



**Transportation, Communications, and Public Works Policy Committee**  
**Thursday, June 4, 2020**  
**9:30 a.m. – 12:30 p.m.**

To join the meeting, please register here:

[https://zoom.us/join/joinMeeting/register/tJwtcu2hqToiEt3w\\_foUoQXemloLVRiUoO1Y](https://zoom.us/join/joinMeeting/register/tJwtcu2hqToiEt3w_foUoQXemloLVRiUoO1Y)

Once you register, you will immediately receive a link to join the meeting.

## AGENDA

**I. Welcome and Introductions**

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

**II. Public Comment**

**III. General Briefing (Handout)**

**IV. COVID-19 Update**

*Informational*

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

**V. Governor's May Revision Budget Update**

*Informational*

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

**VI. Innovative Mobility Solutions Update**

*Informational*

*Speaker: Lori Pepper, Deputy Secretary, Innovative Mobility Solutions, California State Transportation Agency*

**VII. CPUC Broadband and Digital Divide Update**

*Informational*

*Speaker: Commissioner Martha Guzman Aceves, California Public Utilities Commission*

*Speaker: Michael Mullaney, Communications and Transportation Advisor, California Public Utilities Commission*

*Speaker: Rob Osborn, Communications Division Dir., California Public Utilities Commission*

*Speaker: Michael Minkus, Communications Division Policy Advisor, California Public Utilities Commission*

**VIII. Broadband Policy (Attachment A)**

*Action*

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

**IX. Legislative Update (Attachment B)**

*Informational*

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

**X. Adjournment**

**Next Meeting (tent.): Annual Conference, Long Beach, October 7**

*Staff will notify committee members after August 17 if the policy committee will be meeting in October.*

**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  
June 2020**

**Proposed Additions to the Summary of Existing Policy and Guiding Principles**

Purpose:

As local governments are addressing the spread of COVID-19 across the state, lack of access to reliable and affordable broadband service has been especially highlighted as unserved and underserved communities have struggled to stay connected to school, work, and healthcare in the new digital environment. While Californians are increasingly using the internet to connect with one and other, local governments have taken to online platforms to ensure civic engagement during these unprecedented times. Additionally, for the first time, the federal government collected responses to the 2020 census online showing that government is moving toward more digital use.

Despite increases in broadband deployment over the last decade, one in eight California homes do not have access to high-speed internet.<sup>1</sup> Additionally, the digital divide between rural and urban areas widens as internet speeds increase, with rural communities disproportionately being unserved or underserved.<sup>2</sup>

The state has mobilized to address these concerns concurrent with COVID-19 response. The California Public Utilities Commission has allocated millions to support connectivity statewide, Legislators are planning to introduce a multi-million dollar broadband bond, and cities have been using their own resources to launch mobile hotspots. While the League has existing policy related to high-speed internet and access to telecommunications, League policy does not specifically mention broadband deployment or the digital divide. Additional guidance in this policy area from our members would prove beneficial for the League's continued engagement on such issues. Additionally, the Transportation, Communications, and Public Works policy committee included rural broadband deployment in its 2020 Workplan.

Existing League Policy:

As noted below, the League's Summary of Existing Policy and Guiding Principles does mention access to high-speed internet and telecommunications. However, the existing policy does not mention the League's position on broadband deployment and closing the digital divide.

- **"Net Neutrality:** Access to fast, reliable, and high quality internet is essential for the success of our collective communities."
- **"Net Neutrality:** Reliable communications and data networks for essential services, such as police and fire, are necessary, especially during times of emergency."
- **"Net Neutrality:** Communications and data networks are increasingly important for the relationship between local government and its residents and businesses."

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<sup>1</sup> [California Emerging Technologies Fund, 2019 Annual Survey](#)

<sup>2</sup> [California Public Utilities Commission, 2019 Annual Report, California Advanced Services Fund, Published April 2020](#)

- “**Access:** All local community residents should be provided access to all available telecommunications services.”

Proposed Changes:

**Access:** All local community residents should be provided access to all available telecommunications services. **The League supports funding and resources to provide access to high-speed broadband infrastructure, including municipal broadband, for all California communities, to close the digital divide, especially in unserved and underserved communities.**

Staff Comments:

League staff believes the policy detailed above will provide needed clarity to the Transportation, Communications, and Public Works section of the League’s Summary of Existing Policy and Guiding Principles. This policy will ensure that the League continues to play an integral role in advocating for reliable and affordable broadband service throughout the state.

Staff Recommendation:

League staff recommends **adopting** the proposed policy.

**Transportation, Communications, and Public Works Policy Committee  
Bills of Interest – June 2020**

**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 that 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 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:** Pending

**AB 2421 (Quirk) Land Use: Permitting: Wireless Communications.**

This measure would require local agencies to adopt completed permit applications to install an emergency standby generator within the physical footprint of a macro cell tower site within 60 days of submittal of the application. If a local agency has not approved or denied such permit applications within 60 days, the permit will be deemed approved.

**League Position:** Neutral

**AB 2730 (Cervantes) Access and Functional Needs: Local Government: Agreement for Emergency Management, Transportation, and Paratransit Services.**

This measure would require a county to enter into an agreement with an adjacent county for emergency management and transportation services in the event of an emergency that requires the evacuation and relocation of the access and functional needs population in the adjacent county.

**League Position:** Watch

**AB 3116 (Irwin) Mobility Devices: Personal Information.**

This measure limits the type of data local agencies receive from mobility service providers, operating in their jurisdictions, to aggregated deidentified data. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met. AB 3116 is not limited to data for micromobility, but also future modes of transit.

- “Aggregated” – Data reflects average information, including trip length, trip duration, approximate trip, and location of no less than five separate trips by no less than five separate users.
- “Deidentified” – Information that cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, to a particular user or trip.

**League Position:** Oppose

**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

**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:** Support

**SB 865 (Hill) Excavations: Subsurface Instillations.**

This measure would strengthen safe excavation practices by increasing collaboration between excavators and operators, requiring data sharing amongst key stakeholders, and moving the Dig Safe Board to the Office of Energy Infrastructure Safety. Entities that violate the requirements of SB 865 will face civil penalties.

**League Position:** Support

**SB 1058 (Hueso) Communications. Moore Universal Telephone Service Act and Internet Service Providers.**

This measure would require the California Public Utilities Commission (CPUC) to evaluate the extent to which federal reductions in lifeline telephone service subsidies and the lack of access to reliable, affordable broadband voice service would result in rates limiting access to basic voice service. This bill would also require the commission to direct every internet service provider, to file an annual emergency operations plan.

**League Position:** Support

**SB 1069 (Jackson) Telecommunications: emergencies and natural disasters: critical communications infrastructure.**

Would require each provider of telecommunications service to notify local emergency management officials about the location and status of the provider's critical communications infrastructure, provide the contact information for an official representative of the provider able to assist local emergency operations, report to local emergency management authorities transmission status of emergency alerts, notifications, and messages, and notify local and state emergency management officials of impacted critical communications infrastructure within their jurisdictions that has been damaged or otherwise rendered inoperable.

**League Position:** Pending Support

**SB 1130 (Gonzalez) Telecommunications. California Advanced Services Fund.**

This measure would require the California Public Utilities Commission (CPUC) to develop, implement, and administer the California Advanced Services Fund program to encourage deployment of 21st century-ready communications. The bill would provide that the goal of the program is to approve funding for infrastructure projects that will provide high-capacity, future-proof infrastructure to unserved areas or unserved high-poverty areas.

**League Position:** Support

**SB 1238 (Hueso) Road Project Contracts: Preference: Recycled Plastics.**

Would require the Department of Transportation to conduct a study to determine if including recycled plastics in asphalt used for a construction and repair project of a state highway is feasible. If the department determines that this use of recycled plastics is feasible and that recycled plastics can be included in asphalt in a manner that is cost effective and provides life-cycle environmental benefits, the bill would authorize the department to establish specifications for including recycled plastics in asphalt used as a paving material in the construction, maintenance, and rehabilitation of a highway or road.

**League Position:** Watch