environmental sustainability of their pavement operations
      i. Provide unbiased, high quality information, training and support for change in a way that it can be used by local government
      ii. Prioritized and reporting directly to California local government (have refused industry, consultant, Caltrans direct funding)
   b. Examples:
      i. Cost-effectiveness examples
         1. Selecting the most cost-effective treatments and the timing of their application in the decision trees in pavement management system, based on performance data and life cycle cost analysis
         2. Design and specifications that appropriately handle new types of materials and treatments; usually overdesigned with old Caltrans design method used by most consultants and local governments; method developed for Caltrans based on 20 years, preparing a local government version
   c. Functionality examples
      i. Treatments for routes used by bicycles; example specifications
      ii. Approaches for coordinating pavement treatments and reconfigurations
      iii. Assessment of complete street approaches; when do they actually reduce GHG, other metrics
      iv. Environmental sustainability examples
         1. Specifications for asphalt, concrete and other materials that get same or better performance but reduce environmental impact (even without considering more recycling)

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Fiscal Impact:
Unknown.

Existing League Policy:
“Transportation: [Commitment to Efficiency. Priority should be given to using and improving current systems. Recipients of revenues should incorporate operational improvements and new technology in projects.] …

[Accountability. All tax dollars should be spent properly, and recipients of new revenues should be held accountable to the taxpayers, whether at the state or local level.]”

Comments:
The California State Association of Counties have already agreed to join the partnership, but are waiting to see if the League will partner as well.

Support-Opposition:
Support:
The University of California
The California State University
The California State Association of Counties
The County Engineers of California

Opposition:
None on file.

Staff Recommendation:
The committee may wish to consider the following staff recommendation:

1. The League should formally enter into a partnership with the California State Association of Counties and the University of California in identifying, developing, prioritizing, funding, performing, reporting and implementing the City and County Pavement Improvement Center’s proposed scope of work, governance structure, Members of the Governing Board, and oversight of those operations.

Committee Recommendation:

Board Action:
LEAGUE 2018 STRATEGIC GOALS
The committee will focus on supporting the 2018 goals adopted by the League Board of Directors. The 2018 strategic goals include:

1. Address Public Safety Concerns of California Cities.
Address public safety concerns arising from recently enacted reduced sentencing laws.

Protect local funding and authority in the implementation of the Adult Use of Marijuana Act.

Continue to preserve city rights to deliver emergency medical services (Health and Safety Code 1797.201).

Seek additional tools and resources to address critical community challenges such as homelessness, mental health, domestic violence, drug rehabilitation, ex-offender reentry, and human trafficking.

2. Ensure Sustainability of Public Pension and Retirement Health Benefits.
Consistent with the League’s adopted pension sustainability principles, work with affected stakeholders, employees, CalPERS, legislators and the Governor to achieve meaningful options for cities to address growing unfunded pension liabilities that will ensure cities remain solvent and provide services to residents while continuing to offer employees meaningful and sustainable pension and health benefits.

3. Protect Existing Transportation Funding for Local Priorities.
Protect existing transportation funding for local priorities and oppose efforts that would reduce or eliminate funding for cities.

4. Improve Housing Affordability and Support Additional Resources to Address the Homelessness Crisis.
Increase state and federal financial support and provide additional local incentives and tools to improve housing affordability and develop more workforce and affordable housing. Support additional resources and tools to address the homelessness crisis and advance the recommendations of the CSAC-League Homelessness Task Force.

In addition, the TCPW Policy Committee will focus on the following issues in 2018:

•