



## AGENDA April 27, 2022

CITY COUNCIL  
LAW & REGULATION COMMITTEE  
4:00 P.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. SILENT ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENTS
5. REPORTS/COMMENTS/COMMITTEE/STAFF

5.1. State & Federal Priority Legislation – April 2022

Memo from Government Relations Administrator Mark Wolinski and Deputy City Manager Megan Scheid with a report that focuses on priority legislation being tracked regarding public safety, land-use and housing. The report also includes an overview of several federal issues including the President's proposed budget, cybersecurity of critical infrastructure, and the Build Back Better Act. Finally, the report provides an overview of the initiatives that were previously submitted by former Assemblymember Mike Gatto.

CC #: 2042

File #: 0103-32-02

CONTACT: Mark Wolinski 916-774-5179 mwolinski@roseville.ca.us

5.2. Electric Department Priority Legislation – April 2022

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

CC #: 2043

File #: 0103-32-02

CONTACT: Chris Romero 916-746-1660 cromero@roseville.ca.us

5.3. Environmental Utilities Department Priority Legislation - April 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 #: 2044

File #: 0103-32-02

CONTACT: Noelle Mattock 916-774-5504 ncmattock@roseville.ca.us

**6. ADJOURNMENT**



# CITY COUNCIL Law & Regulation Committee

CC #: 2042  
File #: 0103-32-02

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

**Meeting Date:** 4/27/2022  
**Item #:** 5.1.

## 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

Public safety continues to be a policy area of particular concern to the Legislature. In addition, the clash between state control and local control continues to intensify regarding local zoning and land-use decisions. The Legislature continues its efforts to reduce and/or eliminate what municipalities may do regarding zoning and land-use as they contend that local governments are, in part, a reason for the state's housing crisis. Unfortunately, the Legislature remains reluctant to acknowledge the role the state plays in the crisis.

The following is a review of public safety bills and some of the land-use/zoning/housing bills that are of particular interest.

### **Public Safety**

The City's Government Relations Team has identified over 300 pieces of legislation which could potentially impact the Roseville Police Department. In an effort to focus our resources on the most critical legislation, we have identified the top 35 bills to watch for the 2022 legislative cycle. We have further broken the proposed legislation into seven categories. Although we will continue to track the entire list of legislation, the following 35 will serve as the priority for which we track with greater focus.

Compared to the 2021 legislative cycle, we've seen a shift in the overall themes related to the bills presented. In this cycle, we are noticing more focus on legislation related to homelessness, substance abuse, and criminal sentencing. We have seen a shift away from police reform and law enforcement operational mandates.

Specific to our current seven tracking categories, we have highlighted one bill from each category that represents the overall theme(s) presented:

### Homeless Response

• **CA SB 1006 (Jones) - Law Enforcement: Homeless Outreach Teams (Watch)** This bill would require the Department of Justice, to the extent funding is provided for these purposes, to administer a competitive grant program to enable local law enforcement agencies to establish and operate homeless outreach teams. Requires a homeless outreach team funded with a grant to be composed of specified individuals. **Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. The department currently utilizes partnerships with several internal and external stakeholders, including Placer County Health and Human Services to work in coordination with our Social Services team to coordinate on homeless related issues. Additional funding in this space may provide the opportunity to increase services in this area.**

### Mental Health Crisis Response

• **CA AB 662 (Rodriguez) - Mental Health: Dispatch and Response Protocols (Watch)** This bill would require the Health and Human Services Agency to convene a working group to examine the existing dispatch and response protocols when providing emergency medical services to an individual who may require evaluation and treatment for a mental health disorder. Requires the working group to develop recommendations for improvements to those protocols and recommend amendments to the provisions governing involuntarily taking an individual into temporary custody for a mental health evaluation and treatment. **Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. The job of a police and fire dispatcher is very dynamic and complex role. It's an integral pieces to the overall response cycle when the community is in need of public safety services. Whenever new regulations are imposed upon public safety communicators, we want to ensure there are no potential risk for adverse changes to operations.**

### Substance Abuse/Fentanyl Overdoses

• **CA AB 2365 (Patterson) - Fentanyl Program Grants (Watch)** This bill would require the California Health and Human Services Agency to establish a grant program to reduce fentanyl overdoses and use throughout the state by giving out 6 one-time grants to increase local efforts in education, testing, recovery, and support services, as specified. **Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. The department recognizes there's serious consequences when fentanyl is introduced to a community. We have seen an increase in fentanyl related deaths. Programs designed to reduce fentanyl in the community could have positive impacts.**

### Organized Retail Crime

• **CA AB 1700 (Maienschein) - Theft: Online marketplaces: Reporting (Watch)** This bill would require the Attorney General to establish a reporting location on its internet website for individuals to report items found on online marketplaces that they suspect are stolen goods, and requires the Attorney General to provide that information to the applicable local law enforcement agency and regional property crimes task force. Requires online marketplaces to display on their electronically based or accessed platform a link to the Attorney General's online stolen goods reporting location. **Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. Online marketplaces have provided an easy mechanism to sell stolen property. Currently, there is no system in place to officially report stolen property for sale online. If this legislation**

*is passed, there is potential for an increased workload surrounding the investigative efforts needed to follow up on this reporting.*

### Firearms / Ghost Guns

• **CAAB 2156 (Wicks) - Firearms: Manufacturers (Watch)** This bill would prohibit any person, regardless of federal licensure, from manufacturing firearms in the state without being licensed by the state. Decreases the manufacturing threshold requiring state licensure from 50 or more firearms in a calendar year to 4 or more firearms in a calendar year. Prohibits any person, unless licensed as a firearm manufacturer, from manufacturing any firearm or precursor part by means of a 3D printer, as defined. ***Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. Unserialized 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 make it more difficult to gain firearms through this market.***

### Law Enforcement Hiring and Reform

• **CA SB 1038 (Bradford) - Law Enforcement: Facial Recognition and Other Biometric (Watch)** This bill relates to law enforcement, facial recognition and other biometric surveillance. Extends provisions relative to those surveillance methods indefinitely. ***Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. We have seen significant benefits from video technology through our body worn camera program and our license plate reader program. This bill codifies restrictions that may have future potential impacts on how we utilize technology in policing.***

### Hate Crimes/Criminal Sentencing

• **CAAB 1670 (Bryan) - Criminal Justice: Alternatives to Incarceration (Watch)** This bill would create the Commission on Alternatives to Incarceration within the California Health and Human Services Agency to study alternatives to incarceration, alternative crisis response models, and the effects of family separation in the jail and state prison systems. ***Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. Although we do not know the outcome of the alternative suggestions to incarceration, we feel it's important to recognize the intent behind this proposed commission. If created, recommendations will move forward to likely ultimately reduce the number of convicted criminals from serving incarcerated time.***

### Other

• **CAAB 2071 (Patterson) - Vehicles: Distracted Driving Awareness Grant (Watch)** This bill would require the Office of Traffic Safety to administer a grant program to combat distracted driving. The bill would require that grants be awarded to qualifying law enforcement agencies, such as the Department of the California Highway Patrol. Requires that grant funds be used to increase public awareness of the dangers of distracted driving. ***Staff comments: The department has currently taken a watch position on this bill to better understand the potential impacts of implementation. Distracted driving kills. We currently have a grant request in with the California Office of Traffic Safety to, among many things, promote safe driving in the community. If additional grants became available in this space, the department would assess the possible funding options.***

In the next phase of the legislative review process, we'll coordinate with our industry and

association partners at Cal Chief's, California Police Officers Association (CPOA), and Peace Officers Research Association of California (PORAC) to further refine the bills with the greatest potential impact. This will further help us refine our advocacy tactics.

### **Other Active Priority Bills – Housing and Land-Use**

• **AB 1952 (Gallagher) - Infill Infrastructure Grant Program of 2019 (Support)** – This bill would exempt from the requirements of the California Environmental Quality Act (CEQA) a project financed pursuant to the Infill Infrastructure Grant Program of 2019, and would make all legal actions, proceedings, and decisions undertaken or made pursuant to the program exempt from CEQA. ***Staff Comments: The City has taken a support position on this bill for the CEQA exemptions it would provide for projects financed through the Infill Infrastructure Grant Program of 2019. While it is uncertain if any projects will be constructed in Roseville using this program, this bill could provide benefit to other cities and counties throughout the state to address the housing crisis.***

• **AB 2053 (Lee) - The Social Housing Act (Watch)** – This bill would enact the Social Housing Act and would create the California Housing Authority, as an independent state body, the mission of which would be to produce and acquire social housing developments for the purpose of eliminating the gap between housing production and regional housing needs assessment targets, as specified. Prescribes a definition of social housing that would describe, in addition to housing owned by the authority, housing owned by other entities. ***Staff Comments: The City has taken a watch position on this bill as it would provide, among other things, that the authority prioritize the development of specified property, including vacant parcels and parcels near transit, and would prescribe a process for the annual determination of required social housing units. Under the bill, social housing would accommodate a mix of household income ranges and would provide specified protections for residents, who would participate in the operation and management of the units in which they reside.***

• **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.***

• **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.***

• **SB 897 (Wieckowski) - Accessory dwelling units: junior accessory dwelling units (Oppose)** This bill would require that the standards imposed on accessory dwelling units be objective. Requires a local agency to review and issue a demolition permit for a detached garage that is to be replaced by an accessory dwelling unit at the same time as it reviews and issues the permit for the accessory dwelling unit. Prohibits an applicant from being required to provide written notice or post a placard for the demolition of a detached garage that is to be replaced by an accessory dwelling unit. ***Staff Comments: The City has taken an oppose position on this bill for the loss of local control that would occur if this bill is signed into law. A primary area that is concerning is the lack of transparency that would be created in a neighborhood for other property owners who would be impacted, if an applicant did not have to provide written notice or post a placard that provides notice of the intended change to the lot.***

• **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.***

## **Federal**

The House and Senate are currently in recess and will return to Washington the week of April 25. While Congress is in recess, many items await their attention, including the markup of the 2023 spending bills and new negotiations on the Build Back Better Act, among other legislative items.

### **Federal Budget**

On March 28, 2022, President Biden released his proposed budget for Fiscal Year 2023 (FY23). The President's Budget communicates the Administration's spending priorities to Congress, which is the first step in the federal budget and appropriations process. This budget is not the final budget, but it is a roadmap for funding the federal government. Congress will develop and negotiate spending caps for the 12 federal appropriations bills for FY23 and determine final funding levels before the start of the new fiscal year that begins on October 1, 2022.

The House Appropriations Committee is tentatively planning to take up its fiscal 2023 spending bills in June, with potential floor votes being held in July. Subcommittees would mark up their twelve annual bills from June 13 to June 22. The full committee would hold its markups from June 22 through June 30. Congressional staff that are familiar with the plans said the dates are tentative and will not be confirmed until an official notice is released. The top four appropriators in the House and Senate, known as the "four corners," are expected to meet shortly after the April two-

week recess to begin discussions aimed at reaching a bipartisan agreement on overall discretionary spending levels for the upcoming fiscal year.

### Build Back Better Act

A chief cornerstone of the Biden Administration's legislative agenda is the Build Back Better (BBB) Act. The bill's prospects of passage ended last December when Senator Manchin stated he would not support the legislation. However, senators will take up a modified version of the bill in what many believe to be the last possible chance at passing the package in the coming months. The modified plan will most likely have a much smaller overall cost, which would meet Senator Manchin's concerns. Senators will still need to work through other remaining challenges and differences on the bill if it has a chance to gain Congressional approval.

### Cybersecurity - Critical Infrastructure

Congress is working at increasing the government's ability to safeguard critical infrastructure from overwhelming cyberattacks on critical infrastructure sectors such as water, electric utilities and pipeline operators. These efforts align with a new law Congress passed as part of the fiscal 2022 omnibus spending bill that requires operators of critical infrastructure to report any cyberattacks they suffer to the Cybersecurity and Infrastructure Security Agency. The new law was based on one of the primary recommendations of the Solarium Commission a bipartisan, bicameral panel of lawmakers and experts that proposed several cybersecurity measures in its March 2020 report. It is expected that the next important step is for Congress to identify the key sectors where a cyberattack would have the greatest national security implications.

### Initiatives - California Compassionate Intervention Act

In 2019, former Assemblymember Mike Gatto co-authored 2 initiatives to address issues related to homelessness. The first ballot initiative called the California Compassionate Intervention Act would have put unsheltered people with mental challenges under further scrutiny from law enforcement and the court system.

Under the plan, police would have been further empowered to arrest homeless people under existing state codes, including those for illegal lodging and drug-related offenses, and would have diverted them to a special behavioral court in their county.

The court would have then directed unhoused residents into housing, counseling and medical and mental health treatment in the state's more populous counties, including San Francisco. But it would have also allowed a maximum sentence of just under one year in facilities that operated similar programs.

The second initiative introduced by the former assembly member was the California Intervention Predicate Crimes and Treatment Court. The initiative would have created a special superior court named the Specialized Benefits, Treatment, and Therapy Court, in counties with populations above 100,000. The special courts would have handled crimes defined as intervention predicates. The special courts would have determined whether a defendant's economic need, drug use or addiction, or mental health issues caused, in whole or in part, the defendant to commit the crime. The special courts would have been required to provide information and assistance to defendants and sentence them to counseling and treatment programs. The proposed initiative was designed to change how the state addresses crimes related to homelessness.

Both initiatives failed to qualify for the ballot, but the California's Compassionate Intervention Act organization continues to have a website where people can join their effort.

## **2022 Ballot Initiatives - Update**

Currently, 3 initiatives have qualified for the ballot this November. Those initiatives are as follows:

• **ADJUSTS LIMITATIONS IN MEDICAL NEGLIGENCE CASES. INITIATIVE STATUTE. 1885. (19-0018A1)**

In medical negligence cases, adjusts for inflation: (1) \$250,000 limit established in 1975 on quality-of-life and survivor damages (which include pain and suffering); and (2) contingent attorney's fees limits established in 1987. In cases involving death or permanent injury, allows judge or jury to exceed these limits and requires judge to award attorney's fees. Requires attorneys filing medical negligence cases to certify reasonable basis for claims or good-faith attempt to obtain medical opinion; attorneys who file meritless lawsuits must pay defendant's expenses. Extends deadlines for filing medical negligence lawsuits.

• **REQUIRES STATE REGULATIONS TO REDUCE PLASTIC WASTE, TAX PRODUCERS OF SINGLE-USE PLASTICS, AND FUND RECYCLING AND ENVIRONMENTAL PROGRAMS. INITIATIVE STATUTE. 1886. (19-0028A1)**

Requires CalRecycle to adopt regulations reducing plastic waste, including to: (1) require that single-use plastic packaging, containers, and utensils be reusable, recyclable, or compostable, and to reduce such waste by 25%, by 2030; (2) prohibit polystyrene container use by food vendors; and (3) tax producers of single-use plastic packaging, containers, or utensils by January 1, 2022, and allocate revenues for recycling and environmental programs, including local water supply protection. Prohibits Legislature from reducing funding to specified state environmental agencies below 2019 levels.

• **AUTHORIZES NEW TYPES OF GAMBLING. INITIATIVE CONSTITUTIONAL AND STATUTORY AMENDMENT. (19-0029A1)**

Allows federally recognized Native American tribes to operate roulette, dice games, and sports wagering on tribal lands, subject to compacts negotiated by the Governor and ratified by the Legislature. Beginning in 2022, allows on-site sports wagering at only privately operated horse-racing tracks in four specified counties for persons 21 years or older. Imposes 10% tax on sports-wagering profits at horse-racing tracks; directs portion of revenues to enforcement and problem-gambling programs. Prohibits marketing of sports wagering to persons under 21. Authorizes private lawsuits to enforce other gambling laws.

### Conclusion

The complexities related to public safety, land-use, and housing continue to be significant policy areas for the Legislature. Government relations staff continues to work closely with our state and federal lobbyist, trade associations, and others to track and advocate on the list of priority bills and to ensure the City's interests and policy objectives are supported effectively.

### 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.

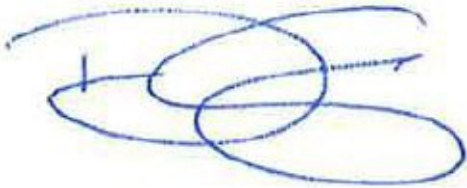
## ENVIRONMENTAL REVIEW

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

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Dominick Casey, City Manager



# CITY COUNCIL Law & Regulation Committee

CC #: 2043  
File #: 0103-32-02

**Title:** Electric Department Priority Legislation – April 2022  
**Contact:** Chris Romero 916-746-1660 cromero@roseville.ca.us

Meeting Date: 4/27/2022  
Item #: 5.2.

## 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 that has been introduced in 2022 to determine potential impacts to the Electric Department. Below is a list of key bills staff has been monitoring:

### State Legislation:

**SB 1393 (Archuleta) Energy: appliances: local requirements. (Watch)** - This bill would require a city to submit an application to the California Energy Commission (CEC) and get their approval, before the city could require that a natural gas appliance be replaced with an electric appliance. This bill would pertain to an alteration or retrofit of a home or nonresidential building. A city would not need to seek CEC approval if it is determined the requirement is not cost effective, and that it would not have adverse impacts to a skilled and trained workforce or increased costs for ratepayers. The author of this bill is concerned that local agency building electrification policies may force the replacement of a natural gas appliance, which could negatively impact low income customers. ***Staff comments: The requirement in this bill currently impacts local agencies that have adopted building electrification policies for existing homes. Although Roseville Electric offers various building electrification programs to assist customers adopt new technologies, these are strictly voluntary customer programs. Also, the City of Roseville has not implemented any policies requiring customers to implement electrification retrofits. Staff will continue to monitor this bill to ensure that any future changes to this bill will not impact Roseville Electric's building electrification programs.***

**AB 2703 (Muratsuchi) Zero-emission fueling station reliability standards: transportation: low-income and disadvantaged community financial assistance. (Watch)** - Currently administered by the CEC, the Clean Transportation Program provides a funding mechanism to deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change goals and policies. One of those goals is putting at least 5 million zero

emission vehicles (ZEV) on the road by 2030. This bill directs the CEC to develop a new program to assist low-income and disadvantaged community members with ZEV fueling facilities, micro mobility transportation options, and rideshare services. A person who receives state funding or other incentives to deploy a publicly available ZEV fueling station, including an EV charger, would be required to agree to operate the station in compliance with reliability standards developed by the CEC. **Staff comments: The bill does not currently impact Roseville Electric owned EV chargers since our department has not received any funding, as currently defined in this bill, from a state agency to own or operate charging stations. However, with increased funding opportunities becoming available for ZEV fueling stations, the department will be closely monitoring this bill as it expands their EV infrastructure. This bill is expected to have more details in the future as staff will be monitoring the CEC's development of EV charger reliability standards.**

**AB 2061 (Ting, Reyes) Transportation Electrification: Electric Vehicle Charging Infrastructure. (Watch)** – Beginning July 1, 2023, an entity that receives incentive funding by a state agency to own or operate a charging station will be required to report charging station “uptime” to the California Energy Commission every 12 months over a 12-month rolling basis. The entity that received funding would also be required to annually report to the CEC information for a minimum of at least five years. The service provider of electric vehicle service equipment selected by the entity that received funding shall provide this data on behalf of the entity. “Uptime” is the charging station being operational and available for use, or in use, and dispensing electricity at the intended power level. Beginning January 1, 2025, the Commission will assess the uptime of public and ratepayer-funded charging station infrastructure to identify if there are differences in uptime by population density, geographical area, or population income level. If the assessment indicates an issue, the Energy Commission will consider adopting tools to increase charging station uptime, including uptime requirements or incentives. **Staff comments: The proposal in this bill would be a new requirement for Roseville Electric, as we currently do not report on “uptime” for our chargers right now. However, it does not appear that Roseville receives any funding, as currently defined in this bill, from a state agency to own or operate charging stations. Accordingly, this bill is not applicable to us at this time. Staff will continue to monitor this bill to assess any changes that may impact the operation of Roseville Electric’s electric vehicle infrastructure or programs.**

**AB 2696 (E. Garcia) Electricity: Renewable Energy and Zero-Carbon Resources: State Policy: Transmission Planning. (Watch)** – This bill requires the Energy Commission to conduct a study to review potential lower cost ownership and alternative financing mechanisms for new transmission facilities needed to meet the state’s clean energy and climate targets, including but not limited to, public ownership, public financing and partnerships with federal agencies. Where an electrical corporation has applied for a certificate authorizing the construction of new transmission facilities, this bill requires that the California Public Utilities Commission (CPUC) find that the present or future public convenience and necessity require construction if the new facility will facilitate achievement of the state’s 100% renewable energy/zero carbon goals by 2045. **Staff comments: The City is watching this bill as new transmission to meet the state’s clean energy goals is becoming a high priority in this year’s legislative session. A recent report by the California Independent System Operator (CAISO) estimates an additional \$30 billion in transmission investments needed to support the state’s clean energy goals. While this bill supports looking at different ownership models to support transmission development, it may also result in an easier CPUC approval process of**

***transmission projects, which could raise cost concerns for other utilities in the future. Roseville electric is insulated from these cost increases at this time because we are located in a different Balancing Authority. The department supports future transmission system improvements that ensure cost allocation is born by 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.***

**SB 1032 (Becker) Clean Energy Infrastructure Authority Act. (Watch)** - This bill would create the state Clean Energy Infrastructure Authority (authority) with the purpose of directing the state's plans to build clean energy infrastructure as it transitions to 100% clean energy. The bill would authorize the authority to identify corridors for the transmission of electricity, to coordinate, investigate, plan, prioritize, and negotiate with entities within and outside the state to establish interstate transmission corridors. The bill would support the authority to finance, plan, develop, acquire, own, maintain, sell or operate electrical transmission infrastructure and transmission-related energy storage systems. The bill would require the California Infrastructure and Economic Development Bank (I Bank), to issue taxable or tax exempt revenue bonds on behalf of the authority. The bill would require the Department of Finance to monitor and oversee the authority's operations and to annually report its findings and recommendations to the Governor, commission, and Legislature. ***Staff comments: The department recognizes the need for more transmission in the state; but is concerned that SB 1032 would set up another level of bureaucracy to meet the clean energy goals, potentially adding unnecessary costs to the overall costs of transmission, which has increased significantly. The department is also concerned that this legislation may leave out the stakeholder process if the state determines more transmission build out. Staff will continue to monitor this bill.***

**SB 1075 (Skinner). Hydrogen: green hydrogen: emissions of greenhouse gases. (Watch)** - This bill would direct the California Air Resources Board (CARB) to develop definitions for the different categories of hydrogen and creates a California Clean Hydrogen Hub Fund within the State Treasury, to support projects that demonstrate and scale the production of clean hydrogen. Requires the California Infrastructure and Economic Development Bank (I-Bank) to administer the fund and would authorize I-Bank to provide grants to publicly owned utilities and investor-owned utilities. The Governor would also be directed to appoint a Clean Hydrogen Hub Director to coordinate clean hydrogen issues statewide. The bill seeks policy recommendations to accelerate the production of green hydrogen, and how electrical generation could be better utilized to produce green hydrogen. ***Staff comments: Currently Roseville Electric does not utilize Hydrogen in its power resource portfolio. However, the department remains open to new power resources and technology as it continues to strive to meet state renewable and clean energy goals. The department considers reliability and cost effectiveness before adoption of any new energy technology or clean energy alternatives. Staff will continue to monitor this bill on both the potential resource opportunities available to meet our department needs as well as the corresponding cost implications.***

**SB 1463 (Archuleta) Hydrogen Fueling Hub. (Watch)** - Last year, the federal government included \$9.5 billion in federal grants for clean hydrogen development in the Federal Infrastructure and Jobs Act. This includes an \$8 billion Regional Clean Hydrogen Hubs grant program. This bill would require the CEC to establish a hydrogen fueling hub in the southern California region that would include a heavy duty hydrogen fueling station located at either the Port of Long Beach or the

Port of Los Angeles and a medium and light duty hydrogen fueling station located within 80 miles of the heavy duty station. The bill would also require the CEC to manage those stations. **Staff comments: As previously stated the department does not use hydrogen as a power resource at this time. Although SB 1463 does not have any direct impacts to the department, this bill could potentially open the door to federal funding and encourage expansion of hydrogen fueling hubs throughout California. Staff remains neutral on this bill and will continue to monitor this legislation for any potential opportunities that may come forth.**

### **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**

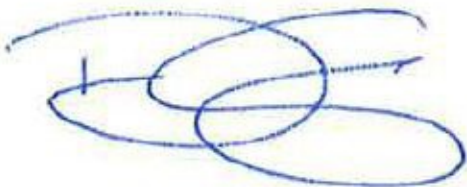
The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, or is otherwise not considered a project as defined by CEQA Statute §21065 and CEQA State Guidelines §15060(c)(3) and §15378.

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

Respectfully Submitted,

Chris Romero, Government Relations Analyst

Dan Beans, Electric Utility Director

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Dominick Casey, City Manager



# CITY COUNCIL Law & Regulation Committee

CC #: 2044  
File #: 0103-32-02

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

Meeting Date: 4/27/2022  
Item #: 5.3.

## 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

### **State Legislation and Regulatory Updates**

#### **Support Bills**

##### **AB 1724 (Stone) Washing Machines: Microfiber Filtration. (Support)**

This measure would require that by January 1, 2024, all new washing machines sold in California shall contain a microfiber filtration system.

*Staff Comment: The intent of this legislation is to help reduce the potential of Perfluoroalkyl and Polyfluoroalkyl (PFAS) substances from fabrics entering into our wastewater systems. We are supporting this legislation through our statewide trade associations. This measure will be heard in its first policy committee on April 26.*

##### **AB 1817 (Ting) Product safety: textile articles: Perfluoroalkyl and Polyfluoroalkyl substances. (Reviewing)**

This measure would prohibit a person from distributing, selling or offering for sale in California a textile article that contains Perfluoroalkyl and Polyfluoroalkyl (PFAS), as of January 1, 2024.

*Staff Comment: Roseville staff is reviewing this measure with other departments within the City to determine if there will be any impacts to personal protection equipment. Our statewide trade associations are supporting this legislation as wastewater and water agencies are often relied upon to remove chemicals during our treatment processes, which ultimately impacts our rate payers. This measure made it through the policy committee and is awaiting a vote on the Assembly Floor.*

##### **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: This measure was heard in committee on March 21<sup>st</sup>. The committee procedure is to hear tax exempt bills and then hold them in committee and determine which tax exemptions will move forward. We anticipate this measure to be voted on the week of April 29<sup>th</sup>.*

### **AB 2078 (Flora) Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program. (Support)**

This measure would update the Atmospheric Rivers (ARs) Program in the Department of Water Resources (DWR) to better predict the impacts of ARs on water supply, flooding, post-wildfire debris flows, and the environment. And, would require DWR to take all actions within its existing authority to implement forecast-informed reservoir operations (FIRO). *Staff*

*Comment: It is estimated that nearly 50% of California's annual precipitation comes from atmospheric rivers. The Legislature has made prior investments of \$22.25 million which has allowed DWR to leverage additional funding and participation from federal and local agencies. By investing in and gaining a deeper understanding of ARs, California can improve water supply reliability and flood protection. Roseville is supporting this legislation through our statewide trade associations. This measure made it out of policy committee and is currently in the Appropriations Committee.*

### **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: Staff has participated in several meetings with statewide organizations and discussed issues faced within the City and has recently decided to take a support position. Staff believes this measure will help as a deterrent. This measure pass out of committee on a unanimous vote on April 6 and is now on the Assembly Floor consent calendar.*

### **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 these batteries and battery-embedded products.

*Staff Comment: This measure is consistent with the City of Roseville's position on extended producer responsibility. AB 2440 has a mirror bill in the Senate SB 1215. Roseville is participating in a coalition in support of both of these measures. This measure made it out of its first policy committee on April 5<sup>th</sup> and is awaiting a hearing in the Assembly Natural Resources Committee.*

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

This measure would make 10 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, and reduce 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.*

*AB 2481 made it out of committee with unanimous support and was placed on consent in the Appropriations Committee where it is awaiting its hearing.*

**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: We are supporting this legislation through our statewide trade associations. This measure passed out of its first policy committee hearing on April 1 and is awaiting to be heard in the Assembly Committee on Health.*

**SB 1215 (Newman) 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 these batteries and battery-embedded products.

*Staff Comment: This measure is consistent with the City of Roseville's position on extended producer responsibility. SB 1215 has a mirror bill in the Assembly AB 2440. Roseville is participating in a coalition in support of both of these measures. SB 1215 is scheduled for its first hearing in the Senate on April 20.*

**Oppose Bills**

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

This measure was amended on March 28 and expands the current requirements for water systems to inventory and replace lead service lines within their system. This measure would require water systems to replace lead service lines on the customer side of the meters.

*Staff Comment: This measure was a gut and amend bill. California Code of Regulations, Title 22, Section 64551.60 defines "User service line," as "the pipe, tubing, and fittings connecting a water main to an individual water meter or service connection but does not include the service line from the meter to individual homes." Legislation in 2016 and 2017 required all community water systems to compile an inventory of lead service lines within their system by 2018 and a schedule for the replacement of all known lead service lines and service lines of unknown material by 2020. This measure opens the City of Roseville to unknown liabilities and potentially violations of propositions 218 and 26. Staff has begun coordinating with our statewide trade associations. AB 1931 is scheduled for its first hearing on April 26.*

**AB 2811 (Bennett) California Building Standards Commission: Recycled Water: Non-potable Water Systems. (Oppose Unless Amended)**

This measure would require the State Water Resources Control Board to mandate the installation of onsite reuse systems for large commercial properties by 2025, without the consultation or coordination with water or sanitation agencies.

*Staff Comment: This measure is being sponsored by the Pipe Trades and is a follow up to Senator Wiener's SB 966 (2018), which required the State Water Board to adopt risk-based water quality standards to help local jurisdictions develop an onsite water reuse program and prohibited the State Board from putting together a statewide required approach. Roseville is working through our statewide trade associations seeking amendments. AB 2811 is currently scheduled for its first hearing on April 26<sup>th</sup>.*

**Regulatory**

## **Executive Order N-7-22**

In the face of a deepening drought and prior to the April 1<sup>st</sup> final snowpack survey, Governor Gavin Newsom signed Executive Order (EO) N-7-22. This EO builds on the prior drought EO's previously issued in 2021. As part of the latest EO, the State Water Resources Control Board (Water Board) is to adopt emergency regulations by May 25, 2022. As part of the emergency regulations Roseville would be required to submit a preliminary annual water supply and demand assessment, a month early, by June 1, 2022. Additionally, the emergency regulation is to require agencies to move to a Stage 2 based on their water shortage contingency plan, which also would require a 20 percent reduction in water use. Roseville, moved to our Stage 2 in August of 2021. Lastly, the Water Board is to consider defining "non-functional turf" as part of the emergency regulations and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.

There are several other provisions of the EO that could benefit our Aquifer Storage and Recovery (ASR) Program by encouraging recharge projects and requesting a list of projects and measures to address short and long-term drought response.

## **Federal Legislation and Funding**

### **Wastewater Infrastructure Pollution Prevention and Environmental Safety Act (WIPPEs). (Support)**

This bill would direct the Federal Trade Commission, in consultation with the Environmental Protection Agency (EPA) to issue regulations on "Do Not Flush" labeling requirements for the covered products defined in the bill, which includes baby wipes, household wipes, disinfecting wipes or personal care wipes. Additionally, the bill would authorize a grant program at EPA (\$5 M annually) to support and expand education and outreach activities by states, local governments and non-profit organizations to increase awareness of the label and proper disposal methods for these wipes.

## **Member Directed Funding Request**

On April 4, Placer County Water Agency (PCWA), in coordination with the City of Roseville, submitted a request to both Senators Padilla and Feinstein for \$7 million in support of a new raw water conveyance project from the Boardman Canal to the Barton Road Water Treatment Plant. Roseville was able to secure support letters from Regional Water Authority (RWA) and State Senator Jim Nielsen for this request. This funding request is a continuation of funding that we received in the fiscal year 2022 appropriations bill to initiate discussions with the United States Army Corp of Engineers to enter into a project agreement.

## **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

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Dominick Casey, City Manager