



## **AGENDA**

July 28, 2022

SPECIAL MEETING  
CITY COUNCIL  
LAW & REGULATION COMMITTEE  
9:00 A.M.  
Council Chambers  
311 Vernon Street  
Roseville, California  
[www.roseville.ca.us](http://www.roseville.ca.us)

### **THE CITY OF ROSEVILLE WELCOMES YOUR PARTICIPATION**

If an agenda item is open to public comment, such public comment shall be addressed to the chair of the meeting.

**Public Comment** - Speakers have three minutes under Public Comment to speak on issues that are not listed on the agenda and are within the City's jurisdiction. The Brown Act does not permit any action or discussion on items not listed on the agenda.

**Consent Calendar** - If applicable, the Consent Calendar consists of routine items that may be approved by one motion. Any person can remove an item from the Consent Calendar to be discussed separately.

**Agenda Items** - Speakers have five minutes to address items that are listed on the agenda.

**Americans with Disabilities Act** - Notify the City Clerk or Secretary at least 72 hours in advance if special assistance is required to participate in a meeting including the need of auxiliary aids or services.

**Audio/Visual Presentations** - If making a presentation regarding an agenda item, audio/visual materials must be submitted to the City Clerk or Secretary at least 72 hours in advance.

Roseville City Clerk 311 Vernon Street, Roseville, CA 916-774-5200 TDD 916-774-5220

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**

#### **4. PUBLIC COMMENTS**

#### **5. MINUTES**

##### **5.1. Minutes of Prior Meeting**

Memo from Assistant City Clerk Helen Dreyer and City Clerk Carmen Avalos recommending the City Council Law & Regulation Committee members approve the minutes of the June 23, 2022.

CC #: 2226

File #: 0103-32-01

CONTACT: Helen Dreyer 916-774-5356 [hdreyer@roseville.ca.us](mailto:hdreyer@roseville.ca.us)

#### **6. REPORTS/COMMENTS/COMMITTEE/STAFF**

##### **6.1. State & Federal Priority Legislation - July 2022**

Memo from Government Relations Administrator Mark Wolinski and Deputy City Manager Megan Scheid with a report focusing on priority legislation regarding an overview of priority bills that have passed their house of origin and identifies where they resided when the Legislature left Sacramento for their Summer Recess. The bills focus on priority legislation regarding public safety, housing, and other topics of importance to the City. The report also includes an update on the status of the Build Back Better Act.

CC #: 2223

File #: 0103-32-02

CONTACT: Mark Wolinski 916-774-5179 [mwolinski@roseville.ca.us](mailto:mwolinski@roseville.ca.us)

##### **6.2. Electric Department Priority Legislation - July 2022**

Memo from Government Relations Analyst Chris Romero and Electric Utilities Director Daniel Beans with an overview of energy-related legislation and other activities that staff has been monitoring.

CC #: 2224

File #: 0103-32-02

CONTACT: Amber Blixt 916-774-5693 [aablixt@roseville.ca.us](mailto:aablixt@roseville.ca.us)

##### **6.3. Environmental Utilities Department Priority Legislation - July 2022**

Memo from Utility Government Relations Administrator Noelle Mattock and Environmental Utilities Director Richard Plecker with an informational report on state and federal activities that staff have been engaged in and legislation that staff has identified as potentially having a significant impact on City utility customers and the Environmental Utilities Department.

CC #: 2225

File #: 0103-32-02

CONTACT: Noelle Mattock 916-774-5504 [ncmattock@roseville.ca.us](mailto:ncmattock@roseville.ca.us)

#### **7. ADJOURNMENT**



# CITY COUNCIL Law & Regulation Committee

CC #: 2226  
File #: 0103-32-01

**Title:** Minutes of Prior Meeting  
**Contact:** Helen Dreyer 916-774-5356 hdreyer@roseville.ca.us

**Meeting Date:** 7/28/2022  
**Item #:** 5.1.

## RECOMMENDATION TO COUNCIL

Approve the minutes of the June 23, 2022 Law & Regulation Committee meeting.

## BACKGROUND

Not applicable.

## FISCAL IMPACT

Not applicable.

## ECONOMIC DEVELOPMENT / JOBS CREATED

Not applicable.

## ENVIRONMENTAL REVIEW

Not applicable.

Respectfully Submitted,

Helen Dryer, Assistant City Clerk

Carmen Avalos, City Clerk

**ATTACHMENTS:**

**Description**

June 23, 2022 Law and Regulation Minutes



# CITY COUNCIL Law & Regulation Committee

CC #: 2223  
File #: 0103-32-02

**Title:** State & Federal Priority Legislation - July 2022  
**Contact:** Mark Wolinski 916-774-5179 mwolinski@roseville.ca.us

**Meeting Date:** 7/28/2022  
**Item #:** 6.1.

## RECOMMENDATION TO COUNCIL

Staff requests the committee's input on any of the bills and/or issues that are of particular importance to the committee.

## BACKGROUND

### **Background**

The Legislature will be very active with committee hearings and floor votes upon their return to the Capitol on August 1. Staff will continue to advocate on bills that are passed by the Legislature and moved to the Governor's desk until September 30, which is the last day for the Governor to sign or veto bills. The following is an overview of priority legislation related to public safety, housing, and homelessness.

### **Public Safety**

Currently, we are in the final stages of the 2022 legislative cycle. There are 24 bills, specific to public safety, which the Government Relations Team is following. Of the 24 bills:

- 3 bills have been chaptered/will be signed into law
- 9 bills have been enrolled/final draft approved by both houses
- 2 bills are on the Governor's desk
- 10 bills are moving in their respective house

These bills are representative of legislation that is highly likely to make it to the Governor's desk for consideration of enactment or has recently been signed into law. These bills have passed their second fiscal committee and are likely getting the final language details added to the text.

Specific to our current tracking categories; homeless response, mental health crisis response, substance abuse/fentanyl overdoses, organized retail crime, firearms / ghost guns, law enforcement hiring and reform, and hate crimes/criminal sentencing, we've highlighted five bills from the 24 with some of our categories combined.

### **Homeless and mental health response**

- **SB 872 (Dodd) Pharmacies: Mobile Units (Watch)** This bill would authorize a county, city and county, or special hospital authority to operate a mobile unit as an extension of a pharmacy license

held by the county, city and county, or special hospital authority to provide prescription medication within its jurisdiction to specified individuals, including those individuals without fixed addresses. Authorizes a mobile unit to dispense prescription medication pursuant to a valid prescription if the county, city and county, or special authority meets certain requirements. **Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. Access to prescription medication can be a barrier for someone who is homeless to receive the care they require. This bill could help a certain population get medication. Status: Assembly Consent Calendar**

### Organized Retail Crime

#### **• AB 1653 (Patterson) Property Crimes: Regional Property Crimes Task Force (Watch)**

This bill would specify theft of vehicle parts and accessories as a property crime for consideration by the regional property crimes task force. **Staff comments: The City has currently taken a watch position on this bill to better understand the potential impacts of implementation. Existing law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment. By amending existing law to include vehicle accessories, this could be a new mechanism to fight against the growing catalytic converter theft trend seen across the Country. Status: Enrolled**

### Firearms / Ghost Guns

**• SB 1327 (Hertzberg) Firearms: Private Rights of Action (Watch)** This bill would create a private right of action for any person against any person who, within this state, takes specified actions. Provides that this includes, but is not limited to, any person who manufactures or causes to be manufactured, distributes, transports, or imports into the state, or causes to be distributed or transported or imported into the state, keeps for sale or offers or exposes for sale, or gives or lends any firearm lacking a serial number required by law, assault weapon, or .50 BMG rifle. **Staff comments: The City has currently taken a watch position on this bill to better understand the potential impacts of implementation. Un-serialized or ghost guns have become an increasing problem in our region. Criminals have found a way to access untraceable firearms. This bill could provide restrictions to tighten down this market. Status: Enrolled**

### Law enforcement hiring and reform

**• SB 960 (Skinner) Public Employment: Peace Officers: Citizenship (Watch)** This bill provides that hiring standards shall be interpreted and applied consistent with federal law and regulations. Removes the provision that requires peace officers to either be a citizen of the United States or be a permanent resident who is eligible for and has applied for citizenship, and would instead require peace officers be legally authorized to work in the United States. **Staff comments: The Police department's hiring practices are already in alignment with the spirit of this legislation. No action needs to happen on behalf of the department to fall in compliance with this newly proposed legislation. The bill is being highlighted to inform the committee of existing compliance. Status: Assembly floor**

### Other

#### **• AB 1732 (Patterson) Emergency Services: Hit-and-Run Incidents: Yellow Alert (Watch)**

This bill authorizes a law enforcement agency to request the Department of the California Highway Patrol to activate a Yellow Alert if a person has been killed due to a hit-and-run incident and the law

enforcement agency has specified information concerning the suspect or the suspect's vehicle. Authorizes the Department of the California Highway Patrol to activate a Yellow Alert within the requested geographic area upon request of the law enforcement agency under specified circumstances. **Staff comments: The City has currently taken a watch position on this bill to better understand the potential impacts of implementation. This legislation would potentially provide an additional resource for investigating hit and run fatalities that occur in our City. Status: Enrolled**

At this stage of the legislative cycle, the team is working to advocate for final language amendments and assess impacts of enacted bills. We'll continue to coordinate with our state lobbyist, as well as our industry and association partners at Cal Chiefs, California Police Officers Association (CPOA), and Peace Officers Research Association of California (PORAC) to further refine our advocacy strategy.

### Other Active Priority Legislation

#### Support

• **AB 1615 (Ting) – Foster Youth: Housing (Support)** This bill would rename the housing navigator program as the Housing Navigation and Maintenance Program, and would extend eligibility and priority for the program to help young adults who are 18 to 24 years of age, inclusive, with priority given to young adults formerly or currently in the foster care system. **Staff comments: The City has taken a support position on this bill for the assistance it would provide to foster youths. Statistics confirm that foster youths are a segment of the community that is vulnerable to becoming homeless. This bill would extend the age of eligibility for transitional housing in all counties to any former foster youth who is at least 18 years of age and not more than 25 years of age, and would extend the maximum time they may receive services pursuant to these provisions to 36 months. Status: Senate Committee on Appropriations**

• **AB 2186 (Grayson) Housing Cost Reduction Incentive Program (Support)** This bill would establish the Housing Cost Reduction Incentive Program, to be administered by the Department of Housing and Community Development, for the purpose of reimbursing cities and counties for development impact fee waivers or reductions provided to qualified rental housing developments. Upon appropriation, the bill would require the department to provide grants to applicants in an amount equal to 50% of the amount of development impact fee waived or reduced for a qualified rental housing development by issuing a Notice of Funding Availability for each calendar year in which funds are made available for the program, as provided. **Staff comments: The City has taken a support position on this bill since it would create the Housing Cost Reduction Incentive Program that would encourage cities and counties to waive or reduce impact fees for affordable rental housing developments, but would also provide the opportunity to reimburse cities 50% of the value of granted fee waivers or reductions. The bill stipulates that in the event that incentive claims exceed appropriations in any given year, awards to cities and counties would be pro-rated. It is unclear how the bill would address this shortfall should it occur, which would be problematic for local governments wanting to participate in the program. Status: Senate Committee on Appropriations**

#### Oppose

• **AB 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022 (Oppose unless amended)** Creates the Affordable Housing and High Road Jobs Act of 2022, which would make

certain housing developments that meet specified affordability and site criteria and objective development standards a use by right within a zone where office, retail, or parking are a principally permitted use, and would subject these development projects to one of 2 streamlined, ministerial review processes. **Staff Comments: The City has taken an oppose-unless-amended position on the bill because it would require cities to ministerially approve, without condition or discretion, certain affordable housing and mixed-use housing developments in zones where office, retail, or parking are a principally permitted use regardless of any inconsistency with a local government's general plan, specific plan, zoning ordinance, or regulation.**

**Roseville has been and remains committed to being part of the solution to the housing shortfall across all income levels however, doing so in the manner defined in AB 2011 eliminates opportunities for public review of housing developments that goes against the principles of transparency and public engagement that the Council has prioritized in its strategic plan ([www.roseville.ca.us/strategicplan](http://www.roseville.ca.us/strategicplan)). Public hearings allow members of the community to inform their representatives of their support or concerns. "Streamlining" in the context of AB 2011 is a shortcut around public input. Status: Senate Committee on Appropriations**

• **AB 916 (Salas) Zoning: accessory dwelling units: bedroom addition (Oppose unless amended)** This bill would prohibit a city or county legislative body from adopting or enforcing an ordinance requiring a public hearing as a condition of adding space for additional bedrooms or reconfiguring existing space to increase the bedroom count within an existing house, condominium, apartment, or dwelling. The bill would include findings that ensuring adequate housing is a matter of statewide concern and is not a municipal affair, and that the provision applies to all cities, including charter cities. **Staff Comments: The City has taken an oppose unless amended position on AB 916 which was recently amended to increase the height maximum of accessory dwelling units (ADUs) from 16 to 18 feet on all parcels and to 25 feet for multifamily or single-family parcels located within one half mile of transit. Current law authorizes cities to restrict ADU height to 16 feet, thus helping ensure that ADUs blend into the existing neighborhood. Mandating that local jurisdictions permit up to two-story ADUs is contrary to the stated belief that ADUs are a way to increase density in a modest fashion that is not disruptive to established communities. It is vital that we take steps to increase the supply and affordability of new housing units. However, AB 916 disregards already generous maximum height allowances and replaces it with two-story ADUs. Status: Senate Committee on Appropriations.**

• **AB 2097 (Friedman) - Residential and commercial development: remodeling, renovations, and additions: parking requirements (Oppose)** This bill would prohibit a public agency from imposing a minimum automobile-parking requirement, or enforcing a minimum automobile-parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile of public transit, as defined. When a project provides parking voluntarily, the bill would authorize a public agency to impose specified requirements on the voluntary parking. **Staff Comments: The City has taken an oppose position on this bill for the removal of a local government's ability to require parking for defined projects regardless of the standards that have been established by the local government. AB 2097 limits the ability of local governments to take into account the unique needs of their communities by constraining when they can impose parking**

**requirements. Status: Read second time, amended, and re-referred to the Senate Committee on Appropriations**

• **SB 1067 (Portantino) - Housing development projects: automobile parking requirements (Oppose)** This bill would prohibit a city, county, or city and county from imposing any minimum automobile parking requirement on a housing development project that is located within a specified mile of public transit. Includes findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities and counties, including charter cities and counties. **Staff Comments: The City has taken an oppose position on this bill as it would stipulate that local governments should not require parking near transit for certain housing projects. Furthermore, it is currently unclear how a local government would review or rebut a demonstration by a developer that a project would not have any of the negative impacts that otherwise disqualify a project from receiving the parking reduction. Status: Read second time, amended, and re-referred to the Assembly Committee on Appropriations.**

• **SB 932 (Portantino) - General plans: circulation element: bicycle and pedestrian plans and traffic calming plans (Oppose)** This bill would require a local government during the next substantive revision of the circulation element to develop or update the plan for a balanced, multimodal transportation network and to ensure that the plan includes bicycle and pedestrian plans and traffic calming plans for any urbanized area within the scope of the county or city general plan. **Staff Comments: The City has taken an oppose position on SB 932 as it would require every city and county in the state to adopt bicycle and pedestrian plans, including a prescriptive list of infrastructure that must be constructed, without regard for local conditions that may influence whether a given area is likely to have significant bike or foot traffic. The bill would also require local governments to spend significant funds on bike, pedestrian, and traffic calming infrastructure, when municipalities are already facing significant shortfalls for the costs to maintain existing transportation infrastructure. Status: Assembly Committee on Appropriations.**

#### Watch

• **SB 1338 (Umberg) Community Assistance, Recovery and Empowerment (CARE) Court (Watch)** This bill would enact the Community Assistance, Recovery, and Empowerment (CARE) Act, which would authorize specified persons to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan and implement services, to be provided by county behavioral health agencies, to provide behavioral health care including stabilization medication, housing, and other enumerated services to adults who are suffering from schizophrenia spectrum and psychotic disorders and who meet other specified criteria. **Staff Comments: The City has taken a watch position on this bill to understand how this Court, if signed into law, would impact the City's homelessness efforts and how it could be incorporated to help those that are homeless and who have serious mental illnesses. The proposed Court would allow family members, clinicians, first responders, and county staff to refer people experiencing a mental health crisis to the Court. Status: Read second time, amended, and re-referred to the Assembly Committee on Appropriations.**

• **AB 2006 (Berman) Regulatory Agreements: Compliance Monitoring (Watch)** This bill, on or before January 1, 2024, would require the Department of Housing and Community Development, the California Housing Finance Agency, and the California Tax Credit Allocation

Committee to enter into a memorandum of understanding to streamline the compliance monitoring of affordable housing developments that are subject to a regulatory agreement with more than one of these entities. The bill would require the memorandum of understanding to ensure that only one entity conducts physical inspections for a particular project, eliminate the submission of duplicate information, and to provide for a single process to obtain specified approvals. **Staff Comments:** *The need to increase the affordable housing supply is a crisis for the state. Streamlining the finance system for affordable housing developments was implemented previously to help ensure more affordable housing projects would be constructed. The state's oversight system should be modified to be certain it is efficient and doesn't hamper the construction of affordable housing projects.*

*Since affordable housing developments frequently receive financing from more than one state entity, it leads to multiple state entities conducting duplicate and overlapping compliance monitoring. This bill requires the three main funding entities to develop a process to streamline the compliance process. AB 2006 would direct these state entities to coordinate their efforts and streamline this process by eliminating the submittal of duplicate information, ensuring only one state entity conducts physical inspections for a particular project, and providing a single process to obtain required approvals. This would reduce costs and complexity for developers. Status: Senate Committee on Appropriations.*

## Federal

### Build Back Better Act

The saga of the Build Back Better bill continues to unfold within Congress. Senators Schumer and Manchin continue to discuss the possibility of bringing the reworked bill forward, but they have encountered new challenges. The bill they are discussing would still include prescription drug pricing provisions designed to decrease government spending on pharmaceuticals and lower patients' out-of-pocket costs, but the negotiations on the two other elements of the bill, climate change and deficit reduction continue to be elements that still need to be agreed upon.

Recently, Senator Manchin effectively stopped any chance of major climate-related provisions being included in the bill. The senator said he would not support a bill that includes new spending on climate change or includes new tax increases for wealthy Americans or corporations, which were the last two critical issues he was negotiating on with Senator Schumer. This is a dramatic change and defines a significant setback for the potential of the bill advancing.

The senator says he remains open to discussing changes that might lower prescription drug prices and for subsidies that will help keep health insurance costs down. However, the latest change by the senator calls into question whether there is a way to effectively modify the climate change or deficit reduction proposals that would gain Senator Manchin's approval. The change to the negotiations came about because the senator said he believes it was necessary to reevaluate and avoid taking steps that increase the rate of inflation and that he wants to see another month of inflation numbers before considering legislation that might increase taxes on some higher-income Americans.

### Conclusion

Government relations staff is prepared for the Legislature's return August 1 and will advocate on all priority bills that are tracked and remain active. Staff will also continue to monitor all bills to

ensure that any gut and amend bills are reviewed to understand whether they might have implications to the City.

### FISCAL IMPACT

The costs of these activities are contained within the City's current budget.

### ECONOMIC DEVELOPMENT / JOBS CREATED

The activities detailed in this report will not result in job development or creation.

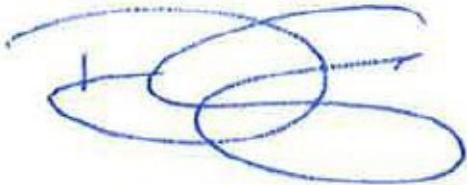
### ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, or is otherwise not considered a project as defined by CEQA Statute §21065 and CEQA State Guidelines §15060(c)(3) and §15378. The action of reviewing legislation meets the above criteria and is not subject to CEQA. No additional environmental review is required.

Respectfully Submitted,

Mark Wolinski, Government Relations Administrator

Megan Scheid, Deputy City Manager

A handwritten signature in blue ink, consisting of several overlapping loops and a horizontal line, positioned above a horizontal line.

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Dominick Casey, City Manager



# CITY COUNCIL Law & Regulation Committee

CC #: 2224  
File #: 0103-32-02

**Title:** Electric Department Priority Legislation - July 2022  
**Contact:** Amber Blixt 916-774-5693 aablixt@roseville.ca.us

Meeting Date: 7/28/2022  
Item #: 6.2.

## RECOMMENDATION TO COUNCIL

Discuss and provide input on any state or federal legislation presented to the committee.

## BACKGROUND

Staff has been reviewing key energy legislation to determine potential impacts to the Electric Department. Below is a list of key bills and related energy items staff has been monitoring:

### State Legislation:

**AB 2700 (McCarty) Transportation Electrification: Electrical Distribution Grid Upgrades (Watch)** - This bill would require the California Energy Commission (CEC) to annually gather fleet data for on-road and off-road vehicles in the medium and heavy-duty sectors and share that data with publicly owned utilities (POU) to help inform electrical grid planning efforts. Each POU, as part of its distribution planning process, is to consider the fleet data produced by the CEC to facilitate the readiness of their distribution systems to support the increased level of electric vehicle charging anticipated by the State. The bill prohibits electric utilities from disclosing that data to third parties. The bill also requires POUs to identify any distribution investments made pursuant to this bill in their Integrated Resource Plans (IRP). **Staff comments: The department has been conducting its own electric vehicle assessments to ensure the necessary infrastructure is in place to meet the state's requirements and the future needs of the community. Additional information provided by the State could be helpful in guiding infrastructure-planning efforts to meet the state's clean transportation goals, as well as our community needs. This bill appears to create a new reporting requirement related to distribution investments made and reported in the IRP. Staff will continue monitoring AB 2700 as it moves through the Senate Appropriations process in August.**

**SB 887 (Becker) Electricity: Transmission Facility Planning (Watch)** - This bill would require the California Public Utilities Commission (PUC), by January 15, 2023, to request that the California Independent System Operator (CAISO) identify the highest priority transmission facilities that are needed to allow for increased transmission capacity to deliver renewable energy resources or zero-carbon resources that are expected to be developed by 2035. The PUC is to

request that the CAISO consider whether to approve those projects as part of the 2022-2023 transmission planning process. The bill also requires, by March 31, 2024, the PUC, in consultation with the CEC, to provide transmission-focused guidance to the CAISO about resource portfolios of expected future renewable energy resources and zero-carbon resources, to allow the CAISO to identify and approve transmission facilities needed to interconnect resources and reliably serve the needs of load centers. The bill suggests an adjusted planning horizon for the annual electricity transmission plan from 10 years to 15 years. SB 887 expresses the policy of the state that planning for new transmission facilities considers the goals of minimizing the risk of wildfire and increasing reliability and cost efficiency. ***Staff comments: The department recognizes the importance of looking at the transmission needed to reliably and cost effectively meet the state's renewable energy and zero carbon goals. Roseville Electric is located in the Balancing Authority of Northern California (BANC), not the CAISO; however, the department will continue to monitor SB 887 for any potential negative cost implications or changes that could affect the manner Roseville Electric transacts in CAISO markets.***

**SB 1391 (Kamlager) Greenhouse Gases: Market-based Compliance Mechanism (Watch)**

- This bill requires the California Air Resources Board (CARB) to review the Cap and Trade program at least once every three years. CARB would evaluate and address concerns related to any allowance over-allocation. The evaluation will also determine whether the future supply of allowances needs to be automatically reduced by the number of offset credits issued, or whether the future supply of allowances needs to be automatically reduced by the number of offset credits retired. The first review must begin on or before January 30, 2023, or within 30 days of the completion of the update to the scoping plan that is pending as of January 30, 2023, whichever date is later. ***Staff Comments: The City is watching this bill to determine if SB 1391 could negatively affect the annual allowances distributed to electric utilities.***

**State Legislation - Status of Previously Monitored Bills:**

**AB 847 (Quirk) Electrically Conductive Balloons (Support)** – This bill requires a person that sells, offers for sale, or manufactures for sale, in this state, any foil balloon to ensure that those foil balloons pass a standard test without causing a fault at high-voltage electric distribution levels, which could cause an outage or ignition. Once the Institute of Electrical and Electronics Engineers (IEEE), or an equivalent body, approves the standard for testing foil balloons, there is a phase in period requiring 20% of balloons to be in compliance within one year, 50% within two years, and 100% within 3 years. After the phase in period, a person shall not sell or manufacture for sale any foil balloon unless in compliance. This bill institutes a penalty of \$50 for each noncompliant balloon sold, offered for sale, manufactured for sale or distributed, with a not to exceed amount of \$2,500 per day. ***Staff Comments: The Department is supportive of the author's efforts to address this issue in legislation and ensure that outages caused by foil balloons will eventually become an issue of the past.***

Status: On 6/21/2022 re-referred to Senate Appropriations Committee. Hearing set for 8/1/2022 in Senate Appropriations Committee.

**SB 1158 (Becker) Retail Electricity Suppliers: Emissions of Greenhouse Gases.**

**(Oppose)** – Requires, beginning January 1, 2028, every retail electricity supplier to annually report specified information to the CEC, including an analysis of the retail supplier's sources of electricity for each hour of the previous year and the GHG emissions associated with those sources of electricity. Requires the CEC to adopt rules to implement these requirements by July 1, 2024.

Also requires the CEC to publish annually on its internet website an aggregated summary of specified data reported by each retail supplier. Requires generation facilities and other resources to provide each purchaser of the facility's electricity subject to the reporting requirement with the purchaser's hourly share of electricity and GHG emissions associated with their electricity. The bill would authorize the governing board for each publicly owned electric utility to assess whether those emissions of greenhouse gases, combined with the retail supplier's procurement plans for subsequent years, demonstrate adequate progress towards achieving the retail supplier's greenhouse gas emissions targets. **Staff comments: The Department is concerned about the new hourly reporting requirements. This bill creates a new regulatory compliance requirement that will be overly burdensome from a reporting and staff time perspective. The power content label is currently used as a way to inform our customers about the power they receive; however, this proposal is moving to a more difficult and technical standard that may be more confusing than helpful for consumers. Staff is currently working with our trade associations to provide additional amendments to this bill.**

Status: On 6/27/2022 passed (8-3) Assembly Natural Resources Committee. Hearing set for 8/3/2022 in Assembly Appropriations Committee.

**SB 1020 (Laird) Clean Energy, Jobs, and Affordability Act of 2022. (Watch)** - This bill would establish new interim targets to reach the state's 100% renewable energy and zero carbon electricity goals. The interim targets require that eligible renewable energy and zero-carbon resources supply 90% of all retail sales of electricity to California end-use customers by December 31, 2035, 95% by December 31, 2040 and 100% by December 31, 2045. The bill also requires state agencies to purchase 100% renewable energy and zero carbon electricity by 2030 to serve their load. SB 1020 authorizes the PUC and CEC to disclose confidential information related to power purchase agreements to the CAISO for transmission planning purposes. The bill also creates the new California Affordable Decarbonization Authority to administer the new Climate and Equity Trust Fund established by this bill to assist with customer rates and other initiatives. **Staff comments: The interim clean energy targets proposed in this bill may potentially increase electricity costs, impact procurement flexibility, and put upward pressure on future electric rates. Accordingly, Department staff and its trade associations are continuing to interact with the author and Senate leadership to make amendments to this bill focused on reliability and affordability.**

Status: On 6/27/2022 passed (8-3) Assembly Natural Resources Committee. Hearing set for 8/3/2022 in Assembly Appropriations Committee.

**SB 1145 (Laird) California Global Warming Solutions Act of 2006: Greenhouse Gas Emissions: Dashboard. (Watch)** - This bill would require the California Air Resources Board (CARB) to create and maintain an internet dashboard that provides publicly available information about how the state is progressing toward meeting its statewide climate change goals. **Staff comments: There is no immediate impacts to our utility, however the Department is watching this bill to determine informational needs from electric utilities in the future (i.e. additional reporting mandates would be burdensome).**

Status: On 6/29/2022 in Assembly Appropriations Committee: to Suspense file.

**SB 1032 (Becker) State Energy Resources Conservation and Development Commission: Electrical Transmission Grid Development and Expansion: Study. (Watch)** - This bill would require the CEC, on or before January 1, 2024, in consultation with the PUC, CAISO and other

California balancing authorities, to submit a study to the Governor and the legislature that identifies proposals to accelerate and reduce the cost to ratepayers, of expanding the state's transmission grid to achieve the state's goals of reducing greenhouse gases. Consideration of public financing options, public private partnerships, and streamlined permitting processes will be part of the study. **Staff comments: The Department supports future transmission system improvements to meet the state's clean energy goals; however, Roseville Electric continues to advocate that any cost for transmission improvements be allocated to the parties that stand to benefit from those improvements. The Department will continue to monitor this legislation for any potential negative cost implications to the City.**

Status: On 6/21/2022 re-referred to Assembly Appropriations Committee. Hearing set for 8/3/2022 in Assembly Appropriations Committee.

### **State Regulatory Items:**

**CARB 2022 Scoping Plan Update - Grid Reliability and Affordability. (Watch)** - Last month the California Air Resources Board (CARB) heard an overview of the 2022 Draft Scoping Plan Update. The Scoping Plan outlines the state's climate plan with recommendations to help California achieve carbon neutrality by 2045. Before staff presented the Draft Scoping Plan Update, PUC President Reynolds and CEC Vice-Chair Gunda both referenced electric sector reliability and affordability as fundamental requirements to achieve the state's environmental goals. There were approximately 400 organizations providing public comments at the meeting. During the comments, the utility sector remained steadfast to focus on two critical issues that must be given full consideration in the state's climate program—reliability of the electric grid and the affordability of electricity.

Board members asked CARB staff to provide more information on the economic and social impacts of various proposals under the scoping plan by income level, age, and geographic location, which is consistent with requests made by one of our trade associations, CMUA. This was the first of two presentations that CARB staff will make to the Board, with the second presentation scheduled for the fall of 2022.

### **Federal:**

- **Supreme Court Decision: EPA and Carbon Emissions. (Watch)** - The U.S. Supreme Court, by a 6-3 vote, issued a ruling that addresses the scope of the language of the Clean Air Act and effectively limits the Environmental Protection Agency's (EPA) ability to regulate greenhouse gas (GHG) emissions from power plants. Chief Justice Roberts indicated that Congress had not clearly given the EPA widespread authority to regulate the energy industry and that such authority rests with Congress or an agency clearly delegated by Congress. This decision by the court sets the stage for potential limitations on the regulatory power of other agencies as well, but does not appear to have an effect on California's continued progress to meet its aggressive climate change policies. By March 2023, EPA plans to propose a new rule under section 111(d) to regulate GHG emissions from existing fossil-fuel-fired electric generating units; however, EPA will now have to follow a much narrower path in terms of instituting that future rule.

### **Conclusion**

Staff will continue to keep the committee apprised of these important legislative proposals and request any direction as needed.

## FISCAL IMPACT

The costs of these activities are contained within the City's current budget.

## ECONOMIC DEVELOPMENT / JOBS CREATED

The activities detailed in this report will not result in job development or creation.

## ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, or is otherwise not considered a project as defined by CEQA Statute §21065 and CEQA State Guidelines §15060(c)(3) and §15378.

The action of reviewing legislation meets the above criteria and is not subject to CEQA. No additional environmental review is required.

Respectfully Submitted,

Amber Blixt, Utility Government Relations Administrator

Daniel Beans, Electric Utility Director



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Dominick Casey, City Manager



# CITY COUNCIL Law & Regulation Committee

CC #: 2225  
File #: 0103-32-02

**Title:** Environmental Utilities Department Priority Legislation - July 2022  
**Contact:** Noelle Mattock 916-774-5504 ncmattock@roseville.ca.us

Meeting Date: 7/28/2022  
Item #: 6.3.

## RECOMMENDATION TO COUNCIL

This staff report provides updates to the Law and Regulation Committee on priorities outlined in the 2022 City of Roseville Legislative Platform. This includes state and federal legislative, regulatory, and other relevant activities being tracked and acted on by the Environmental Utilities Department (EU).

## BACKGROUND

July 1 marked the deadline for policy committees to meet and report bills to fiscal committees or the Floor. Upon return from their Summer Recess, on August 1, the legislature will have 12 days to move bills that are currently in the Appropriations Committees to the Floor. Bills must be passed by both houses by midnight August 31, which is when the legislature closes this two-year session. The Governor will have 30 days to act on the bills that make it to his desk. This report will provide an update on our high priority state legislation and federal legislation.

### **New Law**

#### **SB 54 (Allen) Solid Waste: Reporting, Packaging, and Plastic Food Service Ware. (Watch)**

This measure establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which imposes minimum content requirements for single-use packaging and food ware and source-reduction requirements for plastic single-use packaging and food ware, to be achieved through an expanded producer responsibility (EPR) program.

*Staff Comment: This measure was fast-tracked through the legislature due to The California Recycling and Plastic Pollution Reduction Act of 2020 Initiative that was qualified for the November 8, 2022 ballot. The measure was amended on June 16 and was passed by the legislature on June 30 and the Governor signed the bill into law on the same day. As a result the initiative was pulled from the November ballot. This measure is consistent with Council Resolution 10-278 that supports comprehensive statewide Extended Producer Responsibility (EPR) law that allocates end-of-life disposal costs with the producer of the product.*

### **Alive Bills Support**

**AB 1817 (Ting) Product safety: textile articles: Perfluoroalkyl and Polyfluoroalkyl**

**substances. (Support)**

This measure would prohibit, beginning January 1, 2025, a person from distributing, selling or offering for sale in California a textile article that contains Perfluoroalkyl and Polyfluoroalkyl (PFAS).

*Staff Comment: Both our wastewater and water agencies are often relied upon to remove chemicals during our treatment processes, which ultimately impacts our rate payers. Roseville staff has coordinated internally to assure this will not impact personal protection equipment worn by our employees. At this time, staff has not received concerns so Roseville is supporting this measure through our statewide trade associations. This measure is currently on the floor of the Senate and staff anticipates this measure will make it to the Governor's desk.*

**AB 2142 (Gabriel) Income Taxes: Exclusion: Turf Replacement Water Conservation Program. (Support)**

This measure would make rebates received for participation in a turf-replacement water-conservation program exempt from personal and corporate taxes from January 1, 2022 through December 31, 2026

*Staff Comment: As the drought deepens and Roseville is faced with additional mandated conservation activities, Roseville is supporting this tax exemption on the funding our customers receive to incentivize turf conversions to more water friendly landscaping. Since the opening of Roseville's demonstration garden, staff are seeing an increased interest of community members visiting the garden to learn how they too can have a beautiful yard while using less water. This measure made it out the Senate Governance and Finance Committee on June 1 and was placed on the Appropriations Suspense File on June 15. With the budget negotiations ongoing on the drought package, staff anticipates the legislature take this measure back up during the final month of session.*

**AB 2247 Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) and PFAS Products and Product Components: Public Accessible Reporting Platform. (Support)**

AB 2247 does two things. First, it would create a statewide database of products and product components that contain per and poly fluoro-alkyl substances. Second, it would require a manufacturer of PFAS or a product or product component containing intentionally added PFAS being imported to CA for sale or distribution, to register their product on the new database by July 1, 2025.

*Staff Comment: Roseville is supporting this measure to help the state gain a better understanding of the types of products that contain PFAS substances. This is important for the Environmental Utilities Department as both wastewater and water agencies are often relied upon to treat for these manmade substances and we do not have control over how they enter our systems. Ultimately, our customers end up having to pay higher rates for that treatment. Knowing who and what products are responsible for introducing these substances into the environment is the first step in ensuring that they be held responsible for the proper clean-up and disposal versus placing the responsibility upon rate-payers. This measure made it out of the Senate Environmental Quality Committee on June 22 and has been scheduled for a first hearing in the Senate Committee on Appropriations on August 1, the day the Legislature returns from its summer recess.*

**AB 2374 (Bauer-Kahan) Crimes Against Public Health and Safety: Illegal Dumping. (Support)**

This measure would increase the maximum fines for illegal dumping for persons employing more than 10 full-time employees, and would require any person convicted of illegal dumping to remove

or pay the cost of removing the waste that they were convicted of illegally dumping.

*Staff Comment: Roseville is supporting this measure as staff believes it will help in addressing issues in the City and serve as a deterrent. This measure continues to enjoy bipartisan support. It passed out of the Senate Public Safety Committee on June 14 and was placed on consent. It is now awaiting a vote on the Floor of the Senate before it returns to the Assembly for final passage and then to the Governor.*

#### **AB 2440 (Irwin) Responsible Battery Recycling Act of 2022. (Support)**

This measure would create the Responsible Battery Recycling Act (Act) of 2022, which would require producers of lithium-ion batteries and battery-embedded products to establish a stewardship program for the collection and recycling of their batteries and battery-embedded products. And they would have a year (January 2025 to December 2025) to submit their plan for approval by the Department of Resources, Recycling, and Recovery (CalRecycle).

*Staff Comment: This measure is consistent with the City of Roseville's Council Resolution 10-278. Roseville is participating in a coalition in support of AB 2440. This measure made it out of the Senate Environmental Quality and Judiciary Committees and is scheduled for its first hearing in Appropriations on August 1. This measure had a mirror bill in the Senate, SB 1215, but in late June the sponsors decide to change direction on SB 1215 (please refer to the update below on that measure).*

#### **AB 2481 (Smith) Household Hazardous Waste: Facilities: Transportation and Acceptance. (Support)**

This measure would make updates to the Health and Safety Code that would make it easier for individuals to properly dispose of Household Hazardous Waste (HHW), and provide HHW collection facilities with more operational flexibility while reducing costs and burdens for local governments.

*Staff Comment: This measure is sponsored by the Rural Counties Representatives of California. They have spent several years developing the proposed changes in this measure. Staff believes the proposed changes will make it easier for customers to responsibly dispose of their HHW at collection facilities. Additionally, staff believes the changes will streamline our ability to address HHW that has been illegally dumped. This measure is currently on the Senate Floor where staff anticipates that the Legislature will approve it and send it to the Governor for his signature.*

#### **AB 2771 (Friedman) Cosmetic Products: Safety. (Support)**

This measure would prohibit any person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains any per- or polyfluoroalkyl substance (PFAS).

*Staff Comment: All three utilities are potentially impacted by the presence of PFAS. The State and Federal governments are working on regulations/public health goals, and notification limits that rate payers will then pay for. Eliminating sources, where appropriate and feasible is a quick and efficient way to reduce the burden on rate payers. Roseville is supporting this legislation through our statewide trade associations. This measure passed both the Assembly Committees on Environmental Quality and Health and awaits action on the Floor.*

#### **SB 45 (Portantino) Short-lived climate pollutants: Organic Waste Reduction Goals: Local Jurisdiction Assistance. (Support)**

This measure is a complementary action to the 2021-2022 Budget Act, which made \$270 million available over the next two years for a "Circular Economy Package." \$60 million was for SB 1383 local jurisdiction implementation grants. However, the budget act did not provide direction to the

Department of Resources Recovery and Recycling (CalRecycle) to expend funding to local agencies to support their efforts to comply with the Short-Lived Climate Pollutant regulations resulting from SB 1383 (2016). SB 45 provides that direction.

*Staff Comment: As Roseville implements measures to comply with the Short-Lived Climate Pollutant regulations, those costs are causing rate increases. Additional funding opportunities at the state and federal level could potentially help to offset some of those additional cost burdens on our customers. This measure is currently in the Assembly Appropriations Committee. Its fate will be determined when the Legislature returns in August.*

### **SB 1215 (Newman) Electronic Waste Recycling Act of 2003: Covered Battery-Embedded Products. (Support)**

As amended, this measure would expand and modify the existing electronic device recycling laws to include electronic devices with embedded batteries. Specifically aimed at addressing the prevalence of lithium-ion batteries in so many products today.

*Staff Comment: The sponsors of AB 2440 and this measure decided to run separate bills to address the proper disposal of loose (AB 2440) and embedded (SB 1215) lithium-ion batteries. SB 1215 is consistent with Council Resolution 10-278 on extended producer responsibility. As the amendments occurred just before the recess, staff is working through the process to join the coalition in support of this measure. It is scheduled to be heard in the Assembly Appropriations Committee on August 3.*

### ***Neutral***

### **AB 2201 (Bennett) Groundwater Sustainability Agency: Groundwater Extraction Permit: Verification. (Neutral)**

This measure would prohibit a county, city or any other water-well permitting agency from approving a permit for a new groundwater well or alteration of an existing well in a medium-or high-priority basin subject to SGMA unless certain conditions are met.

*Staff Comment: This measure is intended to make the Governor Newsom's Executive Order N-7-22 (EO) permanent. In part, the EO prohibited a county, city, or other public agency from:*

- Approving a permit for a new groundwater well or for alteration of an existing well in a basin subject to SGMA and classified as medium- or high-priority basin without first obtaining written verification from a GSA that the proposed well would not (1) be inconsistent with any sustainable groundwater management program established in any applicable GSP and (2) decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or*
- Issuing a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.*

*Staff's goal has been to have this legislation mirror how counties have been implementing the EO and limiting the liability on Groundwater Sustainability Agencies (GSAs). With the amendments on June 30, Roseville and our statewide trade associations are now neutral on the bill. This bill is currently in the Senate Appropriations Committee.*

### **AB 2536 (Grayson) Development Fees: Impact Fee Nexus Studies: Connection Fees and Capacity charges. (Neutral)**

This measure requires local agencies imposing a new fee or capacity charge to include evidence within our evaluation that shows the fee or charge does not exceed the reasonable cost of providing the service. And requires the evaluation be made available 14 days prior to adoption of

the study/evaluation.

*Staff Comment: Our trade associations worked with the author's office to obtain amendments that are already required as part of our nexus study and in return they moved to a watch position. This measure was approved by the legislature on June 30 and is awaiting action by Governor Newsom.*

### **Oppose**

#### **AB 1931 (Rivas, L) Community water systems: Lead pipes. (Oppose)**

This measure was a gut-and-amend in March to expand the current requirements for water systems to inventory and replace lead service lines within their system. As amended on June 30, it now focuses on three elements:

- Taking advantage of over \$15 billion in federal funding for lead service line and galvanized line replacements
- Setting a high bar for the allowance of partial lead service line replacements
- Allowing for a narrow exemption for emergency lead service line repairs.

*Staff Comment: While this measure is vastly improved, staff has a number of concerns with the new amendments. For example, the measure by default, requires water agencies to replace the lead or galvanized lines on the customer's property. As part of the "high-bar," water agencies are not required to pay for the work on the customer side of the meter, but agencies would be required to seek federal funding from the state to pay for the replacement of the customer's line causing delays and is not a guarantee that an agency would receive funding as the state and federal funding is supposed to go to disadvantaged communities, causing a potential Proposition 218 issue. This measure is now in the Senate Appropriations Committee and will be taken up when the Legislature returns.*

#### **SB 222 (Dodd) Water Rate Assistance Program. (Oppose Unless Amended)**

This measure would require the State Water Resources Control Board (SWRCB) to create a low income water and wastewater rate assistance program. However, as amended on June 23, each local water and wastewater agency would have to create a low-income rate assistance program and qualify individuals based on criteria set up by the SWRCB with no guarantee of funding being available.

*Staff Comment: Last year we worked on this bill and was about to move to a support position when the author pulled the bill to work on amendments with the Governor's Office. Recently the bill became active again and was amended right before the legislative Recess. The amendments have changed our position from Support to Oppose Unless Amend. Staff is working with our statewide associations on amendments that would create a statewide program with a similar structure to the temporary Low Income Household Water Assistance Program. Where the State or a local service provider, like Project GO here locally, would qualify individuals for the assistance and send payments to water and wastewater providers on behalf of the customer.*

#### **SB 1124 (Archuleta) Public Health Goal: Primary Drinking Water Standard: Manganese. (Oppose Unless Amended)**

This measure would require the Office of Environmental Health Hazard Assessment (OEHHA) to establish a public health goal for manganese by July 1, 2023. It also directs the State Water Resources Control Board (SWRCB) to adopt a primary drinking-water standard. In the interim, the SWRCB would be required to establish a notification or response level by January 31, 2024. The SWRCB would also be required to establish monitoring requirements and water agencies will be required to monitor for manganese either through a general order or individual permit.

*Staff Comment: Roseville staff is concerned that this bill disregards the scientific and*

*regulatory processes that are currently in place. Roseville is opposing this legislation through our statewide trade associations. The SWRCB has established a secondary drinking water standard for manganese of 0.05 milligrams per liter (mg/L), a standard established to address issues of aesthetics (discoloration). The State Water Board is already developing a notification level for manganese as it was previously included in the United States Environmental Protection Agency's (U.S. EPA's) Fourth Unregulated Contaminant Monitoring Rule (UCMR 4). This measure made it out of the Assembly Committee on Environmental Safety and Toxic Materials on June 28 with minor amendments that did not address our concerns. The measure is scheduled to be heard in the Assembly Appropriations Committee on August 3.*

**SB 1157 (Hertzberg) Urban Water Use Objectives: Indoor Residential Water Use. (Oppose Unless Amended)**

This measure proposes to amend the indoor water standards in 2025 and 2030 established with the passage of AB 1668 (Friedman) in 2018. This measure would set the new 2025 standard at 47 gallons per capita daily (GPCD) and 42 GPCD beginning in 2030.

*Staff Comment:*

*Roseville staff has been working as part of a water-industry coalition to get amendments to the 2025 and 2030 indoor standards. Recently, the author accepted amendments that addressed some concerns, by requiring additional studies and variance processes, but is keeping the indoor residential standards at 47 (GPCD) by 2025, and 42 (GPCD) by 2030 and beyond. With these amendments the bill is heading to the Appropriations Committee, where the water-industry coalition is hoping to get additional amendments to address our concerns that if not addressed could be a driver for future rate increases.*

**Dead Bills**

***Support***

**AB 2787 (Quirk) Microplastics in Products. (Support)**

This measure would have banned the sale, distribution or offering of products containing intentionally added microplastic by specified dates and would have imposed a \$2500 per-day fine for violation.

*Staff Comment: Roseville was supportive of this measure through our statewide trade associations due to the costs for water and wastewater agencies to treat for microplastics and the potential liability Roseville could face if they are found in our water that Roseville serves to customers and are discharged/disposed of through the wastewater treatment process.*

**Federal**

**S.4279 (Padilla, McNerney) Water Efficiency, Conservation and Sustainability Act of 2022. (Support)**

This measure seeks to provide federal assistance to 1) promote the adoption of water conservation technologies within the municipal and agricultural sectors. 2) The ability of water systems to identify leakage and correct audited findings. 3) Support the ability of local agencies to modernization of plumbing codes.

*Staff Comment: In 2019 Roseville began a leak-detection program to proactively inspect about 60 miles of main lines, service lines, valves, hydrants, blow offs, and air-release valves annually. Once a leak is found it is repaired. To date Roseville has saved well over 12 million gallons of water on an annual basis. Staff believes this legislation could provide funding for our leak-detection program if passed.*

## FISCAL IMPACT

The costs of these activities are contained within the City's current budget.

## ECONOMIC DEVELOPMENT / JOBS CREATED

The activities contained in this report will not result in job development or creation.

## ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, or is otherwise not considered a project as defined by CEQA Statute §21065 and CEQA State Guidelines §15060(c)(3) and §15378. The action of reviewing legislation meets the above criteria and is not subject to CEQA. No additional environmental review is required.

Respectfully Submitted,

Noelle Mattock, Utility Government Relations Administrator

Richard Plecker, Environmental Utilities Director

A handwritten signature in blue ink, consisting of several overlapping loops and a horizontal line, positioned above a horizontal line.

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Dominick Casey, City Manager