



Transportation, Communications, and Public Works Policy Committee
Thursday, April 2, 2020
9:30 a.m. – 12:30 p.m.
Webex Conferencing

Instructions on how to participate in the meeting:

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AGENDA

I. Welcome and Introductions

Speaker: Chair, Newell Arnerich, Councilmember, Town of Danville

II. Public Comment

III. General Briefing (Handout)

Informational Item

Speaker: Melanie Perron, Deputy Executive Director, Advocacy and Public Affairs, League of California Cities

- Written Update From Each League of California Cities Lobbyists

IV. COVID-19 Update

Informational Item

Speaker: Melanie Perron, Deputy Executive Director, Advocacy and Public Affairs, League of California Cities

- League of California Cities Resources for Cities [Web Page](#)
- Status of Legislative Deadlines and 2020 Budget Outlook
- Federal Stimulus

V. Legislative Update (Attachment A)

Informational Item

Speaker: Caroline Cirrincione, Legislative Policy Analyst, League of California Cities

- [AB 2215](#) (Chau) Service Stations. Definition. Electric Vehicle Charging Stations.
- [AB 3277](#) (Jones-Sawyer) Parking Penalties. Collection.
- Other Bills of Interest

VI. Adjournment

Next Meeting: Thursday, June 4, So. San Francisco Conference Center, 255 S. Airport Blvd, South San Francisco

NOTE: Policy committee members should be aware that lunch is 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). 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.

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.

Informational Items: Any agenda item listed for information purposes may be acted upon by the Policy Committee if the Chair determines such action is warranted and conforms with current League policy. If the committee wishes to revise League policy or adopt new policy for an item listed as informational, committees are encouraged to delay action until the next meeting to allow for preparation of a full analysis of the item.

Transportation, Communications, and Public Works Policy Committee Bills of Interest - April 2020

Bills From the Agenda:

AB 2215 (Chau) Service Stations: Definition: Electric Vehicle Charging Stations.

This measure would exclude unattended electric vehicle charging stations from the definition of a "service station," which are essentially gas and fueling stations. Rules for typical gas stations are in place so that people can access basic services such as restrooms, as well as services to enhance safety such as air pumps for tires.

League Position: Watch

AB 3277 (Jones-Sawyer) Parking Penalties. Collection.

This measure would increase the total amount of unpaid parking tickets that can be paid in installments from \$300 to \$750 and extend the amount of time they can be paid from 18 months up to 30 months.

League Position: Watch

Other Bills of Interest:

AB 326 (Muratsuchi) Vehicles: Motorized Carrying Devices.

This measure would require local governments to allow "motorized carrying devices" to operate in the public right of way, including sidewalks and city streets. The bill defines "motorized carrying devices" as an electric-powered self-propelled device that does not transport a person, but is designed to transport a person's property, and is controlled by a person in the immediate vicinity of the device, either actively, or passively by means of wireless tethering. The bill allows for these devices to be as large as the average person, weigh up to 85 pounds, and go as fast as eight miles per hour. Finally, the bill does not require the operator to maintain unbroken visual contact with the device.

League Position: Watch

AB 429 (Nazarian) Seismically Vulnerable Buildings: Inventory.

This measure would require the Alfred E. Alquist Seismic Safety Commission to identify funding and develop a bidding process for hiring a third party contractor to develop a statewide inventory and/or survey of potentially seismically vulnerable buildings in 29 of California's counties that are particularly prone to seismic activity.

League Position: Support

AB 1112 (Friedman) Shared Mobility Devices: Local Regulation.

This measure would prohibit local governments from requiring individual trip data from shared mobility device providers (such as Lime and Bird) as a condition of an agreement to operate within the jurisdiction. The type of data that can be required by local governments is further limited by the bill's various definitions of data, including:

- "Aggregated Data" – data that relates to groups of trips, from which start points, stop points, routes, and times of individual trips have been removed and that cannot be used, or combined with other information to isolate details of an individual trip.
- "Deidentified Data" – data that cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, to a particular user, unless the entity using such data:

- Has implemented technical safeguards that prohibit reidentification of the user;
- Has implemented businesses and security processes the specifically prohibit reidentification of the data;
- Has implemented business and security processes to prevent inadvertent release of deidentified data; and
- Makes no attempt to reidentify the information.

League Position: Oppose

AB 1286 (Muratsuchi) Shared Mobility Devices: Agreements.

This measure would prohibit shared mobility device providers (such as Lime and Bird) from waiving the legal rights and remedies of their users, require them to maintain general liability insurance coverage, and have prior authorization from the jurisdictions in which they wish to operate. The bill also requires local governments that authorize the deployment of these devices within their jurisdiction to adopt operation, parking, and maintenance rules through ordinance, agreement, or permit terms.

League Position: Support/Co-Sponsor with the Consumer Attorneys of California

AB 1939 (Gonzalez) Pedicabs: Electric Bicycles.

This bill would expand the definition of a pedicab to include electric bicycles and would expand the definition of a bicycle to include electric bicycles. This would subject riders of electric bicycles to all the highway rights and rules of other bicyclers and drivers of vehicles.

League Position: Watch

AB 1997 (Nazarian) Building Codes: Earthquake Safety: Functional Recovery Standard.

This measure would require the Alfred E. Alquist Seismic Safety Commission to assemble a functional recovery working group of public and private sector entities to consider whether a functional recovery standard is warranted for all or some building occupancy classifications and investigate the practical means of implementing that standard either as a mandate or voluntary standard. The functional recovery standard is defined as a set of enforceable building code provisions and regulations that provide specific design and construction requirements intended to result in a building for which post-earthquake structural and nonstructural capacity are maintained or can be restored to support the basic intended functions of the building's pre-earthquake use.

League Position: Watch

AB 2163 (Rivas) Rural Broadband and Emergency Infrastructure Grant Act of 2020.

This measure would require the Department of Technology, Department of Food and Agriculture, Public Utilities Commission, California Broadband Council, and Office of Emergency Services, to jointly develop the Rural Broadband and Emergency Infrastructure Grant Program aimed at providing each California fairground with grants to support broadband and telecommunications infrastructure deployment.

League Position: Watch

AB 2168 (McCarty) Planning and Zoning: Electric Vehicle Charging Stations: Permit Application: Approval.

This measure would require cities and counties to deem permit applications for electric vehicle charging stations complete within five business days and approved within 15 business days through the issuance of a building permit or similar nondiscretionary permit unless the city or county deems the application incomplete within those first five business days or within fifteen days if the city or county makes findings based on substantial evidence that the installation

would have specific, adverse impacts on public health or safety and required the applicant to apply for a use permit.

League Position: Oppose

AB 2738 (Quirk-Silva) Highway Users Tax Account: Apportionment to Counties: Expenditure.

This measure would require counties to spend their share of highway user tax account funds on roads in the county that have the highest need and would require such counties to consult with the cities within the county to identify collaborative transportation projects to improve local streets and roads.

League Position: Watch

SB 794 (Jackson) Emergency Services: Telecommunications.

This measure would authorize cities to enter into agreements with their own social services departments and/or public utility or to utilize its own records to automatically enroll their residents into the city or county-operated public emergency warning system. The measure requires local governments that exercise this authority to provide an opt-out for residents that do not wish to be enrolled in the system.

League Position: Watch