

TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE HIGHLIGHTS

Thursday, April 12, 2018

Sheraton Fairplex Hotel & Conference Center, 601 West McKinley Avenue, Pomona

ATTENDANCE

Members: Lindsey Horvath (V. Chair), Newell Arnerich, Sean Ashton, Timm Borden, Randy Breault, Ross Chun, Keith Cooke, Jim Cox, Debra Dorst-Porada, Paul Fadelli, Benjamin Fine, Alice Fredericks, Chris Freeland, Lakhvir Ghag, Vartan Gharpetian, Jeff Giba, Charles Herbertson, Bryon Horn, Christian Horvath, Linda Krupa, Valerie Kushnerov, Jeff Lee, Chin Ho Liao, Fabian Lizarraga, Jennifer Mendoza, Lou Munoz, Henry Nickel, Debbie Peterson, Ron Rowlett, Ali Saleh, Jay Spurgin, George Spurr, Barb Stanton, Charles Swimley, Dan Talbot, Steven Vargas, Bryce Wilson

League Partners: Marc Myers

Staff: Rony Berdugo, Derek Dolfie

I. State Budget and Issues Briefing

The April 2018 Policy Committee meetings began with a general session briefing and an introduction from Rich Garbarino, League President, Council Member, South San Francisco. President Gabarino gave a brief welcome highlighting the importance of the League's 2018 Strategic goals and thanking everyone for their attendance. He then introduced League Deputy Executive Director/Legislative Director, Dan Carrigg, to discuss state budget and legislative issues.

Mr. Carrigg and Michael Coleman, the League's Fiscal Policy Advisor, provided an update on the Governor's budget. Mr. Coleman gave a brief presentation regarding the makeup of California's budget and discussed the projected surplus of an estimated \$6 billion.

Mr. Carrigg stated that the Governor's first commitment with additional funds is to fill California's 'Rainy Day' reserve fund to its constitutional limit. With several billion more in additional funds available, in addition to supporting additional funding to address homelessness, the League is making three budget requests: \$100 million for disaster equipment pre-positioning; \$100 million for the Transformative Climate Communities program; and \$100 million for organic waste recycling infrastructure.

Mr. Carrigg gave an update on the major ballot issues coming up in 2018, including the California Business Roundtable Initiative, which would limit the ability of cities to raise taxes and fees to provide essential services to their communities. He gave a background on the measure and stated that the League and a strong coalition of local government and labor associations are opposed and will continue to fight this initiative. Finally, he gave a brief overview of other initiatives that may be on the ballot ranging from rent control to splitting California into three states. He then introduced League's lobbyists to discuss their respective major issue areas.

Rony Berdugo, Legislative Representative, discussed the League's strategic goal of protecting existing transportation funding for local priorities and the ongoing SB 1 repeal effort. He described the League's campaign to protect SB 1 dollars and presented cities with several ways they can do their part to protect the funding. He also discussed Proposition 69, on the June ballot, which will ensure that the revenue created by SB 1 is constitutionally restricted for transportation purposes. For cities looking to join in the League's advocacy efforts, both to oppose any gas tax

repeal effort and to support the constitutional protections on the June 2018 ballot, please visit <https://fixcaroads.com/> to learn more.

Next, Jason Rhine, Assistant Legislative Director, briefed members on the issues surrounding affordable housing, homelessness, and land use. Mr. Rhine focused on the housing affordability and availability challenges throughout the state. He noted that even with the passage of last year's 15-bill "housing package," housing legislation continues to be a high priority for the Legislature this year.

Mr. Rhine discussed the League's opposition to SB 827 (Wiener), which would exempt certain housing projects from locally developed and adopted height limitations, densities, parking requirements, and design review standards. He also discussed the large number of bills introduced this year that touch on nearly every aspect of the current housing law. Also outlined were: HCD's projected milestones for SB 2 and the revenue that it will generate, homelessness funding, the Veterans and Affordable Housing Bond Act of 2018 and No Place Like Home funding. Mr. Rhine went on to discuss the Joint Task Force Report on Homelessness and its findings. The report can be found here: [Homelessness Task Force Report - Tools and Resources for Cities and Counties](#)

Dane Hutchings, Legislative Representative, provided an update on pensions and other labor and governance issues. He gave an overview of what will be happening on pensions this year and referenced the League's [Pension Survey Report](#). Mr. Hutchings stressed that cities are struggling with increasing costs and securing additional flexibility. He described the reality of attempting to find a solution to the pension issue in Sacramento and explained the League's strategy. Additionally, Mr. Hutchings discussed the League's opposition to AB 1912 (Rodriguez), which would apply prospective and retroactive joint and several liability to agencies who have entered into a JPA for all retirement related liabilities for any public retirement system. This measure would not just apply to CalPERS but any county retirement system as well. Mr. Hutchings also briefly described a CalPERS divestment bill.

Erin Evans-Fudem, Legislative Representative, highlighted evolving environmental and community issues. She discussed the importance for cities to engage in discussions about several issues including organic waste recycling regulations, disaster relief and wildfire response legislation, offshore drilling, and clean drinking water legislation. Specifically, she discussed Propositions 68 and 72, which are on the June ballot. Proposition 68 is the park and water bond which will bring more funding to maintain parks and protect water storage and infrastructure. Proposition 72 would give a tax exemption to those who install a rainwater capture system on their property. She also elaborated on the League's several budget requests: \$100 million for fire prevention; \$100 million for waste diversion; and \$100 million for the Transformative Climate Communities program.

With the current absence of a public safety legislative representative, Dan Carrigg provided an update on public safety and revenue and taxation. Mr. Carrigg gave a brief update on the public safety initiative sponsored by the California Police Chiefs Association and the Grocers Association that attempts to address issues of chronic retail theft and violent crime. Having initially thought that the amount of cannabis legislation would slow down after last year, he reported that there are a large number of bills introduced attempting to change laws surrounding cannabis. He also briefly touched on drones as an emerging policy area.

Mr. Carrigg continued his presentation on revenue and taxation and an update regarding some important initiatives that may make their way onto the November ballot. He gave an update

regarding tax increment tools and redevelopment. Mr. Carrigg went on to describe the various tools available to cities and the potential for redevelopment to come back. The League will continue working with Legislators to continue to expand the options for local agencies. He briefly discussed legislation regarding annexations and incorporations.

II. Welcome and Introductions

Members of the committee introduced themselves and welcomed all new members. The Vice Chair Lindsey Horvath thanked the members for their time and contributions. Vice Chair Horvath chaired the meeting in Chair Soria's absence.

III. Public Comment

No public comment.

IV. Ballot Measures Update

Brandon Castillo, from Bicker, Castillo, Fairbanks, gave an update to the committee on several ballot measures, include Proposition 69 and the potential SB 1 repeal. Mr. Castillo then gave an update on the implementation of SB 1 and stressed the importance of promoting local projects in their communities. Mr. Castillo then discussed how cities could use the SB 1 toolkit to promote their local projects. He then discussed the SB 1 repeal effort and ballot measure campaign for Proposition 69. Mr. Castillo then took several questions from the committee.

V. Legislative Update

League staff gave an update on legislation to the committee. League staff discussed SB 833 (McGuire) and the League's support for the bill. SB 833 was the only bill the League had a position on at that time.

VI. Legislative Agenda

A. AB 1395 (Chu) State Highways. Department of Transportation. Litter Cleanup and Abatement. Report.

League staff discussed AB 1395 (Chu) and explained it's potential effects on cities. League staff then took questions from the committee. Then a motion to take no position on this bill was made and seconded. Then a substitute motion to oppose AB 1395.

Committee Action: Motion to oppose the bill was made and seconded. Motion passes with majority support.

B. AB 1999 (Chau) Local Government. Public Broadband Services. SB 460 (de León) Telecommunications. Universal Service.

The committee, at the request of League staff, discussed both AB 1999 (Chau) and SB 460 (de León) together because they touch on the issue of net neutrality and do relatively similar things. League staff then gave the committee an overview of the bills to and took questions. The committee then discussed the two bills at length, with robust debate from numerous members of the committee. The discussion focused on numerous things, including the perceived necessity to weigh in on such an important issue and concerns over altering the free market, missing a potential opportunity for cities to make money on public broadband, and the need for more information of what these bills would do to cities.

Several motions were made after the committee finished their discussion. First, a motion to support was made and seconded. Then a substitute motion to be opposed was made and seconded. Next, another substitute motion to support SB 460 and an oppose position AB 1999 was made and seconded. The last substitute motion to support SB 460 and oppose AB

1999 failed with majority support. Then the motion to oppose both bills failed on a 11-19 vote. Next the motion to support both bills failed on a 15-17 vote. After these motions failed, the committee made a motion and seconded to watch both bills and study the issue further.

Committee Action: Motion to watch both bills and study this issue and NLC's position and come back to the committee in June with more information was made and seconded. The motion passes with majority support.

C. AB 2681 (Nazarian) Seismic Safety. Potentially Vulnerable Buildings.

League staff discussed AB 2681 (Nazarian) and explained its potential effects on cities. League staff also informed the committee that the bill was recently amended and the current analysis did not reflect the new amendments. League staff then took questions and the committee discussed the bill. The committee expressed concerns over implementing this bill, including the associated costs of implementing this bill and how more funding would be needed to build buildings more safely. Then the committee expressed their desire to develop policy on this issue, and a motion was made and seconded to have league staff come up with policy principals and to take no action on this bill. Then the committee made and seconded a motion to oppose this bill and direct league staff to come back in June to further define policy.

Committee Action: Motion to oppose the bill and direct League staff to discuss further policy on this bill passed with majority support.

VII. State Fire Response and Disaster Relief Draft Policy

League staff gave a presentation on the 70 disaster relief bills that were introduced this year to address the wildfires and mudslides across the state. The committee discussed these bills and had some potential concerns with liability and negligence thresholds for utilities.

VIII. State and Federal Drone Policy Update

League staff gave a presentation on the current state of drone regulation at the local, state, and federal level. League staff sought feedback from the committee on draft drone policy principles and asked for volunteers to serve on a League drone task force to further develop the policy principles and potential legislation.

IX. Panel Discussion: Wireless Facilities – Industry Perspectives

League staff gave a brief overview of SB 649 (Hueso) from last year and the League's many concerns with the bill and gave a brief introduction to the panelists. Marc Blakeman, Vice President External Affairs, AT&T and Teresa Acosta, Vice President, Madaffer Enterprises gave a presentation on the telecoms industry perspective on the deployment of small cells. Teresa Acosta, who represents Crown Castle, gave a presentation on emerging technologies including small cell infrastructure. Next Marc Blakeman gave a presentation on AT&T and what they are doing in regards to rolling out small cell infrastructure. Then both Teresa and Marc then took numerous questions from the committee.

Next Meeting: Thursday, June 7, Sacramento Convention Center, Sacramento