



Beverly Hills City Council Liaison / Legislative/Lobby Committee will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:

**CITY HALL
455 North Rexford Drive
4th Floor Conference Room A
Beverly Hills, CA 90210**

**Wednesday, August 23, 2017
9:00 AM**

AGENDA

- 1) Public Comment
 - a. Members of the public will be given the opportunity to directly address the Committee on any item listed on the agenda.
- 2) Consider taking a position on SB 623, as amended, Monning. Water quality: Safe and Affordable Drinking Water Fund
- 3) Consider taking a position on SB 611, as amended, Hill. Vehicles – Disabled placards (Andrew Antwih)
- 4) Consider taking a position on AB 1219, as amended, Eggman. Food donations. (Andrew Antwih)
- 5) Consider taking a position on AB 1069, as amended, Low. Local government: taxicab transportation services. (Andrew Antwih)
- 6) Consider taking a position on AB 1479, as amended, Bonta. Public records: custodian of records: civil penalties. (Andrew Antwih)
- 7) Consider taking a position on Assembly Bill 954 (CHIU): Food Labeling: Guidelines: Quality and Safety Dates.
- 8) Update on State Cap and Trade to include passage of AB 617 and AB 398
- 9) Update on SB 649, as amended, Hueso. Wireless Technology.
- 10) Federal Updates
- 11) Adjournment

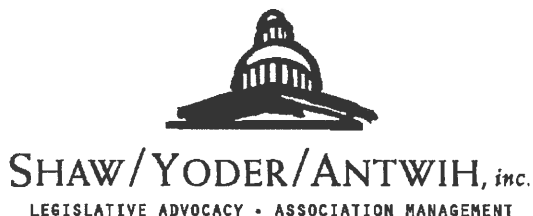

Byron Pope, City Clerk

Posted: August 21, 2017

A DETAILED LIAISON AGENDA PACKET IS AVAILABLE FOR REVIEW IN THE LIBRARY AND CITY CLERK'S OFFICE.



In accordance with the Americans with Disabilities Act, Conference Room A is wheelchair accessible. If you need special assistance to attend this meeting, please call the City Manager's Office at (310) 285-1014 or TTY (310) 285-6881. Please notify the City Manager's Office at least twenty-four (24) hours prior to the meeting if you require captioning service so that reasonable arrangements can be made.



August 16, 2017

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.
 Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.
 Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.

Attachment: 1. SB 623 Fact Sheet

Re: SB 623 (Monning) Water quality: Safe and Affordable Drinking Water Fund.

Introduction and Overview

Senator Monning introduced SB 623 which creates the Safe and Affordable Drinking Water Fund to be administered by the State Water Resources Control Board (SWRCB). The bill would impose fees on milk and fertilizer. The bill would also propose fees to be included by water utilities on individual bills. This bill would impose a new tax and would therefore require a two-thirds vote of the legislature to pass.

Specifically, this bill:

- Imposes a safe and affordable drinking water fee on each customer of a public water system and exempt customers meeting specified income criteria. For customers with water meters:
 - Less than one inch or without a water meter the fee will be \$0.95/month.
 - Greater than one inch but less than two inches the fee will be \$4/month.
 - Greater than two inches but less than four inches the fee will be \$6/month.
 - Greater than four inches the fee will be \$10/month.
- Would, until 2033, require a licensee to pay a fertilizer safe drinking water fee of \$0.005 per dollar of sale for fertilizing materials which would then be reduced to \$0.002 after 2033.
- Creates the Safe and Affordable Drinking Water Fund.
- Would require beginning in 2020 and continuing until 2035 each milk handler subject to the existing regulatory framework to deduct from payments made to producers for market and manufacturing milk \$0.01355 per hundredweight of milk as a dairy safe drinking water fee which would be reduced to \$0.00678 after 2035 with the Secretary of Food and Agriculture being given the authority to reduce the fee as necessary to not exceed anticipated funding needs.
- Requires the SWRCB to expend funds on grants, loans, contracts, or services to help those who deal with contaminated drinking water to have access to safe and affordable water.
- Requires the SWRCB to prepare and make available an annual report of fund expenditures.

Legislative Update

SB 623 was re-referred to Assembly Appropriations and was last amended on August 21, 2017. The bill passed the Senate, and is in the Assembly where it has passed the Assembly Environmental Safety and Toxic Materials Committee (5-1). The bill is scheduled to be heard in Assembly Appropriations on Wednesday, August 23, 2017.

SUPPORT:

American Heart Association
 California Rural Legal Assistance Foundation

Clean Water Action
Planning and Conservation League
The Nature Conservancy
Western Center on Law and Poverty
Western Growers Association
Latino Coalition for a Healthy California
California Pan-Ethnic Health Network
California League of Conservation Voters
Environmental Defense Fund
Pacific Institute
League of Women Voters
California Food Policy Advocates
Service Employees International Union (SEIU)
Strategic Concepts in Organizing & Policy Education
Self-Help Enterprises
Catholic Charities, Diocese of Stockton
City of Porterville
Community Water Center
Dolores Heurta Foundation
Lutheran Office of Public Policy
Black Women for Wellness
Transform
American Stroke Association
PolicyLink
California Bicycle Coalition
El Quinto Sol de America
Physicians for Social Responsibility - Los Angeles
Asian Pacific Environmental Network
Pacific Water Quality Association
Water Quality Association
Tulare County
Asociacion de Gente Unida por el Agua (AQUA)
California Environmental Justice Alliance
Strategic Actions for a Just Economy
American Rivers
Friends Committee on Legislation of California
City of Arvin
Wholly H2O
Leadership Counsel for Justice & Accountability
Esperanza Community Housing Corporation
Mission: Readiness
California Water Service
Comité Civico Del Valle
Cultiva La Salud
Sunflower Alliance
Pueblo Unido CDC
Community Alliance for Agroecology
RCAC

Public Health Advocates
Faith in the Valley
Alliance of Child and Family Services
California Audubon
Council for a Strong America
Arvin Community Services District
Central California Environmental Network
Center for Race Poverty and the Environment
Friends of Calwa
Fresno Building Healthy Communities

OPPOSITION:

Association of California Water Agencies
Monterey Coastkeeper
Rincon del Diablo Municipal Water District
Southern California Water Committee
Santa Barbara Channelkeeper
Cucamonga Valley Water District
Eastern Municipal Water District
Elsinore Valley Municipal Water District
Indian Wells Valley Water District
Three Valleys Municipal Water District
Western Municipal Water District
Yorba Linda Water District
California Sportfishing Protection Alliance
Kern County Water Agency
Calleguas Municipal Water District
El Dorado Irrigation District
Vista Irrigation District
Las Virgenes Municipal Water District
Desert Water Agency
East Valley Water District
Valley Center Water District
Padre Dam Municipal Water District
Russian Riverkeeper
San Juan Water District
City of Roseville
City of Indio
Alameda County Water District
Placer County Water Agency
The Otter Project
Santa Margarita Water District
Pacific Coast Federation of Fishermen's Associations
California Water Impact Network
San Gabriel County Water District
Fairfield
Rowland Water District
Humboldt Bay Municipal Water District

Humboldt Baykeeper
Inland Empire Waterkeeper
Mesa Water District
Bella Vista Water District
Indio Water Authority
Monte Vista Water District
Regional Water Authority
American Water Works Association, California-Nevada Section
Foresthill Public Utility District
La Canada Irrigation District

FACT SHEET: SB 623
SENATOR WILLIAM MONNING
SAFE AND AFFORDABLE DRINKING WATER

PROPOSED BILL

SB 623 will establish the Safe and Affordable Drinking Water Fund to provide an ongoing source of funding to ensure all Californians have access to safe drinking water.

BACKGROUND

Recent California State Water Resources Control Board (SWB) data identified roughly 300 California public water systems serving communities currently out of compliance with drinking water standards, some of which have been unable to provide safe drinking water for multiple years. Drinking water advocates estimate over 1 million Californians are exposed to unsafe drinking water each year. Additionally, nearly 2 million Californians utilize domestic wells and/or state small water systems that are not eligible for most assistance programs, leaving them particularly vulnerable to unsafe drinking water. Drinking water contaminants are dangerous and can cause a variety of both short and long-term health effects, with children and the elderly typically at greatest risk.

For years, the SWB has called for the creation of a new sustainable funding source to support safe drinking water needs, since other sources of funding, such as bond funding or the Safe Drinking Water State Revolving Fund (SDWSRF) do not qualify to be used to support urgent needs like ongoing operations and maintenance costs for drinking water treatment. The lack of a sustainable funding source means disadvantaged communities and others have

no outside support to draw upon, forcing their typically small, rural and/or socioeconomically disadvantaged ratepayer bases to bear the entire cost of ongoing drinking water treatment.

SOLUTION

Eligibility, Funding, Governance

The Safe and Affordable Drinking Water Fund will be located at SWB in its Office of Sustainable Water Solutions, which is best situated to leverage other sources of existing or new funding. In addition, it will provide for coordination with the newly created multi-disciplinary technical assistance program focused entirely on the needs of small disadvantaged communities, so that it may efficiently and effectively secure safe drinking water to impacted communities and residents throughout the state.

The SWB, in consultation with a multi-disciplinary stakeholder group and after adoption of a fund implementation plan and needs assessment, shall prioritize funding to focus on disadvantaged communities and low-income domestic well users with exceedances of primary drinking water standards where the cost of treatment or new sources would otherwise make the cost of the water service unaffordable. The funds collected will also provide for costs where no other currently existing sources of funding available.

Funding shall come from a safe drinking water fee in the form of a fertilizer mill fee, a safe drinking water fee on dairies, and a new small safe drinking water fee assessed monthly on water bills. Low-income rate

exemptions are provided for households under 200% of the federal poverty level.

Agricultural Certainty

SB 623 will provide agricultural operations certainty from regional board and/or SWB-initiated enforcement actions for violations of nitrate water quality objectives and/or for causing conditions of pollution or nuisance for nitrates in groundwater for 10 years, and from regional board and/or SWB initiated clean up and abatement actions for an additional five years, as long as agricultural operations comply with specified conditions. These conditions include: compliance with all applicable provisions in an adopted waste discharge requirements order, or conditional waiver order, including implementing best practicable treatment or control, best efforts, monitoring and requirements, and other timelines, and is in compliance with an applicable program of implementation for achieving groundwater quality objectives for nitrate that are part of an applicable water quality control plan. The agricultural certainty provisions in the legislation sunset January 1, 2028 and January 1, 2033, respectively.

Nothing in this legislation limits the liability of a discharger under any other law, including the Civil Code, nor alters the SWB or a regional board's authority to require or conduct investigations, require reporting or monitoring to protect water quality, or change or alter water quality objectives that are part of a water quality control plan.

SUPPORT

Agricultural Council of California
Allensworth Community Services District
Alliance of Child and Family Services
American Heart Association
American Rivers

American Stroke Association
Armona Community Services District
Arvin Community Services District
American Stroke Association
Asian Pacific Environmental Network
Asociación de Gente Unida por el Agua
Association of People United for Water
Black Women for Wellness
CA Audubon
CA Bicycle Coalition
CA Citrus Mutual
CA Environmental Justice Alliance
CA Food Policy Advocates
CA Fresh Fruit Association
CA Housing Partnership
CA League of Conservation Voters
CA Rice Commission
CA Rural Legal Assistance
Foundation
CA Pan-Ethnic Health Network
CA Water Service
Catholic Charities, Diocese of Stockton
Central California Environmental Network
Central California Environmental Justice
Network
Center for Race, Poverty, and the
Environment
City of Arvin
City of Hanford
City of Porterville
Clean Water Action
Comite Civico del Valle
Community Alliance for Agroecology
Community Water Center
Council for a Strong America
County of Tulare
Cultiva la Salud
Dolores Huerta Foundation
El Quinto Sol de America
Environmental Defense Fund
Esperanza Community Housing CA
Faith in the Valley
Fresno Building Healthy Communities
Friends Committee on Legislation of CA
Friends of Calwa
Latino Coalition for a Healthy America

Leadership Counsel for Justice and Accountability
 League of Women Voters
 Lutheran Office of Public Policy
 Mission Readiness: Council for a Strong America
 Monterey County Board of Supervisors
 NextGen California
 Pacific Institute
 Pacific Water Quality Association
 Physicians for Social Responsibility Los Angeles
 Planning and Conservation League
 Policy Link
 Poplar Community Services District
 Public Health Advocates
 Public Interest Law Project
 Pueblo Unido CDC
 RCAC
 Self Help Enterprises
 Service Employees International Union
 Strategic Actions for a Just Economy
 Strategic Concepts in Organizing & Policy Education
 Sultana Community Services District
 Sunflower Alliance
 The Nature Conservancy
 TransForm
 United Farm Workers
 Water Quality Association
 Western Center on Law & Poverty
 Western Growers
 Western United Dairymen
 Wholly H2O

OPPOSITION

Alameda County Water District
 American Water Works Association, California-Nevada Section
 Association of California Water Agencies
 Bella Vista Water District
 California Sportfishing Protection Alliance
 California Water Impact Network
 Calleguas Municipal Water District

City of Fairfield
 City of Indio
 City of Roseville
 Cucamonga Valley Water District
 Desert Water Agency
 East Valley Water District
 Eastern Municipal Water District
 Elsinore Valley Municipal Water District
 El Dorado Irrigation District
 Foresthill Public Utility District
 Humboldt Baykeeper
 Humboldt Bay Municipal Water District
 Indian Wells Valley Water District
 Indio Water Authority
 Inland Empire Waterkeeper
 Kern County Water Agency
 La Canada Irrigation District
 Las Virgenes Municipal Water District
 Mesa Water District
 Monte Vista Water District
 Monterey Coastkeeper
 Pacific Coast Federation of Fishermen's Association
 Padre Dam Municipal Water District
 Placer County Water Agency
 Regional Water Authority
 Rincon Water
 Rowland Water District
 Russian Riverkeeper
 San Gabriel County Water District
 San Juan Water District
 Santa Barbara Channelkeeper
 Santa Margarita Water District
 Southern California Water Committee
 The Otter Project
 Three Valleys Municipal Water District
 Valley Center Municipal Water District
 Vista Irrigation District
 Western Municipal Water District
 Yorba Linda Water District

FOR MORE INFORMATION

Contact: Kathy Smith
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SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

August 17, 2017

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.
Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.
Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.

Re: SB 611 (Hill) Vehicles

Introduction and Background

Senator Hill introduced SB 611, which would make reforms to the Department of Motor Vehicles' (DMV's) disabled person parking placard program and clarify certain aspects of the Ignition Interlock Device (IID) pilot program. Highlights of this bill's most pertinent provisions are below.

The bill would change the disabled person parking placard program application process by:

- Requiring the DMV to work with the Medical Board of California to conduct application audits;
- Requiring program applicants to provide proof of their true full names; and
- Requiring the DMV to use the Social Security Administration's Death Master File in their evaluation process.

The bill would also change the renewal and issuance of new placard processes by:

- Allowing licensed podiatrists to certify a disability for purposes of obtaining a placard;
- Requiring placard card holders to complete a form every 6 years in order to receive an updated placard; and
- Limiting the number of placards the DMV may issue in a two-year period before a placard holder is required to reapply for a placard.

The bill would also change the IID pilot program by:

- Clarifying that it does not apply to drug-only driving under the influence (DUI); and
- Clarifying restrictions options for first-time DUI offenders.

Support and Opposition

Supporters of the bill, such as the San Francisco Municipal Transportation Agency, argue that the current placard program does not achieve the goal of providing convenient accessible parking for Californians because of widespread abuse. Among others, the Association for Los Angeles Deputy Sheriffs, the Association of Deputy District Attorneys, and California Police Chiefs, Inc. support the IID pilot program provisions of this bill.

There are no registered opponents to the bill.

Status of Legislation

SB 611 (Hill) is currently in the Assembly Appropriations Committee and is assigned to the August 23, 2017 hearing for this Committee.



August 17, 2017

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Re: AB 1219 (Eggman) California Good Samaritan Food Donation Act

Introduction and Overview

Assemblymember Eggman introduced AB 1219, which would extend liability protections to individuals, gleaners, and nonprofit organizations for injuries resulting from the consumption of donated food, provided that such injuries are not the result of gross negligence or intentional misconduct. These protections would also be extended to donations of food directly to end recipients and by donations of food exceeding the recommended shelf life date provided by the manufacturer.

Specifically, this bill would;

- Exempt individuals and nonprofit organizations from liability for damage or injury resulting from consuming donated food, except in cases of gross negligence or intentional misconduct.
- Provide that this immunity from civil liability applies regardless of compliance with laws regulating food packaging, labeling, storage, or handling of food by the recipient after the donation.
- Provide that food fit for human consumption that is donated after its shelf life date is protected by this act.
- Provide that enforcement officers promote the recovery of food fit for human consumption during their routine inspections.

Support/Opposition

The author notes that one in every eight Californians suffers from food insecurity while much of the state's food surplus is discarded. The common reason cited by food manufacturers, retailers, and restaurants is the fear of civil liability, which prevents them from donating surplus food. The author also states that current law is unclear regarding food donated after its sell-by date and also prohibits food being donated directly from its source. The author asserts that the expanded liability protections and allowance of direct donations of food from the source will encourage food donations by those currently discouraged from donating food due to liability concerns. There is no formal opposition to the bill.

Legislative Update

AB 1219 was re-referred to Senate Appropriations with the recommendation that it be placed on the Consent Calendar.

SUPPORT:

California Grocers Association
 California League of Food Processors

California Retailers Association
Los Angeles Unified School District
Natural Resources Defense Council (NRDC)
Western Center on Law and Poverty
California Association of Nonprofits
California Food Policy Advocates
Redwood Empire Food Bank
Second Harvest Food Bank Santa Cruz County
Solid Waste Association of North America
Food for People, Inc.
California Association of Environmental Health Administrators
Sunnyvale
Community Alliance of Family Farmers
Alameda County Food Bank
Food Finders
Los Angeles Regional Food Bank
Community Action Agency of Butte County, Inc.
Imperial Valley Food Bank
Oakland Food Policy Council
Jacobs and Cushman San Diego Food Bank
Rural County Representatives of California (RCRC)
St. Francis Center
Los Angeles Food Policy Council
Yolo Food Bank
Zero Waste Marin
Feeding San Diego
Food Bank of Contra Costa & Solano County
Emergency Food Bank Stockton/San Joaquin
Merced County Food Bank
Food Forward
Food Shift
Yuba-Sutter Food Bank
Sierra Harvest
Food Law and Policy Clinic of Harvard Law School
Meet Each Need with Dignity
Amy's Kitchen, Inc.
FoodLink Tulare County
Second Harvest Food Bank Orange County
Second Harvest Food Bank of San Joaquin & Stanislaus Counties
Urban and Environmental Policy Institute at Occidental College

OPPOSITION:

None



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LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

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Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.

Attachment: 1. LA Times Article

Re: AB 1069 (Low) Local Government: taxicab transportation services.

Introduction and Overview

Assemblymember Low introduced AB 1069 which authorizes county transportation agencies in the ten largest California counties to regulate taxis. This bill is a retooling of AB 650 (Low, 2016) which sought to give that authority to the state, and was vetoed by the Governor who saw such a shift in regulatory authority as unjustified.

Specifically, this bill:

- Authorizes, but does not require, county transportation agencies in the listed counties to regulate taxis, currently regulated by cities.
- Prohibits cities in the listed counties from regulating taxis except through a countywide agency.
- Requires cities to enact ordinances to adopt and enforce the county transportation agency regulations.
- Requires drug testing and fingerprint criminal background checks for taxi drivers administered by the transportation agency or Sheriff's Department if the agency declines to oversee the permitting process.
- Authorizes cities or counties to limit the number of taxicab companies or vehicles that may use taxi stand areas or pick up street hails in its jurisdiction.
- Prohibits a transportation agency, city or county from limiting prearranged trips within a county.
- Allows taxis to use any device approved by the Division of Measurement Standards to calculate fares.

Legislative Update

AB 1069 was re-referred to Senate Appropriations and was last amended on June 28, 2017. The bill passed the Assembly and is in the Senate where it has passed the Senate Governance and Finance (7-0), and Transportation and Housing (11-0) Committees.

This bill is sponsored by the Taxicab Paratransit Association of California and is supported by taxicab companies who say it will provide regulatory flexibility by allowing taxis to compete with transportation network companies (TNCs). Primarily, this bill will allow taxis to adjust fares to make them competitive (subject to a maximum rate), utilizing devices including GPS to calculate fares, and by authorizing a single permit to operate in an entire county. Attached is an article on the author describing how he wants to help level the playing field between taxis and TNCs.

AB 1069 is opposed by several county transportation agencies listed in the bill that do not want the costly burden of regulating taxis, which is outside their expertise, and authority. Opponents object to regulatory control being taken away from cities and given to county entities, and note that in the event a county transportation agency declines to administer a permitting program then no city in that county may administer a program, eliminating taxi regulation altogether.

SUPPORT:

Taxicab Paratransit Association of California (sponsor)

American Cab Inc.

Silicon Valley Cab Company

Taxi Workers Alliance of Silicon Valley

5 individuals

OPPOSITION:

Alameda County Transportation Commission

CALCOG

City of Santa Monica

Contra Costa Transportation Authority

Riverside County Transportation Commission

San Francisco Taxi Workers Alliance

Los Angeles Times

Q&A

Meet the man driving the future of Uber
and Lyft in the California Legislature



State Assemblyman Evan Low (D-Campbell). (Rich Pedroncelli / Associated Press)

By **Liam Dillon***Contact Reporter*

Uber and Lyft have had lots of success getting friendly laws passed at the state Capitol. For that, they can thank young, tech-friendly Democratic lawmakers, who have teamed up with Republicans who generally support fewer regulations. At the head of that coalition is Assemblyman Evan Low (D-Campbell), who co-founded the Legislature's tech and millennial caucuses.

The 34-year-old Low, who was elected in 2014, has also written legislation to make it easier for the taxi industry to compete with ride-hailing companies.

State regulators in recent years decided to oversee Uber and Lyft, allowing the companies to avoid the patchwork of local rules that taxis have to deal with. Low's new legislation aims to regulate cabs regionally so that they also won't need city-by-city permits.

The idea, Low said, is for the state to create a more level playing field and prepare for the impact future autonomous vehicles will have on how Californians travel. We spoke with Low about the role of the Legislature in shaping how Uber and Lyft, which are known formally as transportation network companies, or TNCs, operate. (The interview has been edited for length and clarity.)

You've written a number of bills that make it easier for ride-hailing companies to operate here. Why?

It's a win-win solution on all aspects of it. There's absolute convenience on the technology that exists to say, "If I'm trying to get from Point A to Point B and there might be another individual who needs to get from Point A to Point B and it's all on the same way, I'm going to save money by having to carpool with somebody." But in addition, it's going to help on the environment and congestion. And the drivers will benefit.

Why are you also trying to help taxis out?

When I had the bill the previous year with respect to TNCs, the taxicabs were in opposition. They cried foul. They said, “This industry is being decimated, and we don't feel like it's a fair playing field.” I was very sympathetic.

Under your bill, there's still going to be regulatory disparities between the taxi industry and Uber and Lyft, like fingerprint background checks. It's required in your bill for taxis. It's not required for Uber and Lyft. Do you think Uber and Lyft drivers should be required to have fingerprint background checks as well?

You offer a very good point in that it outlines what I oftentimes talk about, sort of a Venn diagram: Within the legislative process, how do we get to a point where you bring stakeholders to the table to get something that is palatable that can pass through the Legislature to the governor's desk, and get the governor to sign?

Back to answering your question, I do support the necessary background checks for making sure that we have the safety of the consumer who uses these services.

Are the background checks that companies like Uber and Lyft do sufficient in your mind?

They're sufficient enough for me to use TNCs. In other words, I personally feel safe going into a Lyft, an Uber.

And the reason you included fingerprint background checks for taxis is you felt it would neutralize some potential opposition to the bill?

If we hadn't included it, there would be significant opposition. I would rather start with small, incremental steps. If we address some of these other issues, then perhaps that's another conversation.

There are a lot of troubles going on at Uber right now. Do you think any of those problems they're having say anything about the larger industry?

I'd say that by default in the nature of a start-up, there are significant challenges and problems that exist. Significant corrective action is being taken by many of these companies. And frankly, when you see some of the other competitors in the TNC spaces, you see very much of a proactive approach, [a] very vocal approach to say we want to be good actors. Therefore, we're going to go above and beyond to demonstrate how much we're good actors because we want to look like a shining angel in comparison to some of our competitors.

But certainly sexual harassment is not “by default” involved in start-ups, right?

Tech is very broad. There have been significant highlighted problems within specific companies within the tech world. But I'd say the vast majority, in my experience and observation, are good actors.

Autonomous vehicles are regulated primarily by the Department of Motor Vehicles, Uber and Lyft are regulated by the Public

Utilities Commission and taxis are regulated by cities. Is the state set up to address the changes that are going on in this industry?

I don't think we are today. Clearly you just outlined various modes of transportation with varying regulatory agencies overseeing them. I do think it's an appropriate time to engage in a wider conversation about the vision of California in the transportation space. We are very much engaged in that conversation. But we are also guilty of being slow at that process and not keeping up to date with that.

What's the role of the Legislature in addressing that?

Previously, I would have articulated that the Legislature was reactive to it. But there is a great appetite for members of the Legislature to engage in proactive conversations about the regulatory, the oversight and the legislative process to it.

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SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

August 16, 2017

To: Cindy Owens, City of Beverly Hills

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Re: AB 1479 (Bonta) Public records: custodian of records: civil penalties.

Introduction and Overview

Assemblymember Bonta introduced AB 1479, which would require public agencies to designate a person or office to act as the agency's "custodian of records" responsible for responding to California Public Records Act (CPRA) requests. The bill would also allow for a civil penalty of no less than \$1,000 and no more than \$5,000 to be levied by a court against an agency if shown by a preponderance of the evidence that the agency knowingly and willfully, without substantial justification, improperly withheld or failed to respond to a request for records, from a member of the public. The bill has a sunset provision that would go into effect on January 1, 2023.

This bill requires that each agency designates a person or office as their official custodian of records with the responsibility of responding to CPRA requests. It does not require that a CPRA request be directed to the designated custodian by the requestor nor does it prevent a person or office that is not the designated custodian from fulfilling a request.

Support and Opposition

The author of the bill states that AB 1479 will help ensure that the goals of the California Public Records Act are met by decreasing delays in response times to CPRA requests. The author also notes that the levying of fines against agencies who improperly withhold a public record clearly subject to disclosure would help increase government accountability.

Opponents of the bill claim that it would create a bottleneck in the process of fulfilling CPRA requests which runs counter to the intent of the CPRA. The League of California Cities and the California Special Districts Association initially opposed the bill but took a neutral stance after amendments were introduced on July 18, 2017 addressing their concerns. Other opponents state that the July 18th amendments to the bill that were meant to address their concerns do not provide agencies or counties with much protection from potential future litigation.

Legislative Update

AB 1479 will next be heard in the Senate Appropriations Committee.

SUPPORT:

American Civil Liberties Union
California District Attorneys Association
NJP Consulting

OPPOSITION:

California State Association of Counties
Rural County Representatives of California
Urban Counties of California



SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

August 17, 2017

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Re: AB 954 (Chiu) Food labeling: quality and safety dates.

Introduction and Overview

AB 954 was introduced by Assemblymember Chiu and is sponsored by Californians Against Waste. The bill would require the California Department of Food and Agriculture (CDFA), in consultation with the Department of Public Health, to publish information that would encourage food manufacturers, processors, and retailers to voluntarily use “best by” and “use by” labels on food to state their quality and safety. Currently in California milk products, eggs, and shellfish are required by law to include a “sell-by” date although most food manufacturers include “best-by” or something similar on their packaging as well.

Specifically, this bill:

- Would require CDFA to publish information by July 1, 2018 encouraging food manufacturers, processors, and retailers to voluntarily use the uniform terms to communicate food quality/safety dates:
 - “Best if Used by” or “Best if Used or Frozen by”
 - “Use by” or “Use or Freeze by”
- Require CDFA to promote the consistent use of the above terms in lieu of “sell by” dates.
- Permit CDFA to accept non-state funds from both public and private sources to help educate customers on the meaning of the quality/safety dates in this bill. Such funds would be deposited in the Consumer Education Account, which this bill creates within the Food and Agriculture Fund.

Support and Opposition

Proponents of AB 954 say that current food labeling markers are poorly understood and surprisingly under-regulated. They assert that by encouraging uniformity in the terminology used, it will help improve clarity for consumers.

Legislative Update

AB 954 is currently on the suspense file in the Senate Appropriations Committee. This bill is preceded by AB 2725 (Chiu, 2016) which would have required manufacturers to use the phrases “best if used by” or “expires on” on food to signify a quality or elevated risk date.

SUPPORT:

City and County of San Francisco
Clean Water Action
Western Center on Law and Poverty
California Public Interest Research Group
Californians Against Waste
Marin Sanitary Service
Californians Against Waste (Sponsor)
Environmental Working Group
Friends of the Earth
California Association of Local Conservation
Corps
Sonoma County Waste Management Agency
Castro Valley Sanitary District
Napa Recycling & Waste Services
Northern California Recycling Association
California Compost Coalition
Food Finders
Pesticide Action Network
National Resources Defense Council
Alameda County Waste Management Authority
Azul
St. Francis Center
Sustain LA
Solid Waste Association of North America,
California Chapters
Tri-Ced Community Recycling
Los Angeles Food Policy Council
San Diego Food System Alliance
Zero Waste Marin
Food Forward
Kiss the Ground
Sierra Harvest
Food Law and Policy Clinic of Harvard Law
School
Food Shift: A Project of Earth Island Institute
Green Long Beach
Meet Each Need with Dignity
Urban & Environmental Policy Institute,
Occidental College
Clean River Alliance
Lean Path, Inc.
LA County Solid Waste Management
Committee/Integrated Waste Management
Task Force

OPPOSITION:

None



SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

August 19, 2017

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.
Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.
Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.

Re: AB 617 (C. Garcia) Nonvehicular air pollution: criteria air pollutants and toxic air contaminants.

Introduction and Overview

Assemblymember Cristina Garcia introduced AB 617, which requires the Air Resources Board (ARB) to improve air pollution data collection and reporting, expedite pollution control retrofits of large stationary pollution sources, adopt a statewide emissions reduction strategy focused on severely affected communities, and to implement community emissions reductions programs in conjunction with local air districts. This bill also increases penalties for air pollution violations, and requires enhanced air pollution monitoring. AB 617 was part of the Legislature's Cap-and-Trade package, along with AB 398 (E. Garcia).

Specifically, AB 617:

- Requires the ARB to create a uniform reporting system for criteria pollutants and toxic air contaminants (TACs) which is to include reporting by sources of facility-level emissions data, and 3rd party verification.
- Requires each nonattainment district to adopt an expedited implementation schedule for "best available retrofit control technology" (BARCT) no later than 2023, and requires districts to hold a public meeting, and to consider clean air benefits to the community, cost-effectiveness, and air-quality benefits of control options, prior to adopting an expedited schedule.
- Requires the establishment by ARB of a clearinghouse identifying best available control technology (BACT), and BARCT for criteria pollutants, and related control technologies for TACs.
- Increases maximum penalties for air pollution violations to \$5,000/day.
- Requires ARB to create a monitoring plan for community air monitoring systems technology, and to consult with air districts to prioritize locations for the deployment of those technologies that focus on disadvantaged communities, and sensitive receptor locations.
- Requires the ARB to develop a strategy to reduce TAC emissions, and criteria pollutants in communities where cumulative exposure is high, by no later October 2018.
- This strategy must include criteria for developing community emissions reductions programs (CERPs), and be updated once every 5 years.

Legislative Update

AB 617 (C. Garcia) passed the Senate (27-13) and the Assembly (55-22-2) on July 17, 2017. The bill was signed by the Governor and chaptered by the Secretary of State on July 26, 2017. The bill received no

Republican support in the Senate, and passed the Assembly with Republican Assemblymember Baker voting yes on the bill, and Democratic Assemblymembers Gray, Quirk-Silva, and Salas voting no.

SUPPORT:

California Manufacturers and Technology Association
Natural Resources Defense Council (NRDC)
The Nature Conservancy
State Building and Construction Trades Council of California
California League of Conservation Voters
Union of Concerned Scientists
Environmental Defense Fund
1 Individual
San Gabriel Valley Economic Partnership
Lutheran Office of Public Policy - California
American Lung Association of California
California Natural Gas Vehicle Coalition
Clean Energy
California Interfaith Power and Light
Coalition for Sustainable Cement Manufacturing & Environment
NextGen California

OPPOSITION:

Center on Race, Poverty & the Environment
South Coast Air Quality Management District
Bay Area Air Quality Management District
Sacramento Metropolitan Chamber of Commerce
San Joaquin Valley Air Pollution Control District
Communities for a Better Environment



SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

August 19, 2017

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.
Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.
Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.

Re: AB 398 (E. Garcia) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: fire prevention fees: sales and use tax manufacturing exemption

Introduction and Overview

Assemblymember Eduardo Garcia introduced AB 398 which extends the Air Resources Board's (ARB) authority to administer the Cap-and-Trade program until 2030, which was originally granted to the ARB by AB 32 (Núñez, 2006). AB 32 required the ARB to inventory greenhouse gas emissions (GHGs), and approve a statewide GHG emissions limit equivalent to 1990 emissions levels, to be achieved by December 21, 2020. AB 32 also required the ARB to achieve the most technologically feasible and cost-efficient reduction of GHG emissions, and to develop a scoping plan, updated every 5 years, to accomplish the same by 2020. AB 32 specified that the ARB may include market-based compliance mechanisms to achieve these goals. The Cap-and-Trade program was recommended in the scoping plan as a flexible way to achieve the state's emissions reduction goals. The Cap-and-Trade regulations were approved on December 12, 2011.

Beginning January 1, 2013, Cap-and-Trade regulations set a declining cap on GHG emissions from sources constituting 85% of all state GHG emissions. Those sources were required to surrender an "allowance" or "offset" for every metric ton of CO₂ equivalent emissions unit emitted in a compliance period. Allowances are created by the state in an amount equal to the cap and may be banked for use for future compliance. Offsets are verified, enforceable emissions reductions projects outside a capped sector, and may be used to cover 8% of a regulated entity's compliance obligation.

Earlier this year, the Governor made clear that he wanted to sign a Cap-and-Trade extension bill that has been approved by the Legislature with a 2/3 vote. A 2/3 vote is required to authorize new taxes, so by doing so, such a bill would eliminate the ongoing legal battle regarding whether Cap-and-Trade program constitutes a fee or a tax.

After much negotiations, AB 398 (Garcia) indeed extended the Cap-and-Trade program to 2030.

Specifically, AB 398:

- Requires that by January 1, 2018, the ARB update the scoping plan, and requires that GHG rules and regulations consistent with the scoping plan be adopted.
- Extends ARB's authority to use regulations to enact market-based compliance mechanisms.
- Authorizes market-based declining annual aggregate GHG source emissions limits until 2030.
- Extends the 3.94% sales and use tax exemption for manufacturers, and R&D firms until 2030.

- Requires ARB to establish specified price ceilings, price containment points, offset credit compliance limits, and industry assistance factors for allowance allocation in their regulations.
- Suspends the fire prevention fee and repeals the fire prevention fee statutes on January 1, 2031.

Legislative Update

AB 398 passed the Senate (28-12) and the Assembly (55-22-2) on July 17, 2017 with bipartisan support and opposition. The bill was signed by the Governor and chaptered by the Secretary of State on July 25, 2017. Republican Senator Berryhill and Assemblymembers Baker, Chávez, Cunningham, Flora, Mathis, Mayes, and Steinorth joined Democrats in voting yes on the bill.

SUPPORT:

California Manufacturers and Technology Association
 Pacific Gas & Electric Company (PG&E)
 Southern California Edison
 State Building and Construction Trades Council of California
 California League of Conservation Voters
 Environmental Defense Fund
 1 Individual
 American Lung Association
 The Nature Conservancy
 Silicon Valley Leadership Group
 Lutheran Office of Public Policy - California
 California Natural Gas Vehicle Coalition
 Clean Energy
 Union of Concerned Scientists
 California Interfaith Power and Light
 Natural Resources Defense Council (NRDC)
 Metro Gold Line Foothill Extension Construction Authority
 Coalition for Sustainable Cement Manufacturing & Environment
 Lung Force
 NextGen California
 CERES/BICEP

OPPOSITION:

Center on Race, Poverty & the Environment
 Sierra Club California
 South Coast Air Quality Management District
 Western Electrical Contractors Association
 Bay Area Air Quality Management District
 1 Individual
 Sacramento Metropolitan Chamber of Commerce
 San Joaquin Valley Air Pollution Control District
 Communities for a Better Environment
 California Environmental Justice Alliance
 Plumbing-Heating-Cooling Contractors of California
 Independent Roofing Contractors of California, Inc.
 American Fire Sprinkler Association, California Chapters



CITY OF BEVERLY HILLS
POLICY AND MANAGEMENT

TO: Legislative/Lobby Committee
FROM: Cindy Owens, Senior Management Analyst
DATE: August 21, 2017
SUBJECT: Update on SB 649, as amended, Hueso. Wireless Technologies

Verbal update to be provided by Andrew Antwih with Shaw / Yoder / Antwih, Inc.



CITY OF BEVERLY HILLS
POLICY AND MANAGEMENT

TO: Legislative/Lobby Committee
FROM: Cindy Owens, Senior Management Analyst
DATE: August 21, 2017
SUBJECT: Federal Updates

Verbal update to be provided by Jaime Jones with David Turch & Associates.