



Transportation, Communications, and Public Works Policy Committee

Thursday, January 18, 2024 • 9:30am – 12:30am

Register for this meeting:

<https://us06web.zoom.us/meeting/register/tZMlfuqtrD8jGtKXYygO3uHvg5SzFkyLQn6k>

Immediately after registering, you will receive a link and confirmation email to join the meeting.

AGENDA

I. Welcome and Opening Remarks

Speakers: Chair Colleen Wallace, Council Member, Banning
Vice-Chair Fred Jung, Mayor, Pro Tem Fullerton
Cal Cities President Daniel Parra, Mayor, Fowler
Cal Cities Executive Director and CEO Carolyn Coleman

II. General Briefing (Attachment A)

III. Existing Policy and Guiding Principles (Attachment B)

Action

Speaker: Damon Conklin, Legislative Representative, Cal Cities

VII. Transportation Funding and Gov Budget

Informational

Speakers: Frank Jimenez, Sr. Fiscal and Policy Analyst, Legislative Analyst Office
Luke Koushmaro, Sr. Fiscal and Policy Analyst, Legislative Analyst Office

IV. Renewable Energy Integration and Grid Scale Battery

Informational

Speaker: Storage Mathew Gevercer, Market Monitor Economist, California ISO

V. Adoption of 2024 Work Plan – Committee discussion and approval

Action

Please complete this [brief survey](#) by January 15 to inform the work program.

VIII. Public Agency Custom Apps

Informational

Speakers: Matthew Aveling, National Public Safety Advisor, OCV LLC
Phil Hagan, Communication Strategist, OCV LLC

IX. CEC Programs and Grants

Informational

Speakers: Brian Fauble, Energy Commission Specialist, Calif. Energy Commission
Corey Permann, Innovation Unit Manager Calif. Energy Commission
Danny Leung, Energy Commission Specialist, Calif. Energy Commission

X. Legislative Update – Overview of current legislative, regulatory and budgetary developments

Informational

Speakers: Damon Conklin, Legislative Representative, Cal Cities
Waleed Hojeij, Legislative Affairs and Policy Analyst, Cal Cities

XI. Closing Remarks and Adjourn

*Speakers: Chair Colleen Wallace, Council Member, Banning
Vice-Chair Fred Jung, Mayor, Pro Tem Fullerton*

Next Meeting: Thursday March 21, 2024 (In Person) 10:00 a.m. – 2:00 p.m.

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.

The January 18-19, 2024 Policy Committees General Briefing

Overview:

The first month of the Legislature's return to Sacramento focused on moving bills from last year to the second house along with Gov. Gavin Newsom unveiling his proposed budget.

The bill introduction deadline is February 16. As the tidal wave of new bills are introduced, legislative policy committee and budget subcommittee meetings will begin in earnest beginning in late February and early March. This will be the first opportunity for Cal Cities to advocate on legislation important to cities.

Governor's Proposed Budget Highlights:

If there are two things Gov. Gavin Newsom wants everyone to take away from this year's \$291.5 billion budget proposal, it's "accountability and stretching those tax dollars." The proposal avoids deep cuts to most programs through a combination of reductions, borrowing, delays, deferrals, and shifts. Climate change and housing received the largest cuts, with existing spending largely maintained in other areas.

Newsom also said the magic word: ongoing. Last week, the League of California Cities called on lawmakers to honor previous funding commitments and create an ongoing funding stream to increase affordable housing and reduce homelessness. Although the latter was noticeably absent, Newsom did not claw back any current commitments on homelessness and acknowledged that conversations about ongoing funding are in play. He also underscored the need for strong state-local partnerships.

"We welcome the Governor's commitment to working closely with the Legislature on additional, ongoing funding to support local governments' response to the homelessness crisis," said Carolyn Coleman, Cal Cities executive director and CEO. "However, we can't afford to defer or delay the urgent need to put a roof over the heads of all Californians. That's why we are concerned about the roughly \$1 billion in proposed cuts to key housing programs."

The budget proposal is the first step in a lengthy series of negotiations over many months. Complicating this year's negotiations is what the Newsom Administration attributed to a difference in opinion about the state's short-term economic outlook. The Governor is projecting a \$38 billion deficit — far less than the Legislative Analyst's Office (LAO) predicted. A comprehensive Cal Cities budget breakdown can be found [here](#).

Policy Committee Information:

Community Services

Caroline Grinder, Lobbyist

This year, Cal Cities will continue to advocate for [ongoing funding to address homelessness](#). Cities fared well in the budget when it comes to homelessness funding commitments made in prior year's budgets. However, while the budget does not propose cuts to these critical programs, it also does not propose any new funding allocations. As in previous years, Newsom reiterated his focus on working with the Legislature to increase

oversight and accountability for how local governments utilize state homelessness funding. Cal Cities will continue to emphasize that accountability for state funding at the expense of action fails to expand or develop cities' capacity to address immediate homelessness challenges.

In breaking news, Cal Cities Board of Directors voted overwhelmingly to [support Proposition 1](#) during their December meeting. Proposition 1 will appear on the March 2024 ballot and includes substantial changes to the Mental Health Services Act and a \$6.38 billion bond to fund over 11,000 new behavioral health beds. In addition to supporting Proposition 1, Cal Cities Board directed staff to engage in the regulatory process and pursue legislation to implement reasonable oversight of licensed recovery housing and sober living homes to ensure the safety and success of those receiving services and support.

Looking to the year ahead, the Community Services Policy Committee will remain committed to advancing Cal Cities' [advocacy priority](#) of expanding investments to prevent and reduce homelessness. The committee will also continue to focus on other pressing issues, such as addressing the substance use and mental health crisis, supporting early learning and childcare programs, increasing access to open space, and bolstering cities' efforts to prepare for and respond to emergencies, among other issues.

Environmental Quality

Melissa Sparks-Kranz, Lobbyist

While the proposed budget maintains several noteworthy investments, as mentioned, it contains substantial reductions and shifts in funding that will impact cities. This year sees a major shift in funding which includes \$2.9 billion in reductions, \$1.9 billion in delays of expenditures to future years, and \$1.8 billion in shifts to other funds for climate-related programs. Additionally, we anticipate significant movement in the Legislature on several policy areas, including in organic waste, water management, and clean energy.

Climate Change

In years past, the Governor has identified combating climate change as a key priority within the administration. With the proposed budget limiting climate funding, such as the \$475 million reduction of planned investments in the Climate Innovation Program, Cal Cities anticipates a key focus of the Legislature will be around the climate bond proposals as a way to finance the long-term necessary capital investments to support the state's robust climate goals. With multiple climate related proposals introduced in last year's legislative session, Cal Cities will continue its active engagement to support a climate bond that would move to the ballot in November 2024.

Single Use Plastics, Recycling, and Organic Waste Diversion

This year started off with the release of the draft regulations for the single use packing and plastic food ware legislation, SB 54 from 2022. Cal Cities will be engaging with Cal Recycle over the next year on the regulations, as well as the Producer Responsibility Organization

representing plastic producers who have the extended responsibility of managing plastics through the end of their life cycle, including reimbursement to local jurisdictions implementing these recycling programs. Cities are implementing CalRecycle's SB 1383 organic waste diversion regulations; however, Cal Cities anticipates significant legislation to be introduced to reform SB 1383 following the analysis conducted by the Little Hoover Commission released in August 2023, which called upon the Legislature to put a complete pause on implementation of the statewide program. Cal Cities will continue to advocate for progress but will be weighing in on legislation to ensure city interests are protected if changes to the program are forthcoming.

Drought & Water Supply

California has experienced both extreme atmospheric river storms and megadrought conditions in the last several years. Early predictions show this water year starting out with less than average snowpack and precipitation conditions. The Governor's proposed budget reduces funding for various water programs and drought resilience by \$1.4 billion, the largest reduction being the \$350 million over the next two years for various watershed climate resilience programs. As a consequence of severe weather events and weakened funding, a large focus this year in the Legislature will be on the continuing water rights bills, as a means to evolve the overall management of water supply throughout the state. The discussions will continue with the state on the long-term urban water conservation standards that are currently going through the formal rulemaking process. As new legislation is introduced, Cal Cities will continue to review, analyze, and provide updates as needed.

Energy

Lastly, as the state moves towards its 100% clean energy and zero-emission future, city roles in this space will become more prominent. With more and more cities passing reach codes to phase out natural gas in their buildings and moving to incentive deployment of electric vehicle charging stations, the state will be looking to continue to partner with cities on accelerating this transition. Cal Cities anticipates the exploration of hydrogen manufacturing facilities with California receiving a National Hydrogen Hub award, of up to \$1.2 billion from the U.S. Department of Energy in October 2023 to accelerate the development and deployment of clean renewable hydrogen. Cal Cities will be monitoring these efforts and if additional legislation is introduced.

Despite this year's budget shortfalls in our policy area, the Environmental Quality Policy Committee will remain committed to advancing Cal Cities' [advocacy priority](#) of strengthening climate change resilience and disaster preparedness.

Governance, Transparency, and Labor Relations

Johnnie Piña, Lobbyist

The Governor's January budget contains investments aimed at improving worker health and safety programs, unemployment, paid family leave, and workers' compensation wait

times. While the budget largely maintains workforce investments, it does propose several reductions and delays in funding for workforce training and apprenticeships.

Legislatively, this year will be another year full of bills related to the governance, transparency, and labor relations space. We will see legislation related to challenges cities continue to face including managing California Public Records Act requests, managing upcoming elections, grappling with emerging technology such as artificial intelligence, managing disruptions in public meetings, dealing with hiring challenges and growing labor costs all in a time of economic uncertainty.

The Ralph M. Brown Act

Cal Cities is a co-sponsor of [AB 817 \(Pacheco\)](#) which passed out of the Assembly Local Government Committee this week and will continue to move through the legislative process. This measure would remove barriers to entry for appointed and elected office by allowing nondecision-making legislative bodies that do not have the ability to take final action to participate in two-way virtual teleconferencing without posting their location.

Housing, Community, and Economic Development

Waleed Hojeij, Policy and Legislative Affairs Analyst

Last year, more than 100 housing related measures were introduced in the legislature. We anticipate a similar number this year. Lawmakers are likely to focus on proposals seeking to require additional housing streamlining processes, adaptive reuse of existing structures, density bonus expansion, elimination of parking requirements, caps of development fees, and by-right housing approvals.

To complicate the matter further, the Governor is projecting a \$38 billion budget deficit. To help close the significant gap, he is proposing to cut \$1.7 billion from various housing programs. These cuts put California cities in a difficult position when it comes to spurring much needed housing development. The elimination of \$250 million from the Multifamily Housing Program leaves only \$75 million for 2023-2024. This is one of the most successful state programs to development multifamily housing, including affordable housing. The Governor would also like to cut \$200 million from the Infill Infrastructure Grant Program, leaving only \$25 million in 2023-2024. This grant program is already a highly competitive grant that helps provide funding for essential infrastructure. Without this funding many projects will be unable to be constructed.

While the Governor remains optimistic about our economic forecast, the Legislative Analyst's Office suggests a potential economic recession in the near future. Regardless, we will remain dedicated to supporting legislation that provides essential tools and incentives that bolster job creation and retention. The budget projects modest wage growth, personal income growth, historically low interest rates, and increased residential building permits in 2024. Some notable economic development allocations include:

- California Competes Program: Commits \$60 million to extend the California Competes grant program for one additional year.

- Recapitalization of the Infrastructure State Revolving Fund: A one-time increase of \$50 million to recapitalize the Infrastructure State Revolving Fund at the California Infrastructure and Economic Development Bank (IBank).

Public Safety

Jolena Voorhis, Lobbyist

Many cities have seen a significant increase in retail theft, organized retail theft, and smash and grabs. The Governor's proposed budget maintains existing efforts to reverse this trend, for a total of \$373.5 million over four years starting in 2022-2023. This includes resources for the California Highway Patrol's retail theft task forces and local law enforcement.

Other notable budget proposals include more funding to combat fentanyl, as well as some delays in programs and changes to various fire protection programs.

Regarding the outlook for 2024, please see the issues noted below:

Retail Theft

The Assembly has prioritized retail theft as a top priority and created the Select Committee on Retail Theft which met on December 19, 2023, and is expected to meet two more times in January. The Speaker and the Chairs of both of the relevant policy committees have indicated that changes to Proposition 47 are on the table for discussion and specific attention has been placed on addressing repeat offenders and having accountability for shoplifting and other theft.

The Little Hoover Commission is also holding hearings on retail theft as requested by the Legislature and is working on a report to be released in the spring. The Commission has held two hearings so far and speakers have included City Councilmember Gabe Quinto from El Cerrito, the California Retailers Association, and the California Grocers Association.

Addressing retail theft and the increase in crime is also one of Cal Cities top priorities. Cal Cities is working with a large coalition of other groups including the Police Chiefs, Retailers, Grocers, Probation Chiefs, Sheriffs and the Chamber to work on a solution to this problem this year.

The Governor announced several [legislative proposals](#) to address retail theft on January 8, 2024. This legislative package on retail theft would address the following issues: reselling, aggregation, organized retail theft, and local enforcement.

However, it should be noted, that these proposals would not amend Proposition 47 and therefore the impact may be limited.

Cannabis

Cal Cities expects several pieces of legislation on the cannabis issue, specifically related to local control issues and the implementation of AB 2188 related to drug testing of employees.

Fentanyl

Cal Cities is anticipating several bills to be introduced on Fentanyl in 2024. Of note is proposed legislation by Governor Newsom to add tranq to the list of crimes that could be prosecuted as a felony.

Revenue and Taxation

Ben Triffo, Lobbyist

The 2024-25 budget is shaping up to be a contentious challenge. In December 2023, the LAO reported that revenues were well below prior estimates, leading to a long-term budget deficit projection of \$68 billion. The Governor's January budget proposal falls in between those numbers, with Newsom predicting a \$37.86 billion shortfall. According to the Governor, this difference boils down to Prop. 98 savings, workload reductions, new revenues, and "less pessimism" about the near future.

The Governor's proposed budget draws \$13.1 billion from the state's reserve accounts, which the Administration described as an appropriate tool to help balance the deficit. The rest of the shortfall is balanced with \$8.5 billion in reductions, \$5.7 billion in internal borrowing, \$5.1 billion in delays, \$3.4 billion in fund shifts, and \$2.1 billion in deferrals. The Governor's proposed budget maintains \$18.4 billion in budgetary reserves.

ACA 13 and the Taxpayer Protection and Government Accountability Act

In other news, the Cal Cities Board of Directors voted unanimously to support ACA 13 (Ward) during the December meeting. ACA 13 is an effort to stop the "Taxpayer Protection and Government Accountability Act" initiative. The initiative — sponsored by the California Business Roundtable — would expand the definition of a tax and raise the voter approval threshold for some local taxes. The initiative would also limit certain fees to the minimum amount necessary to provide the service. Collectively, this measure annually places billions of local government revenue dollars at risk.

ACA 13, if approved by voters, would require any state or local initiative measure to conform with any increased voter threshold that it seeks to impose on future ballot measures. For example, if a measure looks to increase the voter threshold of a specific tax measure from a simple majority (50% +1) to a supermajority (two-thirds), the measure would be required to pass by that same supermajority. The measure also preserves the right of local governments to place advisory questions on the ballot and states that the provisions of this constitutional amendment apply to all statewide initiative measures submitted to voters on or after Jan. 1, 2024. If ACA 13 is approved by voters in November 2024, the Taxpayer Protection and Accountability Act would be required to pass by a two-thirds majority.

Going Forward

In 2024 the Revenue and Taxation Policy Committee will promote Cal Cities' advocacy priority of safeguarding local revenues and bolstering local economic development. The committee will also stay apprised of the recommendations being crafted by the City Managers Sales Tax Working Group and will fight any attempt to backfill the state's budget deficit using local revenue streams that provide essential local services.

Transportation, Communications, and Public Works

Damon Conklin, Lobbyist

Transportation

The Governor's proposed budget uses a combination of shifting and delaying funds to uphold 99 percent of last year's transportation commitments, resulting in \$13.6 billion. This includes \$791 million in funds shifted from the Greenhouse Gas Reduction Fund and \$3.1 billion in delays across various programs. The proposed budget also maintains \$10 billion — extended over seven years — in investments to further the transition to zero-emission vehicles. The largest spending reduction was \$200 million from the Active Transportation Program, leaving \$850 million for clean transportation and mobility programs, such as pedestrian and bicycle pathways.

The Governor's proposed budget proposes to delay \$1 billion of formula Transit and Intercity Rail Capital Program grant funding from 2024-25 to 2025-26 budget, leaving \$1 billion for this program in 2024-25; dedicate \$4.2 billion Proposition 1A for the High Speed Rail Authority to continue building the 119-mile Central Valley Segment from Madera to just north of Bakersfield; dedicate \$1.2 billion for projects that improve goods movement on rail and roadways at port terminals, including railyard expansions, new bridges, and zero-emission modernization projects; and delay \$45 million from the General Fund for grants intended to support zero-emission vehicles.

Autonomous Vehicles

Cal Cities is co-sponsoring legislation, [SB 915 \(Cortese\)](#) to prioritize local control in the decision to deploy autonomous vehicle (AV) services, where a company has already received any deployment approval by the DMV and the CPUC. Also, the measure seeks to improve public safety by addressing the problem of AVs delaying or interfering with emergency vehicles by allowing first responders and law enforcement to override a wayward AV that interferes with an emergency situation.

Advance Clean Fleet

The Advanced Clean Fleets (ACF) Regulation is the latest development by CARB to set increasingly stringent emission standards for mobile sources. Compliance requirements have already begun January 1, 2024, and reporting is due April 1, 2024. From 2024 to 2026, 50% of all vehicles, including class 2b-8 trucks (vehicles over 8,500 pounds), acquired by state or local governments must be ZEV. In 2027, that mandate moves to 100%.

Cal Cities will be looking at sponsoring and advancing legislation in 2024 to provide greater flexibility for cities compliance to the ACF regulations.

To find a list of relevant bills for each policy committee, please visit our [bill search webpage](#).

Transportation, Communication and Public Works

Scope of Responsibility

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

Summary of Existing Policy and Guiding Principles

Transportation

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

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

- System Preservation and Maintenance. Given the substantial needs for all modes of transportation, a significant portion of new revenues should continue to focus on system preservation. Once the system has been brought to a state of good repair, revenues for maintenance of the system would be reduced to a level that enables sufficient recurring maintenance.
- Commitment to Efficiency. Priority should continue to be used to improve current systems. Recipients of revenues should incorporate operational improvements and new technology in projects.
- All Users Based System. New revenues should continue to be borne by all users of the system from the traditional personal vehicle that relies solely on gasoline, hybrid or electric technology, to commercial vehicles moving goods in the state, and even transit, bicyclists, and pedestrians who also benefit from the use of an integrated transportation network.
- Alternative Funding Mechanisms. Given that new technologies continue to improve the efficiency of many types of transportation methods, transportation stakeholders must be open to new alternative funding mechanisms. Further, the goal of reducing greenhouse gases is also expected to affect vehicle miles traveled, thus further reduce gasoline consumption and revenue from the existing gas tax. ~~The existing user based fee, such as the base \$0.30 cent gas tax is a declining revenue source. Collectively, we must have the political will to push for sustainable transportation revenues.~~ **The existing user-based tax is an**

unsustainable revenue source. Collectively, we must have the political will to consider alternate transportation revenue streams that will provide reliable and sustainable revenues for local transportation projects.

- Unified Statewide Solution. For statewide revenues, all transportation stakeholders must stand united in the protection of new revenues. Any new statewide revenues should address the needs of the entire statewide transportation network, focused in areas where there is defensible and documented need.
- Equity. New revenues should continue to be distributed in an equitable manner, benefiting both the north and south and urban, suburban, and rural areas as well as being equally split between state and local projects.
- Flexibility. Needs vary from region to region and city to city. **Local governments should continue to have needed flexibility for new revenues and revenue authority to provide the appropriate level programs and activities that constituents rely on.** ~~New revenues and revenue authority should continue to provide the flexibility for the appropriate level of government to meet the goals of the constituents.~~
- Accountability. All tax dollars must be spent properly, and recipients of new revenues must be held accountable to the taxpayers, whether at the state or local level.
- Education. Through the City and County Pavement Improvement Center (CCPIC), educational opportunities to provide additional research and development, guidance, specifications, tools, and training in pavement management and engineering must be made available to local governments to help ensure local streets and roads last longer, cost less, and are more sustainable.

Cal Cities supports a permanent shift of the sales tax on gasoline for transportation purposes and an allocation formula equivalent to 40/40/20 split of 40 percent to cities and counties, 40 percent to **State Transportation Improvement Program (“STIP”)** and 20 percent to transit.

Cal Cities supports enhanced autonomy for local transportation decision-making and pursues transportation policy changes that move more dollars and decisions to local policy leaders. Cal Cities supports **policies to ensure spending transportation investments are being used** ~~moneys~~ for transportation purposes. Cal Cities will seek the maximum share of available funding for local transportation programs. Cal Cities supports implementation of federal transportation funding re-authorization legislation in a manner that supports these principles.

Cal Cities supports the preservation and expansion of transportation grant funding opportunities to help incorporate new transportation technologies and practices into local transportation networks, such as active transportation grant funding and transportation innovation grant funding.

Cal Cities opposes **any** ~~the state~~ **actions** ~~pursuing any transportation policy change~~ that would result in a reduction of revenues **for local governments** from the Highway Users Tax Account and/or the Road Maintenance and Rehabilitation Program. Cal Cities supports a requirement for the state to consult with Cal Cities of any transportation policy changes to help ensure such strategies include funding equal to or greater than what cities

already receive to maintain, operate, and rehabilitate their existing streets and roads network.

Cal Cities supports the ongoing study of the Road User Charge ~~and any other~~ **and any other** ~~which aims to identify an alternative to the gas tax~~ **to sustainably** as a way to fund transportation infrastructure.

Cal Cities supports efforts that streamline funding **processes** between the state, federal, and local governments that help reduce the amount of time and resources it takes to fund and complete transportation projects, such as NEPA delegation and the Match-Exchange Program.

Cal Cities opposes conditioning a city's share of transportation funding on housing related goals, such as planning and production, instead favoring comprehensive housing solutions for housing problems.

Cal Cities supports bicycle and pedestrian access with maximum local flexibility to prioritize this transportation need, as long as funding is available directly for it and other transportation priorities do not negatively affect transportation funding. Cal Cities opposes any mandatory set-asides or prioritization for bicycle and pedestrian access on the state or local system using state or local maintenance and/or rehabilitation funding.

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

Cal Cities opposes efforts that limit the ability for cities to remove or immobilize vehicles that chronically ignore moving and/or parking violations and/or are operating unlawfully on public roads.

Cal Cities supports the visionary effort of the High-Speed Rail project and supports the involvement of local officials in the project planning and implementation. However, Cal Cities opposes efforts to exempt the High-Speed Rail project from the California Environmental Quality Act (CEQA) and **any other effort processes that would eliminate** ~~provide~~ an opportunity for local input. Cal Cities also supports efforts to reaffirm voter support of the project, including voter reconsideration for the bond.

Cal Cities supports the development of best practices and funding to support all modes of goods movement including ports, roadways, storage/distribution centers, rail and air. A focus should be kept on job creation and retention, economic development, and safety- **with cities actively engaged in their region for appropriate goods movement decision.** ~~Cal Cities encourages cities to actively engage their region and the state in making goods movement decisions.~~

Cal Cities supports efforts to improve the California Public Utilities Commission's **(CPUC)** ability to respond to and investigate significant transportation accidents in a **transparent** ~~public~~ and timely manner to improve rail shipment, railroad, aviation, marine, highway, **safe autonomous vehicle activities**, and pipeline safety.

Cal Cities supports efforts to expand the Caltrans Business Logo Program including the accurate deployment of **Electric Vehicle Charging Station (“EVCS”)** EV-charging signage.

Cal Cities opposes policies that undermine local decision making in the permitting process of refueling zero emission vehicles, including EVCS in the public right of way.

Cal Cities supports having a balanced regulatory framework over both the taxi, **autonomous vehicle** and **transportation network companies (“TNC”)** TNC industries and encourages the PUC to include biometric identification data from TNC drivers and to have TNC companies conduct vehicle safety inspections and a policy where both industries where they are regulated by the state's CPUC, while giving cities the ability to regulate both industries when any given city finds that state regulation is insufficient for their community.

Cal Cities supports the Full Funding Grant Agreement (FFGA) process for the Federal Transit Administration's (FTA) Capitol Investment Grant (CIG) program.

Public Works

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

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

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

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

Cal Cities opposes efforts to alter the way that Caltrans prioritizes its litter cleanup and abatement program to just the segments of highway that receive the highest number of complaints.

Cal Cities supports improving the state's seismic readiness and resiliency, including tax credits for retrofitting seismically vulnerable buildings and the state conducting its own survey of buildings that are potentially vulnerable in seismic prone regions of the state. Cal Cities opposes any efforts to impose such a mandate on local governments.

Cal Cities supports the inclusion of wildfire mitigation as an eligible project to receive the California Public Utilities Commission's Rule 20 funds and efforts to expand funding for Rule 20.

Micromobility

Cal Cities supports efforts that **promote safety and** reassert local authority **when** to **regulating** ~~regulate~~ emerging transportation technologies, such as e-scooters and e-bicycles and opposes efforts to limit this authority and the city's access to meaningful data from companies operating within their jurisdiction.

Vehicles

Cal Cities supports ~~a requirement for transit operators to provide at least one staff person in each of its fully automated transit vehicles in the early stages of autonomous transit vehicle deployment.~~ **requiring at least one person for any autonomous heavy-duty vehicle or autonomous transit vehicles during the early stages of autonomous vehicle deployment.**

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

Cal Cities opposes any efforts to increase truck size or weight. The size and weight of trucks is important because it affects the stability and control of the truck, the way it interacts with other traffic, and the impact it has when colliding with other vehicles. Truck safety is particularly important because these vehicles share city streets and county roads with users — such as, motorists, pedestrians, cyclists, motorcyclists, and bus riders.

Cal Cities encourages cities to promote safe driving across California and the education of the general public about the dangers of texting while driving.

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

Cal Cities supports efforts to protect consumers from unscrupulous tow trucker companies and operators.

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

Cal Cities supports legislation that authorizes the testing or conducting of pilot projects for autonomous vehicles **in a safe manner.**

Cal Cities supports policies that require local decision making in the authorization and oversight of autonomous vehicle operations.

Cal Cities supports policies that allows cities and ticketing authorities to ticket/cite autonomous vehicles.

Cal Cities support policies that promote safer environments for the operation of autonomous vehicles and allow first responders and local law enforcement the ability to interrupt and redirect wayward autonomous vehicles.

Contracts

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

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

Telecommunications

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

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

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

Net Neutrality

- Access to fast, reliable, and high-quality internet is essential for the success of our collective communities.
- Reliable communications and data networks for essential services, such as police and fire, are necessary, especially during times of emergency.
- Communications and data networks are increasingly important for the relationship between local government and its residents and businesses.
- Net neutrality prevents internet service providers from blocking, throttling, degrading, or providing for paid prioritization of lawful content, applications, or services.
- Free and open internet can spur innovation and help close the digital divide in California.

Revenue Protection

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

Rights-of-Way

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

Access

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

Public Education and Government (PEG) Support

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

Institutional or Fiber Network (INET)

- The authority for interested communities to establish INET services and support for educational and local government facilities should remain at the local level.

Public Safety Services

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

Customer Service Protection

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

Wireless Infrastructure

- Existing telecommunications providers and new entrants shall adhere to local city policies on public utility undergrounding.
- Cal Cities supports the authority of cities to zone and plan for the deployment of **broadband and** telecommunications infrastructure. Cal Cities supports the ability of cities to maintain and manage the public right-of-way and receive compensation for its use. Cal Cities 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. Cal Cities will work with the **CPUC** ~~California Public Utilities Commission~~, the various telephone companies and federal regulatory agencies to improve telephone area code planning in California.
- Cal Cities supports model agreements between cities and wireless communications providers for the deployment of wireless infrastructure, including small cells and macro cell towers, within their jurisdiction.
- Cal Cities supports a requirement of telecommunications providers to notify the California Office of Emergency Services (CalOES) of 911 service or emergency warning outages to help ensure the most efficient deployment of emergency services in affected areas.

Plain Old Telephone System (POTS):

Cal Cities 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.

Cal Cities opposes a deregulated framework for Voice over Internet Protocol (VoIP) technology given that VoIP is often a “communication of last resort,” as the state’s populace rapidly moves away from plain old telephone service and onto VoIP or wireless communications.

Air Pollution

Cal Cities will monitor developments and the ramifications of efforts to regulate air quality and related congestion strategies as it is related to **state and local transportation networks.** ~~to transportation.~~

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