



TRANSPORTATION, COMMUNICATIONS, AND PUBLIC WORKS POLICY COMMITTEE

Friday, June 14, 2019 | 10:00 a.m. – 3:00 p.m.

Sacramento Convention Center, Room 202 | Sacramento, CA 95814

A G E N D A

**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**
Recognition of Immediate Past TCPW Chair – Esmeralda Soria, Councilmember, Fresno
- II. Public Comment**
- III. Community Choice Aggregation (CCA) Issues** *Informational*
Speaker: Sean MacNeil, Director of Legislative Affairs, CalCCA
- IV. California’s Road User Charge Pilot Program** *Informational*
Speaker: Garth Hopkins, Deputy Director Planning, California Transportation Commission
- V. Legislative Agenda (Attachment A)** *Action*
Speaker: Rony Berdugo, Legislative Representative, League of California Cities
 - 1. [AB 1100 \(Kamlager-Dove\)](#). Electric Vehicles. Parking Requirements.
 - 2. [AB 1366 \(Gonzalez\)](#). Voice over Internet Protocol & Internet Protocol Enabled Communications Services.
- VI. Legislative Update – Current Bill Positions & Issues (Attachment B & [Available Online](#))** *Informational*
Speaker: Rony Berdugo, Legislative Representative, League of California Cities
Speaker: Patrick Whitnell, General Counsel, League of California Cities (FCC Litigation Update)
Speaker: Jason Rhine, Assistant Legislative Director, League of California Cities (Housing Update)
- VII. AB 516 Opposition Lobbying (Attachment C & [Opposition Materials Available Online](#))** *Action*
- VIII. Adjournment**

NOTE: For all meeting materials and additional resources, please visit: www.cacities.org/TCPW

Next Meeting (tent.): Annual Conference, Long Beach, October 16

Staff will notify committee members after August 22nd if the policy committee will be meeting in October.

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). 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
Legislative Agenda – Action Items | Friday, June 14, 2019

Staff: Rony Berdugo, Legislative Representative (916) 658-8283

1. [AB 1100 \(Kamlager-Dove\) Electric Vehicles. Parking Requirements.](#)

Bill Summary:

This bill would require existing and future parking spaces designated for electric vehicle charging to be counted as at least one (1) standard vehicle parking space for compliance with local parking minimum requirements. The bill would also require existing and future van-accessible parking spaces designated for electric vehicle charging to be counted as at least two (2) standard parking spaces for compliance with local parking minimum requirements.

Bill Description:

Existing Law:

1. Requires cities/counties to approve electric vehicle charging station installation applications unless cities/counties determine such an installation would have an adverse impact on public health or safety that cannot be feasibly mitigated.
2. Defines “electric vehicle charging station” as one or more publicly available parking spaces served by electric vehicle service equipment.
3. Authorizes public (cities/counties) and private property owners to designate off-street parking spaces/stalls exclusively for electric vehicle charging and parking.
4. Authorizes cities/counties to designate on-street parking spaces/stalls exclusively for electric vehicle charging and parking.

This bill requires:

1. Existing and future parking spaces designated for electric vehicle charging to be counted as at least one (1) standard vehicle parking space for compliance with local parking minimum requirements.
2. Existing and future van-accessible parking spaces designated for electric vehicle charging to be counted as at least two (2) standard parking spaces for compliance with local parking minimum requirements.

Background:

The 2016 California Building Code (CBC) included new accessibility regulations for EV charging stations at public buildings, accommodations, housing and in commercial buildings, which are intended to provide full compliance with the requirements of the Americans with Disabilities Act.

Per the update, parking spaces must be provided in accordance with Section 11B-208 of the CBC. For purposes of that section, electric vehicle charging stations are not parking spaces. The CBC further stipulates the number of accessible charging stations that must be provided when

non-accessible charging stations are installed, and requires at least one van-accessible station in all installations.

The sponsors of the bill argue that “Because of this change in definition, some local governments have required EV charging companies to construct additional parking spaces to offset the ‘lost’ parking space to fulfill locally-mandated minimum parking requirements.”

Some cities, including Los Angeles, Sonoma and Sacramento Counties, and the cities of Stockton, West Hollywood, Santa Barbara and Pleasanton, have passed ordinances to count electric vehicle charging spaces as one or more parking spaces, as it pertains to required parking.

The bill also includes findings and declarations that provide the following background:

- The state has a goal to deploy 1.5 million zero-emission vehicles by 2025, and 5 million by 2030, respectively.
- The California Energy Commission’s Electric Vehicle Infrastructure Projection modeling tool has determined 250,000 electric vehicle-charging stations, inclusive of 10,000 DC fast chargers, are needed by 2025 to support the 2025 zero-emission vehicle deployment goal.
- To date, approximately 18,000 public charging stations, including approximately 2,700 DC fast chargers, have been installed in the state.
- The California Green Building Standards Code specifies the standards for the construction of California’s buildings, including requirements for electric vehicle service equipment installed in parking spaces.
- The California Green Building Standards Code currently defines a parking space that has installed electric vehicle service equipment as a charging space intended for charging electric vehicles, despite the fact that these electric vehicles can be parked at a charging space for a lengthy period of time.
- Because these spaces are no longer defined as parking spaces for purposes of California Green Building Standards Code requirements, some local governments have required developers of electric vehicle service equipment to construct additional parking spaces to comply with locally mandated minimum parking requirements.
- The requirement to construct additional parking spaces can run counter to state environmental goals, is costly and often technically infeasible, and creates an artificial barrier to electric vehicle charging station deployment.
- Some local jurisdictions, including the Counties of Los Angeles, Sonoma, and Sacramento, and the Cities of Stockton, West Hollywood, Santa Barbara, and Pleasanton, have enacted ordinances to count electric vehicle charging spaces as one or more parking spaces for purposes of required parking. However, most local jurisdictions have not taken this approach.
- California must reduce unnecessary and arbitrary barriers to electric vehicle charging station deployment to support its 2025 and 2030 zero-emission vehicle deployment goals.

- It is therefore the intent of the Legislature in enacting this act to require an electric vehicle charging space to be considered as at least one parking space for purposes of complying with applicable minimum parking requirements established by a local jurisdiction.

According to the author:

“AB 1100 better aligns the building code with local parking ordinances to support EV charging infrastructure deployment. Most parking count requirements, when developed, predated the proliferation of EV charging infrastructure, and as a result, can sometimes create barriers to installation. This is a prevalent issue across the state. Many local jurisdictions have already recognized this technical incongruence and have self-corrected with updated ordinances, however, many communities have not.

We must help all Californians’ access the benefits of electric vehicles – supporting deployment of charging stations across the state is a cornerstone to that vision. AB 1100 is a common-sense solution that does not infringe on the tenets of local control, but rather supports technical congruency between otherwise complex EV charging infrastructure installation and parking requirements.”

Fiscal Impact:

The fiscal impact to cities is likely negligible. Cities could have up front, one-time costs to modify their existing ordinance to reflect the requirements in the bill.

Existing League Policy:

Environmental Quality

Climate Change

The League recognizes that climate change is both immediate and long term, with the potential for profound environmental, social and economic impacts to the planet and to California. [...]

Through the Global Warming Solutions Act of 2006 (AB 32 (Nuñez), Chapter 488, Statutes of 2006) California has embarked on a plan that requires the reduction of greenhouse gas emissions to 1990 levels by 2020. Although uncertainty remains about the pace, distribution and magnitude of the effects of climate change, the League recognizes the need for immediate actions to mitigate the sources of greenhouse gas emissions [...]

Green Technology Investment Assistance

Support tax credits, grants, loans and other incentives to assist the public, businesses, and local agencies that invest in energy efficient equipment and technology, and fuel efficient, low emission vehicles.

Increase the Use of Clean Alternative Energy

Promote the use and purchase of clean alternative energy through the development of renewable energy resources [...]

Reduction of Vehicle Emissions in Public Agency Fleets

Support the reduction of vehicle emissions through increased fuel efficiency, use of appropriate alternative fueled vehicles, and/or low emission vehicles in public agency fleets. Encourage the use of appropriate alternative fueled vehicles, and/or low emission vehicles in private fleets.

Transportation, Communications, and Public Works

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.

Vision

To be recognized and respected as the leading advocate for the common interests of California's Cities.

Mission Statement

To expand and protect local control for cities through education and advocacy. To enhance the quality of life for all Californians.

Comments:

- The League has standing policy to support the reduction of vehicle emissions through increased fuel efficiency, use of appropriate alternative fueled vehicles, and/or low emission vehicles in public agency fleets.
- The League also encourages the use of appropriate alternative fueled vehicles, and/or low emission vehicles in private fleets.
- The committee may wish to consider these existing policies and attempts to more aggressively build the infrastructure to support these alternative/lower-emission vehicles.

Support-Opposition:

Support:

- Electric Vehicle Charging Association (Sponsor)
- American Building Management
- American Lung Association In California
- Btcpower
- California Electric Transportation Coalition
- Chargepoint, Inc
- Clippercreek
- Electric Motor Werks, Inc.

- Environmental Defense Fund
- Ev Box North America Inc.
- Ev Connect
- Evgo Services Llc
- Flo
- Semaconnect
- Tesla Motors, Inc.
- Union Of Concerned Scientists
- Valley Can (Clean Air Now)
- Volta Charging

Opposition:

- None Listed

Staff Recommendation:

1. Adopt a Support position.

2. [AB 1366 \(Gonzalez\) Voice over Internet Protocol and Internet Protocol Enabled Communication Services.](#)

Bill Summary:

This bill would extend until January 1, 2030 Voice over Internet Protocol (VoIP) deregulation, which prohibits the state and local governments from regulating VoIP. The bill also requires the California Public Utilities Commission (CPUC) to report annually the number and type of VoIP complaints received to the Legislature and Attorney General. The bill would allow for the CPUC to have authority regarding the safety of VoIP lines and facilities, obtaining network outage information, and requiring state lifeline program requirements.

The bill also requires VoIP providers to notify each new customer of any state and federal backup power requirements, credit customer bills back for service outages exceeding 24 hours, and to initiate steps to restore service within 24 hours of receiving service outage information and to have service restored within 72 hours when such information is received.

Bill Description:

Existing law:

1. Prohibits state and/or local regulation of VoIP until January 1, 2020.
2. Preserves the CPUC's authority over VoIP regarding the construction and maintenance of both underground and overhead VoIP facilities.

This bill:

1. Extends state and local VoIP deregulation (with some exceptions) until January 1, 2030.

2. Requires the CPUC to report annually to the Legislature and to the AG the number and type of VoIP complaints it receives.
3. Maintains the CPUC's authority regarding the construction and maintenance of both underground and overhead VoIP facilities.
4. Authorizes the CPUC to impose network outage reporting requirements and state lifeline program requirements.
 - a. VoIP service providers are required to submit to the CPUC a copy of each network outage reporting system report they submit to the Federal Communications Commission (FCC).
5. Requires VoIP providers to:
 - a. Notify each new customer of state and federal backup battery power requirements.
 - i. The disclosure must let customers know about their rights to basic telephone service.
 - b. Credit their customers' bills back when a service outage exceeds 24 hours.
 - i. The credit only has to be given upon a customer request and the credit would exclude outages on Sundays, federal holidays, and other periods due to circumstances beyond the provider's control.
 - c. Initiate steps to restore service within 24 hours of learning of a service outage.
 - i. The 24-hour period does not include Sundays, federal holidays, or periods of outage due to circumstances beyond the provider's control.
 - d. Restore service within 72 hours of learning of a service outage.
 - i. The 72-hour period does not include Sundays, federal holidays, or periods of outage due to circumstances beyond the provider's control.
6. Defines "circumstances beyond the provider's control" to include, but not limited to, an electrical outage, catastrophic event, natural disaster, emergency proclaimed by the Governor, cable theft, cable cut by a third party, lack of access to the premises, or absence of customer support to test the facilities.
7. Defines "service outage" as the inability of an end user to place or receive a VoIP call as a result of a failure in the performance of the end user's interconnected VoIP service provider's network.

Background:

- [Article XII](#) of the California Constitution grants the CPUC authority to regulate plain old telephone service (POTS), wireless communications, cable/video, broadband/internet protocol, and VoIP services in various ways determined by state and/or federal law.
- VoIP offers the same capabilities as a telephone calling, but through a broadband connection over the internet.
- [SB 1161 \(Padilla, Chapter 733, Statutes of 2012\)](#) deregulated VoIP by prohibiting the CPUC and/or any other state agency from imposing regulations on the industry.
- People using POTS has gone down significantly since the Padilla bill, from over 13 million users in 2013, down to 6 million in 2018.
- People switching over to VoIP has steadily increased to over 8 million users and most people now use wireless services for their communications.

- Telecommunications companies have been aggressively moving over their customers from POTS to VoIP.
- Telecommunications companies have consistently tried to abandon maintenance of POTS, and this bill would be a way for them to get out of the POTS business.
- While the bill sunsets in 2030, the CPUC anticipates all landline users will be on VoIP much sooner than 2030, possibly within 5 years.
- ATT has sued the California Office of Emergency Services (CalOES) RFP for a provision that the company that provides NextGen 9-1-1 must be subject to state regulation, saying such a provision is illegal under the Padilla deregulation bill.
- If this bill is chaptered, NextGen 9-1-1 may not be subject to CPUC regulation and/or enforcement, such as collecting on the 911 surcharge, deaf and disabled surcharge, Carrier of Last Resort requirements, affordability and lifeline service requirements.
- When power goes out, VoIP services also go out unlike POTS which is on a separate low voltage copper line up by generators.
- POTS providers, but not VoIP, are required to serve everyone within their territory.
- Companies are trying to switch everyone over to VoIP because they want out of deregulation
- When all users are switched from POTS to VoIP, these companies will be completely deregulated.
- Companies are not maintaining their service standard that requires 9 out of every 10 customers have service repaired within 24 hours, having been fined \$16 million by the CPUC so far., which the CPUC allows companies to double such fines for reinvestment into their telephone service as an alternative.
- Cities are telecommunications customers, including contracting with providers for 911 services.

Fiscal Impact:

The fiscal impact to cities is negligible.

Existing League Policy:

Telecommunications:

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

- *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 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.*

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*

Comments:

- The bill’s proponents argue that the state’s hands-off regulatory approach to VoIP is working to increase the adoption of VoIP, which is similar to POTS, but with better technological capabilities.
- The bill’s opponents argue that VoIP is now an essential service that needs regulatory oversight to prevent the erosion of safety and consumer protections for telecommunications services.
- As VoIP continues to displace POTS as the main “landline” service for homes, the committee may wish to consider if it is appropriate to continue the deregulated framework for VoIP for another ten years.
- States and local governments regulate the other two major forms of communications, including wireless and POTS that help ensure accessibility (i.e. infrastructure into rural communities), affordability (low-income programs), public safety features (i.e. 9-1-1 service), and that there’s a communications (system) of last resort (COLR).

Support-Opposition:

Support:

- African American Male Education Network & Development
- Alliance for Community Development
- Asian Business Association of San Diego
- Asian Pacific American Community Center
- Asian Pacific Islander American Public Affairs Association
- AT&T
- Bay Area Council
- Black Chamber of Orange County
- Black Women Organized for Political Action Political Action Committee
- Boys & Girls Club of the North Valley
- Brotherhood Crusade
- California Asian Pacific Chamber of Commerce
- California Black Chamber of Commerce
- California Cable and Telecommunications Association
- California Cattlemen's Association
- California Hispanic Chambers of Commerce
- California Latino Leadership Institute
- California Manufacturers and Technology Association
- Chicano Federation of San Diego County, Inc.
- Coalition for Responsible Community Development
- Community Women Vital Voices
- Computers 2 Kids
- Computing Technology Industry Association
- Concerned Black Men of Los Angeles
- Congregations Organized for Prophetic Engagement
- Congress of California Seniors
- Consolidated Communications Inc.
- CTIA - The Wireless Association
- East Oakland Youth Development Center
- Frontier Communications
- Frontier Senior Center - AAASCO
- Gamma Zeta Boule Foundation
- Greater Coachella Valley Chamber of Commerce
- Greater Los Angeles African American Chamber of Commerce
- Greater Riverside Chamber of Commerce
- Hispanic 100
- Imperial Valley LGBT Resource Center
- In Biz Latino
- Inland Empire Economic Partnership
- Invest in Women Entrepreneurs Initiative
- Kings/Tulare Homeless Alliance
- Krimson and Kreme Foundation
- Lighthouse Counseling and Family Resource Center
- Los Angeles Latino Chamber of Commerce
- MAAC
- Macedonia Community Development Corporation
- National Diversity Coalition
- Nonprofit Alliance
- North San Diego County NAACP
- OASIS Center International
- Organization of Chinese Americans - East Bay Chapter
- Organization of Chinese Americans - Sacramento Chapter
- Orange County Business Council
- Orange County Hispanic Chamber of Commerce
- Oroville Rescue Mission
- Partners in College Success

- Sacramento Black Chamber of Commerce
- Salvadoran American Leadership and Educational Fund
- San Diego North Economic Development Council
- San Diego Oasis
- San Gabriel Valley Economic Partnership
- Santa Barbara Partners in Education
- Sentinels of Freedom
- Silicon Valley Leadership Group
- Society for the Blind
- South Bay Community Services

- TechNet
- TELACU
- The Fresno Center
- The Village Project, Inc.
- UFCW Local 648
- Urban Corps San Diego County
- Valley Industry and Commerce Association
- Verizon
- Veterans Association of North County
- Young Visionaries Youth Leadership Academy

Oppose:

- AARP California
- Access Humboldt
- Bay Area Christian Connection
- Beth Eden Baptist Church
- California Alliance for Retired Americans
- California Labor Federation
- Center for Media Justice
- Centro La Familia Advocacy Services
- City Heights Community Development Corporation
- Common Networks
- Communications Workers of America, 9th District
- Consumer Action
- Consumer Federation of California
- El Concilio of San Mateo County
- Electronic Frontier Foundation
- Emerging Leaders Program of The Leadership Institute at Allen Temple Baptist Church

- Housing Long Beach
- Humboldt County Board of Supervisors
- Interdenominational Ministerial Alliance
- Media Alliance
- Mission Asset Fund
- Monkeybrains
- National Consumer Law Center
- Omsoft and Davis Community Network
- One Million NIU
- Poverello House
- Public Advocates Office
- Public Citizen, Inc.
- The Center for Media Justice
- The Greenlining Institute
- The Utility Reform Network
- True Faith Community Baptist Church
- Utility Consumers' Action Network

Staff Recommendation:

1. Adopt an Oppose position.

Committee Recommendation:

Board Action:

**2019 TCPW Bills w/Positions
Friday, June 07, 2019**

AB 41 (Gallagher R) Disaster relief: Camp Fire.

The California Disaster Assistance Act provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would provide that the state share is up to 100% of total state eligible costs connected with the Camp Fire that started on November 8, 2018, in the County of Butte.

League Position: Support **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

- [AB 41 \(Gallagher\) - City Support - SAMPLE Asm Floor](#)
- [AB 41 \(Gallagher\) - League Support - Asm Floor](#)
- [AB 41 \(Gallagher\) - League Support - Asm Approps](#)
- [AB 41 \(Gallagher\) - City Support - SAMPLE Asm Approps](#)

AB 234 (Nazarian D) Income taxes: credit: seismic retrofits.

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill, for taxable years beginning on or after January 1, 2020, and before January 1, 2025, would allow a tax credit under both laws in an amount equal to 30% of the qualified costs paid or incurred by a qualified taxpayer for any seismic retrofit construction on a qualified building, as provided.

League Position: Support **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

- [AB 234 \(Nazarian\) - City Support - SAMPLE Asm Approps](#)
- [AB 234 \(Nazarian\) - League Support - Asm Approps](#)

AB 252 (Daly D) Department of Transportation: environmental review process: federal program.

Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states may assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2020, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the program. This bill would extend the operation of these provisions indefinitely.

League Position: Support

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 252 \(Daly\) League Support - Sen. Trans 6-5-19](#)

[AB 252 \(Daly\) - City Support - SAMPLE Asm Floor](#)

[AB 252 \(Daly\) - League Support - Asm Floor](#)

[AB 252 \(Daly\) - City Support - SAMPLE Asm Approps](#)

[AB 252 \(Daly\) - League Support - Asm Approps](#)

[AB 252 \(Daly\) - City Support - SAMPLE](#)

[AB 252 \(Daly\) - League Support - Asm Trans](#)

AB 297 (Gallagher R) Emergency average daily attendance.

Would require the Superintendent to extend through the 2019–20 fiscal year the period during which it is essential to alleviate continued reductions in average daily attendance attributable to a state of emergency declared by the Governor in November 2018 for a school district where no less than 5% of the residences within the school district or school district facilities were destroyed by the qualifying emergency. The bill would require the Superintendent to extend through the 2020–21 fiscal year the period during which it is essential to alleviate continued reductions in average daily attendance attributable to a state of emergency declared by the Governor in November 2018 for a charter school where no less than 5% of the residences within the school district in which the charter school is located or a majority of charter school facilities were destroyed by the qualifying emergency.

League Position: Support

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

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1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 297 \(Gallagher\) - League Support - Asm Approps](#)

[AB 297 \(Gallagher\) - City Support - SAMPLE - Asm Approps](#)

AB 429 (Nazarian D) Seismically vulnerable buildings: inventory.

Current law establishes a program within all cities and all counties and portions thereof located within seismic zone 4, as defined, to identify all potentially hazardous buildings and to establish a mitigation program for these buildings. This bill would require the Alfred E. Alquist Seismic Safety Commission, by specified deadlines, to identify funding and develop a bidding process for hiring a third-party contractor to create an inventory of potentially vulnerable buildings, as defined. The bill would require the third-party contractor, in conjunction with the commission, by July 1, 2022, to develop a statewide inventory of potentially seismically vulnerable buildings in 29 specified counties in California using information developed by local jurisdictions pursuant to the above-described provisions.

League Position: Support **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

- [AB 429 \(Nazarian\) Coalition Support - Sen GO 6-5-19](#)
- [AB 429 \(Nazarian\) - City Support - SAMPLE Asm Floor](#)
- [AB 429 \(Nazarian\) - Coalition Support - Asm Floor](#)
- [AB 429 \(Nazarian\) - City Support - SAMPLE Asm Approps](#)
- [AB 429 \(Nazarian\) - Coalition Support - Asm Approps](#)

AB 497 (Santiago D) Deaf and Disabled Telecommunications Program.

Current law establishes the requirements for the deaf and disabled telecommunications program and requires the Public Utilities Commission, until January 1, 2020, to establish a rate recovery mechanism through a surcharge not to exceed 1/2 of 1% uniformly applied to a subscriber’s intrastate telephone service, other than one-way radio paging service and universal telephone service, to allow providers of equipment and service pursuant to the program to recover their costs as they are incurred. This bill would extend collection of the surcharge until January 1, 2025.

League Position: Support **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

- [AB 497 \(Santiago \) League Support - Sen EUC 6-5-19](#)
- [AB 497 \(Santiago\) - League Support - Asm Floor](#)
- [AB 497 \(Santiago\) - City Support - SAMPLE Asm Floor](#)
- [AB 497 \(Santiago\) Support, Asm. Approps, 4-19-19](#)
- [AB 497 \(Santiago\) - City Support - SAMPLE Asm Approps](#)

AB 516 (Chiu D) Authority to remove vehicles.

Current law authorizes a peace officer and specified public employees, as an alternative to removal of a vehicle, to immobilize the vehicle with a device designed and manufactured for that purpose, if, among other circumstances, the vehicle is found upon a highway or public lands by the peace officer or employee and it is known to have been issued 5 or more notices of parking violations that are delinquent because the owner or person in control of the vehicle has not responded to the appropriate agency within a designated time period. This bill would delete the authority of a peace officer or public employee, as appropriate, to remove or immobilize a vehicle under those circumstances.

League Position: Oppose

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 516 \(Chiu\) - City Oppose - SAMPLE Sen Trans](#)

[AB 516 \(Chiu\) - City Oppose - SAMPLE Sen PS](#)

[AB 516 \(Chiu\) - League Oppose - Sen PS](#)

[AB 516 \(Chiu\) - League Oppose - Sen Trans](#)

[AB 516 \(Chiu\) - League Asm Floor Alert](#)

[AB 516 \(Chiu\) - City Oppose - SAMPLE Asm Floor](#)

[AB 516 \(Chiu\) - League Opposition - Asm Floor](#)

AB 659 (Mullin D) Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.

Would establish the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs, and would specify certain program goals. The bill would require the commission to form the California Smart City Challenge Workgroup on or before July 1, 2020, to guide the commission on program matters, as specified. The bill would require the commission, in consultation with the workgroup, to develop guidelines on or before March 1, 2021, for the program, which would not be subject to the Administrative Procedure Act, and would authorize the commission to revise them as necessary.

League Position: Support

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 659 \(Mullin\) - City Support - SAMPLE Asm Approps](#)

[AB 659 \(Mullin\) League Support Asm Appropriations 3-27-19](#)

[AB 659 \(Mullin\) - SAMPLE Support](#)

[AB 659 \(Mullin\) - League Support](#)

[AB 1079 \(Santiago D\)](#) Telecommunications: privacy protections.

Current law prohibits a provider of mobile telephony services, as defined, or any affiliate or agent of the provider, when providing the name and dialing number of a subscriber for inclusion in a directory or directory database, from including the dialing number of any subscriber without first obtaining the express consent of that subscriber. Current law authorizes providing those telephone numbers without regard to consent to a law enforcement agency, fire protection agency, public health agency, public environmental health agency, city or county emergency services planning agency, or private for-profit agency operating under contract with, and at the direction of, one or more of these agencies, for the exclusive purpose of responding to a 911 call or communicating an imminent threat to life or property. This bill would additionally authorize providing those telephone numbers to those parties without consent for the purpose of testing the systems that respond to 911 calls or testing systems that communicate threats to life or property.

League Position: Support

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 1079 \(Santiago\) - City Support - SAMPLE Sen EUC](#)

[AB 1079 \(Santiago\) - League Support - Sen EUC](#)

[AB 1112 \(Friedman D\)](#) Shared mobility devices: local regulation.

Current law generally regulates the operation of bicycles, electric bicycles, motorized scooters, and electrically motorized boards. Current law allows local authorities to regulate the registration, parking, and operation of bicycles and motorized scooters in a manner that does not conflict with state law. This bill would define a “shared mobility device” as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation, as provided.

League Position: Oppose

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 1112 \(Friedman\) Oppose, Sen. Judiciary, 6-4-19](#)

[AB 1112 \(Friedman\) Oppose, Sen. Gov and Fin., 6-4-19](#)

[AB 1112 \(Friedman\) Oppose, Sen. Transportation, 6-4-19](#)

[AB 1112 \(Friedman\) - City Opposition - SAMPLE Asm Trans](#)

[AB 1112 \(Friedman\) - League Opposition - Asm Trans](#)

[AB 1266 \(Rivas, Robert D\)](#) Traffic control devices: bicycles.

Current law authorizes the Department of Transportation or local authorities to erect official traffic control devices within or adjacent to intersections of highways under their respective jurisdictions to regulate or prohibit turning movements at those intersections. When a turn is required, existing law requires the erection of a sign giving notice of that requirement, except as specified. Current law prohibits a driver of a vehicle from disobeying the directions of a traffic control device erected pursuant to that provision. This bill would exempt from the prohibition described above drivers of bicycles traveling straight through an intersection, if there is a striped bike lane between the right-turn only lane and the adjacent through lane and pavement markings ensuring that bicycles may travel to the left of vehicles turning right.

League Position: Support

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 1266 \(R. Rivas\) - City Support - SAMPLE Senate Trans](#)

[AB 1266 \(R. Rivas\) - League Support - Senate Trans](#)

[AB 1286 \(Muratsuchi D\)](#) Shared mobility devices: agreements.

Would require a shared mobility service provider, as defined, to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. The bill would require that the provider maintain a specified amount of commercial general liability insurance and would prohibit the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. The bill would define shared mobility device to mean an electrically motorized board, motorized scooter, electric bicycle, bicycle, or other similar personal transportation device, except as provided.

League Position: Sponsor

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 1286 \(Muratsuchi\) Support, Sen. Gov and Fin., 6-5-19](#)

[AB 1286 \(Muratsuchi\) - League Cosponsor - Asm Floor Alert](#)

[AB 1286 \(Muratsuchi\) - City Support - SAMPLE Asm Floor](#)

[AB 1286 \(Muratsuchi\) - League Cosponsor - Asm Floor](#)

[AB 1286 \(Muratsuchi\) Support, Asm. Privacy & Consumer Protection, 4-22-19](#)

[AB 1699 \(Levine D\)](#) Telecommunications: mobile internet service providers: public safety customer accounts: states of emergency.

Would prohibit a mobile internet service provider from impairing or degrading the lawful internet traffic of its public safety customer accounts, subject to reasonable network management, during a state of emergency.

League Position: Support **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[AB 1699 \(Levine\) - City Support - SAMPLE Sen EUC](#)

[AB 1699 \(Levine\) - League Support - Sen EUC](#)

[SB 46 \(Jackson D\)](#) Emergency services: telecommunications.

Current law authorizes each county, including a city and county, to enter into an agreement to access the contact information of resident accountholders through the records of a public utility or other agency responsible for water service, waste and recycling services, or other property-related services for the sole purpose of enrolling county residents in a county-operated public emergency warning system. Current law requires any county that enters into such an agreement to include procedures to enable any resident to opt out of the warning system and a process to terminate the receiving agency’s access to the resident’s contact information. Current law prohibits the use of the information gathered for any purpose other than for emergency notification. This bill would expand these provisions to authorize a city to enter into an agreement to access the contact information of resident accountholders through the records of a public utility, as specified.

League Position: Support **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[SB 46 \(Jackson\) SAMPLE Sen. Approps](#)

[SB 46 \(Jackson\) Support Senate Approps 5-3-19](#)

[SB 46 \(Jackson\) - League Support - Sen EUC](#)

[SB 46 \(Jackson\) - City Support - SAMPLE Sen EUC](#)

SB 137 (Dodd D) Federal transportation funds: state exchange programs.

Current federal law apportions transportation funds to the states under various programs, including the Surface Transportation Program and the Highway Safety Improvement Program, subject to certain conditions on the use of those funds. Current law establishes the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system, and funds that program from fuel taxes and an annual transportation improvement fee imposed on vehicles. This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for Road Maintenance and Rehabilitation Program funds appropriated to the department.

League Position: Support **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[SB 137 \(Dodd\) League Support - Asm. Trans 6-5-19](#)

[SB 137 \(Dodd\) - League Support - Sen Floor](#)

[SB 137 \(Dodd\) - City Support - SAMPLE Sen Floor](#)

[SB 137 \(Dodd\) - City Support - SAMPLE Sen Approps](#)

[SB 137 \(Dodd\) - League Support - Sen Approps](#)

SB 211 (Beall D) State highways: leases.

Would authorize the Department of Transportation to lease on a right of first refusal basis any airspace under a freeway, or real property acquired for highway purposes, that is not excess property, to the city or county in which the airspace or real property is located, or to a political subdivision of the city or county, for purposes of an emergency shelter or feeding program for a lease amount, for up to 10 parcels in the city or county, or political subdivision of the city or county, of \$1 per month, and a payment of an administrative fee not to exceed \$500 per year, as specified.

League Position: Support if Amend **Primary Lobbyist:** [Berdugo, Rony](#) **Policy Committee :** [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

[SB 211 \(Beall\) Support if Amended, Sen. Trans., 4-8-19](#)

[SB 211 \(Beall\) - City Support if Amended - SAMPLE Sen Trans](#)

SB 670 (McGuire D) Telecommunications: outages affecting public safety.

Would require a provider of telecommunications services, as defined, that provides access to 911 service to provide responder outage notification by electronic mail to the Office of Emergency Services whenever an outage occurs limiting the provider’s customers’ ability to make 911 calls or receive emergency notifications, within 60 minutes of discovering the outage. The bill would make the Office of Emergency Services responsible for notifying any applicable county office of emergency services and the sheriff of any county affected by the outage. The bill would require the responder outage notification to the Office of Emergency Services to include the telecommunications provider’s contact name, a calling number to be staffed as specified, and a description of the estimated area affected by the outage.

League Position: Support

Primary Lobbyist: [Berdugo, Rony](#)

Policy Committee : [TCPW](#)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

League Position Letter(s) & City Sample Letter(s):

- [SB 670 \(McGuire\) - League Support - Sen Floor](#)
- [SB 670 \(McGuire\) - City Support - SAMPLE Sen Floor](#)
- [SB 670 \(McGuire\) Support - SAMPLE Senate Approps](#)
- [SB 670 \(McGuire\) Support - Senate Approps 5-3-19](#)
- [SB 670 \(McGuire\) - City Support - SAMPLE Sen GO](#)
- [SB 670 \(McGuire\) - League Support - Sen GO](#)
- [SB 670 \(McGuire\) - City Support - SAMPLE - Sen EUC](#)
- [SB 670 \(McGuire\) - League Support - Sen EUC](#)

Total Measures: 17

1400 K Street, Suite 400, Sacramento, CA 95814-3916 | www.cacities.org | (916) 658-8200

ACTION ALERT!!

AB 516 (Chiu)
Authority to Remove Vehicles
OPPOSE

Background:

Cities place “boots” on a vehicles when motorists ignore addressing a minimum of five paid parking tickets. For motorists that cannot afford to pay parking tickets in full, cities offer fair and reasonable monthly payment plans as low as \$5 for those that qualify as an indigent person.

Removing vehicles that are operating unlawfully for failing to register for six or more months is an essential enforcement tool for violation of state and local laws aimed at requiring insurance, keeping our air clean, our storm drains free of pollution, and our streets safe. Motorists that allow their vehicle registration to expire for more than 6 months are not only in gross violation of state law, but are rejecting their basic responsibility to pay for transportation infrastructure, highway patrol, air quality fees, vehicle taxes, and other services, such as those provided by DMV.

In order to keep streets clean and clear and to respond to blight complaints from local residents or businesses, it is essential for cities to prevent vehicle storage/abandonment on public streets. The most important tool cities have in responding to our residents and protecting the public right of way is from issuing notices for vehicles to move within 72 hours. In most cases, these notices are triggered by complaints from local residents or businesses when cars appear abandoned or haven’t moved for an extended period of time. By the time a local jurisdiction is able to respond, more than 72 hours have typically elapsed. By the time a tow is actually enforced, a vehicle has likely remained unmoved for days and possibly weeks.

What Would AB 516 Do?

AB 516 would eliminate the ability for cities to adequately enforce state and local vehicle violations. Specifically, the measure would eliminate the ability for cities to:

- “Immobilize,” or place a “boot” on a vehicle, for motorists who have five or more unpaid parking tickets;
- Remove vehicles with registration expired for 6 or more months; and
- Remove vehicles that do not adhere to a 72-hour notice to move the vehicle.

ACTION:

AB 516 is double referred and will be heard by the Senate Transportation Committee and the Senate Public Safety Committee. This bill can be heard as early as June 11. **If you have a Senator on either of these committees, please CALL your Senator and urge their NO VOTE by June 6. In addition, please send in a letter of CITY OPPOSITION as soon as possible.** Sample letters for each committee are attached.

<u>SENATE TRANSPORTATION</u>				
Member	District	Party	Room	Phone
Bates, Patricia (Vice-Chair)	36	R	3048	916 651 4036
Beall, Jim (Chair)	15	D	2082	916 651 4015
Dodd, Bill	3	D	4032	916 651 4003

Galgiani, Cathleen	5	D	5097	916 651 4005
McGuire, Mike	2	D	5061	916 651 4002
Morrell, Mike	23	R	3056	916 651 4023
Roth, Richard	31	D	2080	916 651 4031
Rubio, Susan	22	D	4052	916 651 4022
Skinner, Nancy	9	D	5094	916 651 4009
Stone, Jeff	28	R	4082	916 651 4028
Umberg, Thomas	34	D	3076	916 651 4034
Wieckowski, Bob	10	D	4085	916 651 4010

SENATE PUBLIC SAFETY

Member	District	Party	Room	Phone
Bradford, Steven	35	D	2059	916 651 4035
Jackson, Hannah–Beth	19	D	2032	916 651 4019
Mitchell, Holly	30	D	5050	916 651 4030
Moorlach, John (Vice-Chair)	37	R	2048	916 651 4037
Morrell, Mike	23	R	3056	916 651 4023
Skinner, Nancy (Chair)	9	D	5094	916 651 4009
Wiener, Scott	11	D	5100	916 651 4011

You can find your Legislator's contact information here: <http://findyourrep.legislature.ca.gov/>.

Talking Points:

- AB 516 would eliminate enforcement tools to address motorists who disregard basic vehicle laws designed to benefit our entire community.
- The immobilization of a vehicle is only used when someone has five or more unpaid parking tickets and has ignored the payment plans offered to them by our city.
 - In the **City/Town of _____**, these monthly payment plans are as low as **\$_____** for an indigent person, which is fair and reasonable.
- The approach in AB 516 rewards people who fail to pay their parking tickets, register their vehicles, or adhere to reasonable policies aimed at preventing abandonment and/or street storage of vehicles, regardless of income.
- Eliminating proportional consequences for local vehicle violations will exacerbate parking scarcity by creating an environment vulnerable for exploitation.
- AB 516, coupled with efforts by the state aimed at eliminating local parking minimums, will create quality of life concerns across income demographics in California.