San Gabriel Valley Council of Governments

AGENDA AND NOTICE

OF THE SPECIAL MEETING OF THE JOINT SGVCOG PUBLIC WORKS AND PLANNERS

TECHNICAL ADVISORY COMMITTEES

Monday, April 17, 2017 – 12:00 PM

2016/2017 OFFICERS

Chair: Rene Guerrero

Vice Chair: David Liu

Treasurer: Chino Consunji

Member-at-Large: Daniel Bobadilla

Immediate Past Chair: Phil Doudar

Voting Members:

Arcadia
Azusa
Claremont
Diamond Bar
El Monte
Irwindale
Pomona
San Dimas
West Covina
LA County DPW

Thank you for participating in today's meeting. The Public Works Technical Advisory Committee encourages public participation and invites you to share your views on agenda items.

MEETINGS: ***Regular Meetings of the Public Works Technical Advisory Committee are held on the third Monday of each month at 12 PM at the Upper San Gabriel Valley Municipal Water District-602 E. Huntington Dr., Suite B, Monrovia, CA 91016.*** The Public Works Technical Advisory Committee agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, www.sgvcog.org. Copies are available via email upon request (sgv@sgvcog.org). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

CITIZEN PARTICIPATION: Your participation is welcomed and invited at all Public Works Technical Advisory Committee meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the Committee refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE PUBLIC WORKS TECHNICAL ADVISORY COMMITTEE: At a regular meeting, the public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The Public Works Technical Advisory Committee may not discuss or vote on items not on the agenda.**

AGENDA ITEMS: The Agenda contains the regular order of business of the Public Works Technical Advisory Committee. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Committee can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Public Works Technical Advisory Committee.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.

PRELIMINARY BUSINESS

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Public Comment *(If necessary, the Chair may place reasonable time limits on all public comments.)*

CONSENT CALENDAR (*It is anticipated that the Committee may take action on the following matters.)*

5. Review Public Works TAC Meeting Minutes: 3/20/2017
Recommended Action: Review and approve.

6. Review Planners TAC Meeting Minutes – 3/23/2017
Recommended Action: Review and approve.

PRESENTATIONS

7. Measure M – Mark Christoffels, CEO, The ACE Project
Recommended Action: for information.

ACTION ITEMS

UPDATE ITEMS

INFORMATION ITEMS

8. ACE Ad Hoc Committee
Recommended Action: for information.

9. SB 649: Wireless Telecommunications Facilities
Recommended Action: for information.

10. Future Visioning
Recommended Action: for information.

EXECUTIVE DIRECTOR'S COMMENTS

ANNOUNCEMENTS

- May 15: PW TAC meeting
- May 25: Planners TAC meeting

ADJOURN

SGVCOG Public Works TAC Meeting Minutes
Date: March 20, 2017
Time: 12:00 P.M.
Location: Upper San Gabriel Valley Municipal Water District
602 E. Huntington Dr., Monrovia, CA 91016

PRELIMINARY BUSINESS

1. Call to Order. The meeting was called to order at 12:10 P.M.
2. Pledge of Allegiance. R. Guerrero led the TAC in the Pledge of Allegiance.
3. Roll Call

Members Present	Members Absent
P. Wray, Arcadia	Alhambra
D. Bobadilla, Azusa	Duarte
L. Mustafa, Claremont	Irwindale
D. Liu, Diamond Bar	Pasadena
N. Syed, El Monte	
A. Tachiki, Monrovia	
R. Guerrero, Pomona	
S. Garwick, San Dimas	
C. Consunji, West Covina	
H. Hsing, LACDPW	

Guests

S. Geschwind, San Dimas	F. Alamolhoda, LAE Associates
J. Martinez, NCE	S. Abegunruy, SAA Associates
M. Forbes, Temple City	S. Ahmad, SAA Associates
C. Sheppard, LACDPW	G. Jaquez, MNS Engineers
D. Lehman, LACDPW	C. Singh, LACDPH
E. Thompson, LACDPW	S. Forster, Infrastructure Eng. Inc.

SGVCOG Staff
E. Wolf
M. Creter

4. Public Comment.
H. Hsing updated the group on the LACDPW traffic signal synchronization project.

CONSENT CALENDAR

5. Review Public Works TAC Meeting Minutes: 1/9/2017, 2/27/2017
There was a motion to approve both sets of minutes (M/S: D. Liu/ C. Consunji).

[Motion Passed]

Ayes		Arcadia, Azusa, Claremont, Diamond Bar, Monrovia, Pomona, San Dimas, West Covina, LACDPW
Noes		
Abstain		
Absent		Alhambra, Duarte, El Monte, Irwindale, Pasadena

PRESENTATIONS

6. Vision Zero

E. Thompson and C. Singh gave the presentation. Vision Zero uses historical data to predict the circumstances and location of traffic accidents. This approach enables county staff to make policy changes, provide educational information, and apply physical changes to reduce the incidence of traffic collisions. The county is using a multidisciplinary approach including county Public Health, Engineering, and Public Works. The goal is a 20% reduction in deaths by 2017, prioritizing children and older adults. Using the data-driven approach, county has determined that 6% of streets account for 65% of deaths and serious injuries. Of these, 49% are in disadvantaged communities. County Public Works has developed a GIS mapping tool that plots all accidents within the unincorporated county area. The data can be parsed by cause, mode, time, etc. The database does not include city data but county is working through the legal and technical constraints of including city data.

ACTION ITEMS

UPDATE ITEMS

INFORMATION ITEMS

7. Measure M

E. Wolf provided a Metro brief on the draft guidelines. R. Guerrero and M. Creter updated the group on Metro's recommendation that a minimum allocation of $100,000 per jurisdiction be set.

8. ACE Ad Hoc Committee

E. Wolf updated the committee on the next steps of the ACE Ad Hoc working group including, drafting a report covering three process areas: project selection and oversight, organizational structure and staffing, and managing risk and liability. Each of these areas will be addressed in detail over the coming months by the Ad Hoc committee with a report back to the Governing Board by July 2017.

9. CA Natural Resources Urban Greening Grant Program

E. Wolf provided a brief on this grant program.

10. Los Angeles Community Choice Energy (LACCE) Joint Powers Authority

M. Creter updated the TAC on the LACCE program. It is projected that the JPA can bring the cost of power down by 5% while providing the choice of 30%, 50%, and 100% renewable energy. The JPA negotiation process began last year and has included interested cities every two weeks. Over 50 LA County cities have expressed interest. SGVCOG has pushed to keep the JPA recitals as general as possible, leaving specific decisions about workforce, labor rules, and pay up to the future JPA board. LACCE will finalize the JPA by this summer and initial enrollment will follow in the fall.

EXECUTIVE DIRECTOR'S COMMENTS

ANNOUNCEMENTS

- March 17: Urban Greening Grant Technical Workshop, Riverside
- March 28: Urban Greening Grant Technical Workshop, Lynwood
- March 30: Metro First/Last Mile Workshop, Azusa
- April 3: Stormwater Funding Forum, LACDPW
- April 17: PW TAC meeting

ADJOURN

The meeting adjourned at 1:20 P.M.

SGVCOG Planner's Technical Advisory Committee Unapproved Minutes
Date: Thursday, March 23, 2017
Time: 12:00 PM
Location: Upper San Gabriel Valley Municipal Water District
602 E. Huntington Dr., Suite B, Monrovia, CA 91016

PRELIMINARY BUSINESS

1. Call to Order. The meeting was called to order at 12:11 PM.

2. Roll Call

Members Present	Members Absent
V. Reynoso, T. Pace, Alhambra	Azusa
J. Kasama, Arcadia	Covina
A. Harbin, Baldwin Park	Irwindale
B. Desatnik, Claremont	Monrovia
M. Nakajima, Diamond Bar	Pasadena
C. Hensley, Duarte	Pomona
T. Bu, El Monte	Rosemead
E. Stadnicki, Glendora	San Gabriel
C. Bowcock, La Verne	Sierra Madre
M. Huntley, Monterey Park	Walnut
L. Stevens, San Dimas	
D. Watkins, South Pasadena	
S. Reimers, Temple City	
J. Anderson, West Covina	

Guests	Staff
S. Letts, Hollywood Community Housing Coalition	E. Wolf

3. Public Comment
   There was no public comment.

CONSENT CALENDAR

4. Planners TAC Meeting Minutes – 2/23/2017
   There was a motion to approve Consent Item 4 (M/S: A. Harbin/M. Huntley).
   [Motion Passes]

AYES:	Alhambra, Arcadia, Baldwin Park, Claremont, Diamond Bar, Duarte, El Monte, Glendora, La Verne, San Dimas, South Pasadena, Temple City, West Covina
NOES:	
ABSTAIN:	
ABSENT:	Azusa, Covina, Irwindale, Monrovia, Pasadena, Pomona, Rosemead, San Gabriel, Sierra Madre, Walnut

PRESENTATIONS

5. Affordable Housing: Presentation by Sarah Letts, Hollywood Community Housing Coalition

   The presentation emphasized two points. First, developers want certainty that the community is behind their project. Efforts on the part of cities such as endorsement by elected officials and actions by planning staff, give them that assurance. The second point covered financing and economic aspects of affordable housing. For a project to be economically feasible, it must have greater than 30 units; 50 units is optimal. In the Los Angeles area, there is four times as much demand as there is supply of capital to build affordable housing. However, conventional lenders are willing to finance projects if certainties are in place. They are drawn by the prospect of receiving a guaranteed return in the form of subsidies. There are also constraints on funding. Some funding requires that housing not be built within 500 feet of a freeway and it is easier to get funding if projects are built near transit centers.

ACTION ITEMS

DISCUSSION ITEMS

6. Housing Related Legislation

   L. Stevens reviewed several pieces of housing related legislation. The TAC will continue to track this legislation throughout the cycle.

7. Drone Follow Up

   E. Wolf distributed a density map of drone use in LA County provided by AirMap. The map shows light use in San Gabriel Valley compared to other parts of the county. The group felt that due to low use of drones, follow up action on the part of the TAC, such as work on a draft ordinance, was not warranted now.

INFORMATION ITEMS

8. Measure M update

   E. Wolf provided an update on the schedule and actions of the Policy Advisory Council and the Local Return Working Group. L. Stevens discussed the 3% local contribution required of cities receiving a Goldline station.

9. 626 Golden Streets recap

   E. Wolf reviewed exit survey information including, demographics and the economic impact of the event, which particularly increased sales for on-route businesses selling food.

UPDATE ITEMS

10. Impact of Future Trends on Local Planning

    E. Wolf reviewed the Driverless Future report, highlighting the report's six recommendations: leverage technology, prioritize public transportation, implement dynamic pricing, plan for mixed-use development, consider adaptable parking, and promote equitable access.

    E. Wolf reviewed several future trends articles including UPS's use of drones coupled with delivery vans, semi-truck platooning, and an Airbus concept car/pod that detaches from its chassis and can be lifted by a drone.

EXECUTIVE DIRECTOR'S COMMENTS

CHAIR'S REPORT

11. Current City Projects

ANNOUNCEMENTS

ADJOURN

The meeting adjourned at 1:37 P.M.

REPORT

DATE: April 20, 2017

TO: Transportation Committee
Governing Board Delegates and Alternates

FROM: Phil Hawkey, Executive Director

RE: MEASURE M COMMENT LETTER

RECOMMENDED ACTION

Direct staff to send comment letter on draft Measure M Guidelines.

BACKGROUND

Metro is currently in the process of developing Measure M Expenditure Guidelines, which will outline the eligible uses of and requirements for Measure M funds. Metro intends to finalize these guidelines by June 2017, so that they are in place when the sales tax begins being collected on July 1, 2017. As a part of the guideline development process, Metro has formed a Measure M Policy Advisory Council (PAC), with representatives from cities, transit providers, and transit and roadway users. Mark Christoffels (ACE CEO) is representing the SGVCOG on the Measure M Policy Advisory Council and Marisa Creter (SGVCOG Assistant Executive Director) is the alternate.

Last month, the Governing Board approved guiding principles to provide staff general policy direction. Staff is now seeking to authorization to submit a comment letter that addresses specific areas of concern. Attached is the draft letter.

Prepared by: Marisa Creter
Marisa Creter
Assistant Executive Director

Approved by:
Phil Hawkey
Executive Director

ATTACHMENTS

Attachment A –Draft Measure M Comment Letter

April 10, 2017

DRAFT

Honorable John Fasana, Chairman
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

RE: DRAFT MEASURE M GUIDELINES

Dear Chairman Fasana:

The San Gabriel Valley Council of Governments (SGVCOG) has reviewed the draft Measure M Guidelines and provides the following comments and recommended changes:

Comment No. 1:
Throughout the document, Metro refers to the term "Project Sponsor" when discussing the programming and use of subregional funds. This term is not defined and opens the door for individual cities or other entities within a sub-region to take the lead in programming specific projects and seeking approval directly from Metro. The SGVCOG feels strongly that these are sub-regional funds established and defined by the sub-regions and any project to be funded under these programs must come to Metro through a programming effort by the sub-regions.

To insure this is accomplished, the Measure M Guidelines should include a provision requiring Project Sponsors to have the concurrence of the sub-region (essentially, the COG's representing the sub-regions) prior to being included by Metro in their annual funding plan even if already included in the various adopted Mobility Matrices. To provide this concurrence, each COG should be required to adopt a five-year programming plan for each sub-regional program within their respective sub-region. The five-year programming plan would have to identify specific projects and phasing, allocated funding amounts, and project timing and be submitted to Metro. These programming plans would be required to be updated or amended on an annual basis reflecting executed funding MOU's and project additions or deletions. Unless prohibited by the adopted guidelines, revenue constraints, or the Measure M ordinance, Metro would be required to adhere to these COG adopted sub-regional programming plans when executing funding MOU's for specific projects. Should a project included in a COG adopted sub-regional programming plan be denied by Metro, each COG shall have the right to appeal the denial to the Measure M Oversight Board. Attachment A proposed a flowchart of the proposed process.

Comment No. 2:
The guidelines allow for "Project Sponsors" to borrow from one Sub-Regional Program to accelerate the funding of a project in another Sub-Regional Program with the consent of the Metro Board and the "affected sub-region(s)". The SGVCOG appreciates this flexibility, but would like to see language that requires the affected sub-regions to approve the proposed borrowing, by amending their affected adopted sub-regional programming

plans as defined in our comment No. 1, to reflect the transfer of funds and acknowledging the associated timing impact for projects included in those sub-regional programs.

Comment No. 3:
The guidelines state that Measure M funds may be used for pre-construction as well as construction activities. Pre-construction activities are defined in the guideline and include "planning studies". The SGVCOG recommends that this term be expanded to "planning and programming studies". Adding the term "programming studies" will allow the sub-regions through their respective COGs to develop sub-regional project lists for corridor planning and coordination, and for subsequent project development and delivery. This will ensure that proposed projects complement each other and maximize mobility and/or sustainability.

Comment No. 4:
The Measure M Guidelines regarding Sub-Regional Equity funds state that Metro may meet these obligations using "any combination of federal, state or Metro controlled funds including, but not limited to, Measure M." SGVCOG appreciates the need for this flexibility, however this flexibility being sought by Metro potentially places significant grant compliance requirements on sub-regions that may conflict with proposed projects or uses of those funds. The guidelines should be revised to not allow Metro the ability to unilaterally determine that a sub-region's funding requirement under the "Sub-Regional Equity Fund" be met with something other than Measure M. Such a funding substitution should only be allowed with the affected COG (sub-region's) concurrence. In addition, the SGVCOG requests that uses of the "Sub-Regional Equity Fund" be expanded to include the use of these funds for bonding capacity to accelerate proposed projects within the other sub-regional programs.

Comment No. 5:
The definition for eligible uses for the "Highway Demand Based Program" should include park and ride facilities, as well as other ridesharing related facilities.

Comment No. 6:
Under the section "3% Local Contribution to Major Transit Projects", the guidelines state that "betterment work" funded by the local agency and as defined as "a change that will improve the level of service and/or capacity, capability, appearance, efficiency or function over that which is required by the Metro Design", shall not be counted towards the 3% required local contribution. The SGVCOG disagrees with this exclusion and would like to see the guidelines amended to allow such betterment work to be counted towards the 3% local contribution. Any capital investment that enhances and improves the operation of the transit system and funded by a local agency should be desirable to Metro and should not be discouraged by not allowing this type of betterment work to be counted towards the required 3% contribution.

Comment No. 7:
Under the section "3% Local Contribution to Major Transit Projects", "in kind" local contributions as defined should include the cost of staff time from the commencement of the environmental phase through the end of the warranty period.

Comment No. 8:
Under the section "3% Local Contribution to Major Transit Projects", local contribution limits are determined at the conclusion of preliminary engineering (30% plans). The guidelines need to have language to address projects that have already exceeded this point such as the Gold Line Foothill Extension. How will local contribution be determined for that project? SGVCOG suggests that language be added that states for projects that have exceeded preliminary engineering as of the initial adoption of the these Measure M guidelines, Metro shall consult with the local affected agencies to determine the appropriate project scope and cost estimate to determine the local contribution limits.

Comment No. 9:
Under local return, Metro is currently recommending a $100,000 annual minimum allocation for small population cities that would normally receive less than this amount. The SGVCOG does not object to this proposal, however is not in favor of increasing this amount beyond the current recommended $100,000 minimum.

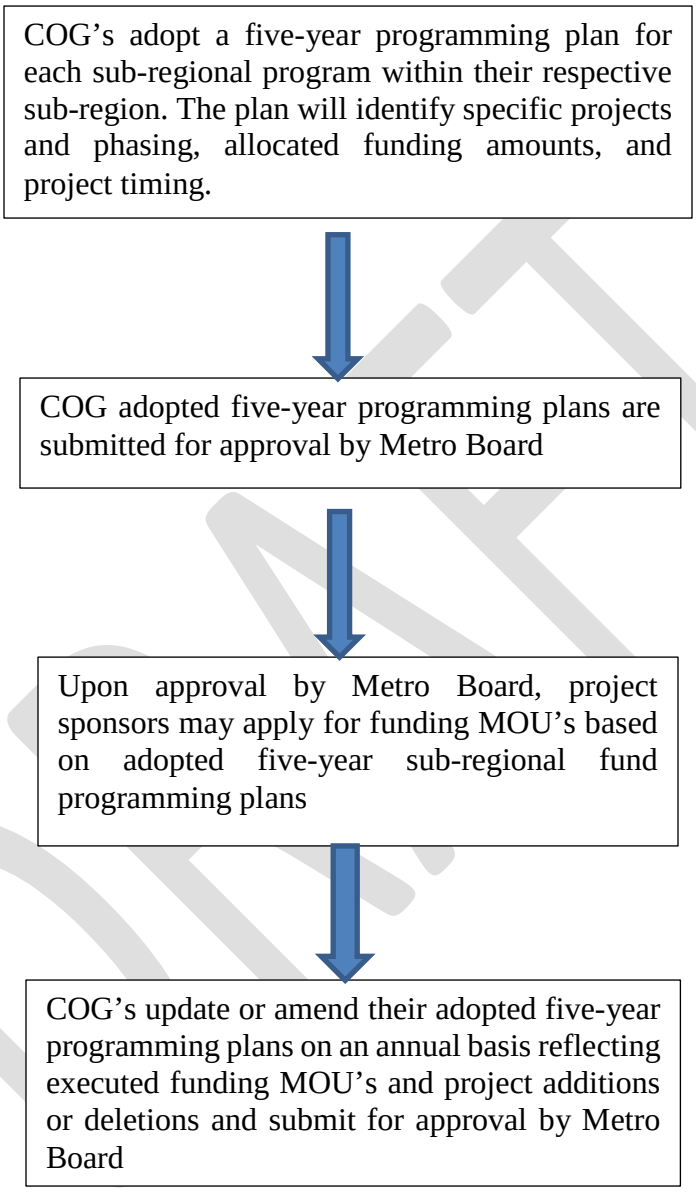
Comment 10:
Upon the approval of the Measure M Guidelines and the initiation of project funding MUO's, the SGVCOG requests that they be included in all communications from Metro to Project Sponsors related to the allocation and use of sub-regional funds assigned to the SGVCOG's sub-region.

Sincerely,

Cynthia Sternquist, President
San Gabriel Valley Council of Governments
Councilmember, City of Temple City

c.c.: SGVCOG Board of Directors
L. A. Metro Board of Directors
Phillip Washington, CEO, L. A. Metro

SGVCOG proposed project funding approval process for sub-regional funds



metro.net/theplan

MEASURE M

THE LOS ANGELES COUNTY TRAFFIC IMPROVEMENT PLAN

SAN GABRIEL VALLEY

The Metro Board of Directors voted to place a sales tax measure, titled the Los Angeles County Traffic Improvement Plan, on the November 8, 2016, ballot. This summarizes the projects and Measure M funding for the San Gabriel Valley area if the measure passes.

Major Projects *(in 2015 $)*

- Gold Line Foothill Extension to Claremont ***$1 billion ($1.1 billion total cost)***[1]
- SR-71 Gap from I-10 to Rio Rancho Rd ***$248.6 million ($275 million total cost)***[1]
- SR-57/SR-60 Interchange Improvements ***$205 million ($770 million total cost)***[1]
- Gold Line Eastside Extension (One Alignment) ***$2 billion ($3 billion total cost)***[1]
- I-605/I-10 Interchange ***$126 million ($598 million total cost)***[1]
- SR 60/I-605 Interchange HOV Connectors ***$130 million ($491 million total cost)***[1]

Multi-Year Subregional Programs *(in 2015 $)*

- Active Transportation Program (Including Greenway Proj.) ***$231 million***
- Bus System Improvement Program ***$55 million***
- First/Last Mile and Complete Streets ***$198 million***
- Highway Demand Based Program (HOV Ext. & Connect.) ***$231 million***
- Subregional Equity Program ***$199 million***
- Goods Movement (Improvements & RR Xing Elim.) ***$33 million***
- Highway Efficiency Program ***$534 million***
- ITS/Technology Program (Advanced Signal Tech.) ***$66 million***
- All subregions are eligible to compete for ***$260 million ($350 million total cost)***[1] worth of Bus Rapid Transit projects, and ***$858 million*** worth of Metro Active Transportation Projects

Local Return

- Local Return Revenue for San Gabriel Valley is expected to be ***$3.7 billion*** over the next 40 years in escalated dollars

Transit

- Metro Transit and Municipal Transit Operators in San Gabriel Valley will also receive additional funding
- Regional Rail (Metrolink) is programmed to receive ***$1.2 billion*** over the next 40 years in escalated dollars, with eligibility for an additional ***$700 million*** if 2040 performance targets are met

POPULATION GROWTH FOR SAN GABRIEL VALLEY

1,663,394 2017
1,942,341 2047

SOURCE: METRO CALCULATION BASED ON 2012 SCAG RTP DATA

EMPLOYMENT IMPACT FOR LA COUNTY

465,690 new jobs

SOURCE: LAEDC 2016 STUDY

Metro

[1]*Total cost includes Measure M funding plus other fund sources.*

ADDITIONAL ANNUAL LOCAL RETURN FUNDING PROJECTIONS FOR FIRST FULL YEAR

FUNDING IS PROJECTED TO INCREASE EACH YEAR

(For street improvements, pothole repair, signals, etc.)

CITY		
Alhambra	$	1,215,300
Arcadia	$	820,600
Azusa	$	702,200
Baldwin Park	$	1,094,600
Bradbury	$	15,400
Claremont	$	515,400
Covina	$	694,400
Diamond Bar	$	805,100
Duarte	$	310,300
El Monte	$	1,644,800
Glendora	$	731,100
Industry	$	6,300
Irwindale	$	20,900
La Puente	$	578,100
La Verne	$	469,400
Monrovia	$	531,400
Montebello	$	910,700
Monterey Park	$	881,700
Pomona	$	2,165,400
Rosemead	$	781,600
San Dimas	$	493,200
San Gabriel	$	575,600
San Marino	$	190,600
Sierra Madre	$	158,200
South El Monte	$	296,100
Temple City	$	515,300
Walnut	$	429,900
West Covina	$	1,540,000
Unincorporated LA County[2]	$	14,943,600

[2]*Funding may be used for local transportation projects and programs anywhere within Unincorporated LA County as they determine.*

ADDITIONAL ANNUAL FUNDING FOR LOCAL TRANSIT OPERATORS FOR FIRST FULL YEAR

FUNDING IS PROJECTED TO INCREASE EACH YEAR

OPERATOR		
Arcadia Transit	$	119,400
Claremont Dial-a-Ride	$	76,700
Foothill Transit	$	11,097,000
Montebello Bus Lines	$	3,572,200

Los Angeles County Transportation Expenditure Plan **ATTACHMENT A**
Outline of Expenditure Categories
Fiscal Year (FY) 2018 - 2057, Escalated Dollars
(millions)

Subfund	Program	% of Sales Tax (net of Admin)	First Year Amount (FY 2018)	FY 2018 - FY 2032 (15 Years)	FY 2033 - FY 2047 (15 Years)	FY 2048 - FY 2057 (10 Years)	FY 2018 - FY 2057 (40 Years)
Transit Operating & Maintenance	Metro Rail Operations [1]	5%	$ 42	$ 850	$ 2,320	$ 2,810	$ 5,980
	Transit Operations [2] (Metro & Municipal Providers)	20%	$ 169	$ 3,400	$ 9,280	$ 11,240	$ 23,920
	ADA Paratransit for the Disabled; Metro Discounts for Seniors and Students	2%	$ 17	$ 340	$ 930	$ 1,120	$ 2,390
Transit, First/Last Mile (Capital)	Transit Construction (Includes System Connectivity Projects - Airports, Union Station, and Countywide BRT)	35%	$ 296	$ 5,960	$ 16,230	$ 19,670	$ 41,860
	Metro State of Good Repair [5]	2%	$ 17	$ 340	$ 930	$ 1,120	$ 2,390
Highway, Active Transportation, Complete Streets (Capital)	Highway Construction (includes System Connectivity Projects - Ports, Highway Congestion Programs, Goods Movement)	17%	$ 144	$ 2,890	$ 7,880	$ 9,560	$ 20,330
	Metro Active Transportation Program (Bicycle, Pedestrian, Complete Streets)	2%	$ 17	$ 340	$ 930	$ 1,120	$ 2,390
Local Return / Regional Rail	Local Return - Base [3] (Local Projects and Transit Services)	16%	$ 136	$ 2,720	$ 7,420	$ 8,990	$ 19,130
	Local Return / Regional Rail (Beginning FY 2040) [4]				*3% / 1%* → *$ 690*	*$ 2,240*	*$ 2,930*
	Regional Rail	1%	$ 8	$ 170	$ 460	$ 560	$ 1,200
	TOTAL PROGRAMS		**$ 847**	**$ 17,010**	**$ 46,380**	**$ 56,190**	**$ 119,590**
Administration /Local Return	0.5% for Administration	0.5%	$ 4	$ 85	$ 230	$ 280	$ 600
	1.0% Local Return [3]	1.0%	$ 8	$ 170	$ 460	$ 560	$ 1,200
	GRAND TOTAL		**$ 860**	**$ 17,265**	**$ 47,070**	**$ 57,030**	**$ 121,390**

1. Funds are eligible to be used for Metro Rail State of Good Repair.
2. Funds are eligible to be used for Metro State of Good Repair.
3. 1% Administration to supplement Local Return, **increasing the Local Return-Base to 17% of net revenues**.
4. To be funded by Highway/Transit Capital Subfunds in FY 2040 and beyond.
5. The Metro Board of Directors will prioritize the Wardlow Grade Separation project to receive new funding and/or grants and assign this project to be included in Metro's State of Good Repair program.

All totals are rounded; numbers presented in this document may not always add up to the totals provided.
Based on January 2016 revenue projections.

Los Angeles County Transportation Expenditure Plan

(2015 $ in thousands)

ATTACHMENT A
Groundbreaking Sequence
(Exceptions Noted)

For Reference Only

	Project (Final Project to be Defined by the Environmental Process)	Notes	Schedule of Funds Available: Ground-breaking Start Date[#]	Schedule of Funds Available: Expected Opening Date (3 year range)	Subregion*	2016 - 2067 Local, State, Federal, Other Funding 2015$	Measure __ Funding 2015$	Most Recent Cost Estimate 2015$**	Modal Code
	Expenditure Plan Major Projects			1st yr of Range					
1	Airport Metro Connect 96th St. Station/Green Line Ext LAX ®	a,p	FY 2018	CY 2021	sc	$233,984	$347,016	$581,000	T
2	Westside Purple Line Extension Section 3 ®	b	FY 2018	FY 2024	w	$986,139	$994,251	$1,980,390	T
3	High Desert Multi-Purpose Corridor (HDMC)®	q	FY 2019	FY 2021	nc	$100,000	$170,000	$270,000	H
4	I-5 N Cap. Enhancements (SR-14 to Lake Hughes Rd) ®		FY 2019	FY 2023	nc	$544,080	$240,000	$784,080	H
5	Gold Line Foothill Extension to Claremont ®	c	FY 2019	FY 2025	sg	$78,000	$1,019,000	$1,097,000	T
6	Orange Line BRT Improvements	n	FY 2019	FY 2025	sf	$0	$286,000	$286,000	T
7	BRT Connector Orange/Red Line to Gold Line	o	FY 2020	FY 2022	av	$0	$240,300	$240,300	T
8	BRT Connector Orange/Red Line to Gold Line	o	FY 2020	FY 2022	sf	$0	$26,700	$26,700	T
9	East SF Valley Transit Corridor Project ®	d	FY 2021	FY 2027	sf	$520,500	$810,500	$1,331,000	T
10	West Santa Ana Transit Corridor LRT ®	b,d	FY 2022	FY 2028	gc	$500,000	$535,000	$1,035,000	T
11	Crenshaw/LAX Track Enhancement Project	e,p	FY 2022	FY 2026	sc	$0	$49,599	$49,599	T
12	SR-71 Gap from I-10 to Rio Rancho Rd.		FY 2022	FY 2026	sg	$26,443	$248,557	$275,000	H
13	LA River Waterway & System Bikepath		FY 2023	FY 2025	cc	$0	$365,000	$365,000	H
14	Complete LA River Bikepath		FY 2023	FY 2025	sf	$0	$60,000	$60,000	H
15	Sepulveda Pass Transit Corridor (Ph 1) ®	b,f	FY 2024	FY 2026	sf	$0	$130,000	$130,000	H
16	Sepulveda Pass Transit Corridor (Ph 1) ®	b,f	FY 2024	FY 2026	w	$0	$130,000	$130,000	H
17	Vermont Transit Corridor	o	FY 2024	FY 2028	cc	$400,000	$25,000	$425,000	T
18	SR-57/SR-60 Interchange Improvements	d	FY 2025	FY 2031	sg	$565,000	$205,000	$770,000	H
19	Green Line Extension to Crenshaw Blvd in Torrance ®	d,g	FY 2026	FY 2030	sb	$272,000	$619,000	$891,000	T
20	I-710 South Corridor Project (Ph 1) ®	d,h	FY 2026	FY 2032	gc	$150,000	$250,000	$400,000	H
21	I-105 Express Lane from I-405 to I-605	p	FY 2027	FY 2029	sc	$0	$175,000	$175,000	H
22	Sepulveda Pass Transit Corridor (Ph 2) ®	b	FY 2024	FY 2033	sf	$1,567,000	$1,270,000	$2,837,000	T
23	Sepulveda Pass Transit Corridor (Ph 2) ®	b	FY 2024	FY 2033	w	$1,567,000	$1,270,000	$2,837,000	T
24	Gold Line Eastside Extension (One Alignment) ®	d	FY 2029	FY 2035	gc	$957,000	$543,000	$1,500,000	T
25	Gold Line Eastside Extension (One Alignment) ®	d	FY 2029	FY 2035	sg	$957,000	$543,000	$1,500,000	T
26	West Santa Ana Transit Corridor LRT ®	r	FY 2022	FY 2041	cc	$1,082,500	$400,000	$1,482,500	T
27	West Santa Ana Transit Corridor LRT ®	r	FY 2022	FY 2041	gc	$982,500	$500,000	$1,482,500	T
28	I-710 South Corridor Project (Ph 2) ®		FY 2032	FY 2041	gc	$658,500	$250,000	$908,500	H
29	I-5 Corridor Improvements (I-605 to I-710)		FY 2036	FY 2042	gc	$46,060	$1,059,000	$1,105,060	H
30	Crenshaw Northern Extension	i	FY 2041	FY 2047	cc	$495,000	$1,185,000	$1,680,000	T
31	Crenshaw Northern Extension	i	FY 2041	FY 2047	w	$0	$560,000	$560,000	T
32	I-405/I-110 Int. HOV Connect Ramps & Intrchng Improv ®		FY 2042	FY 2044	sb	$0	$250,000	$250,000	H
33	I-605/I-10 Interchange		FY 2043	FY 2047	sg	$472,400	$126,000	$598,400	H
34	SR 60/I-605 Interchange HOV Direct Connectors		FY 2043	FY 2047	sg	$360,600	$130,000	$490,600	H
35	Lincoln Blvd BRT	l,o	FY 2043	FY 2047	w	$0	$102,000	$102,000	T
36	I-110 Express Lane Ext South to I-405/I-110 Interchange		FY 2044	FY 2046	sb	$228,500	$51,500	$280,000	H
37	I-405 South Bay Curve Improvements		FY 2045	FY 2047	sb	$250,840	$150,000	$400,840	H
38	Green Line Eastern Extension (Norwalk)	p	FY 2046	FY 2052	sc	$570,000	$200,000	$770,000	T
39	SF Valley Transportation Improvements	m	FY 2048	FY 2050	sf	$0	$106,800	$106,800	T
40	Sepulveda Pass Westwood to LAX (Ph 3)	p	FY 2048	FY 2057	sc	$3,800,000	$65,000	$3,865,000	T
41	Orange Line Conversion to Light Rail		FY 2051	FY 2057	sf	$1,067,000	$362,000	$1,429,000	T
42	City of San Fernando Bike Master Plan		FY 2052	FY 2054	sf	$0	$5,000	$5,000	H
43	Historic Downtown Streetcar		FY 2053	FY 2057	cc	$0	$200,000	$200,000	T
44	Gold Line Eastside Ext. Second Alignment	p	FY 2053	FY 2057	sc	$110,000	$2,890,000	$3,000,000	T
45	High Desert Multi-Purpose Corridor - LA County Segment	p	FY 2063	FY 2067	sc	$32,982	$1,845,718	$1,878,700	H
46	**Expenditure Plan Major Projects Subtotal**					**$19,581,027**	**$20,989,941**	**$40,570,969**	

Footnotes on following page.

** The most recent cost estimate equals the accelerated cost. Prior year expenses included in all project costs.

Los Angeles County Transportation Expenditure Plan

(2015 $ in thousands)

ATTACHMENT A

Groundbreaking Sequence
(Exceptions Noted)

For Reference Only	Project (Final Project to be Defined by the Environmental Process)	Notes	Schedule of Funds Available: Ground-breaking Start Date*	Schedule of Funds Available: Expected Opening Date (3 year range)	Subregion*	2016 - 2067 Local, State, Federal, Other Funding 2015$	Measure __ Funding 2015$	Most Recent Cost Estimate 2015$**	Modal Code
	Multi-Year Subregional Programs			1st yr of Range					
47	Metro Active Transport, Transit 1st/Last Mile Program	p	FY 2018	FY 2057	sc	$0	$857,500	$857,500	H
48	Visionary Project Seed Funding	p	FY 2018	FY 2057	sc	$0	$20,000	$20,000	T
49	Street Car and Circulator Projects	k,p	FY 2018	FY 2022	sc	$0	$35,000	$35,000	T
50	Transportation System and Mobility Improve. Program		FY 2018	FY 2032	sb	$0	$293,500	$293,500	H
51	Active Transportation 1st/Last Mile Connections Prog.		FY 2018	FY 2057	w	$0	$361,000	$361,000	H
52	Active Transportation Program		FY 2018	FY 2057	nc	$0	$264,000	$264,000	H
53	Active Transportation Program		FY 2018	FY 2057	gc	$0	TBD	TBD	H
54	Active Transportation Program (Including Greenway Proj.)		FY 2018	FY 2057	sg	$0	$231,000	$231,000	H
55	Active Transportation, 1st/Last Mile, & Mobility Hubs		FY 2018	FY 2057	cc	$0	$215,000	$215,000	H
56	Active Transportation, Transit, and Tech. Program		FY 2018	FY 2032	lvm	$0	$32,000	$32,000	T
57	Highway Efficiency Program		FY 2018	FY 2032	lvm	$0	$133,000	$133,000	H
58	Bus System Improvement Program		FY 2018	FY 2057	sg	$0	$55,000	$55,000	T
59	First/Last Mile and Complete Streets		FY 2018	FY 2057	sg	$0	$198,000	$198,000	H
60	Highway Demand Based Prog. (HOV Ext. & Connect.)		FY 2018	FY 2057	sg	$0	$231,000	$231,000	H
61	I-605 Corridor "Hot Spot" Interchange Improvements ®		FY 2018	FY 2057	gc	$240,000	$1,000,000	$1,240,000	H
62	Modal Connectivity and Complete Streets Projects		FY 2018	FY 2057	av	$0	$202,000	$202,000	H
63	South Bay Highway Operational Improvements		FY 2018	FY 2057	sb	$600,000	$500,000	$1,100,000	H
64	Transit Program		FY 2018	FY 2057	nc	$500,000	$88,000	$588,000	T
65	Transit Projects		FY 2018	FY 2057	av	$0	$257,100	$257,100	T
66	Transportation System and Mobility Improve. Program		FY 2018	FY 2057	sb	$0	$350,000	$350,000	H
67	North San Fernando Valley Bus Rapid Transit Improvements	p,s	FY 2019	FY 2023	sc	$0	$180,000	$180,000	T
68	Subregional Equity Program	p,s	FY 2018	FY 2057	sc	TBD	TBD	$1,196,000	T/H
69	Countywide BRT Projects Ph 1 (All Subregions)	l,p	FY 2020	FY 2022	sc	$0	$50,000	$50,000	T
70	Countywide BRT Projects Ph 2 (All Subregions)	l,p	FY 2030	FY 2032	sc	$0	$50,000	$50,000	T
71	Active Transportation Projects		FY 2033	FY 2057	av	$0	$136,500	$136,500	H
72	Los Angeles Safe Routes to School Initiative		FY 2033	FY 2057	cc	$0	$250,000	$250,000	H
73	Multimodal Connectivity Program		FY 2033	FY 2057	nc	$0	$239,000	$239,000	H
74	Countywide BRT Projects Ph 3 (All Subregions)	l,p	FY 2040	FY 2042	sc	$0	$50,000	$50,000	T
75	Arterial Program		FY 2048	FY 2057	nc	$0	$726,130	$726,130	H
76	BRT and 1st/Last Mile Solutions e.g. DASH		FY 2048	FY 2057	cc	$0	$250,000	$250,000	T
77	Freeway Interchange and Operational Improvements		FY 2048	FY 2057	cc	$0	$195,000	$195,000	H
78	Goods Movement (Improvements & RR Xing Elim.)		FY 2048	FY 2057	sg	$0	$33,000	$33,000	T
79	Goods Movement Program		FY 2048	FY 2057	nc	$0	$104,000	$104,000	T
80	Goods Movement Projects		FY 2048	FY 2057	av	$0	$81,700	$81,700	T
81	Highway Efficiency Program		FY 2048	FY 2057	nc	$0	$128,870	$128,870	H
82	Highway Efficiency Program		FY 2048	FY 2057	sg	$0	$534,000	$534,000	H
83	Highway Efficiency, Noise Mitig. and Arterial Projects		FY 2048	FY 2057	av	$0	$602,800	$602,800	H
84	ITS/Technology Program (Advanced Signal Tech.)		FY 2048	FY 2057	sg	$0	$66,000	$66,000	H
85	LA Streetscape Enhance. & Great Streets Program		FY 2048	FY 2057	cc	$0	$450,000	$450,000	H
86	Modal Connectivity Program		FY 2048	FY 2057	lvm	$0	$68,000	$68,000	H
87	Public Transit State of Good Repair Program		FY 2048	FY 2057	cc	$0	$402,000	$402,000	T
88	Traffic Congestion Relief and Improvement Program		FY 2048	FY 2057	lvm	$0	$63,000	$63,000	H
89	Traffic Congestion Relief/Signal Synchronization		FY 2048	FY 2057	cc	$0	$50,000	$50,000	H
90	Arroyo Verdugo Projects to be Determined		FY 2048	FY 2057	av	$0	$110,600	$110,600	H
91	Countywide BRT Projects Ph 4 (All Subregions)	p	FY 2050	FY 2052	sc	$90,000	$10,000	$100,000	T
92	Countywide BRT Projects Ph 5 (All Subregions)	p	FY 2060	FY 2062	sc	$0	$100,000	$100,000	T
93	**Multi-Year Subregional Programs Subtotal**					**$1,430,000**	**$10,253,700**	**$12,879,700**	
94	**GRAND TOTAL**					**$21,011,027**	**$31,243,641**	**$53,450,669**	

Footnotes on following page.

** The most recent cost estimate equals the accelerated cost. Prior year expenses included in all project costs.

Footnotes:

a. Interface station to LAX sponsored Automated People Mover includes an extended Green Line terminus and a consolidated bus interface for 13 Metro and Municipal bus lines. Bicycle, passenger, and other amenities are also included.
b. Project acceleration based on high performance.
c. Identified as a priority per the Metro Board Motion in October 2009.
d. Project funded on LRTP schedule, per Dec. 2015 Board Policy.
e. Consistent with the Orange Line, no sooner than 15 years after the revenue operation date of the Crenshaw/LAX project, Metro will consider, as transportation system performance conditions warrant, grade separation and/or undergrounding of the Crenshaw/LAX Line (including the Park Mesa Heights section & Inglewood section of the project). These additional track enhancements, when warranted, will be eligible for funding through the decennial comprehensive review process in the Ordinance.
f. Sepulveda Pass Ph. 1 from Orange Line/Van Nuys to Westwood includes early delivery of highway ExpressLane.
g. Studies will be completed to evaluate a future Green Line connection to the Blue Line (city of Long Beach). No capital funds from the Green Line to Torrance Project will be used for the studies.
h. I-710 South Project assumes an additional $2.8 billion of alternative revenue sources; not shown here with the cost or revenues for the project. The Shoemaker Bridge "Early Action" project is a priority project for these funds.
i. Council of Government descriptions vary for the "Crenshaw Northern Extension" project.
k. Lump sum would be provided in the first 5 years for initial capital costs only. Project sponsors responsible for ongoing operations & maintenance.
l. Acceleration of Lincoln BRT project eligible as Countywide BRT Program. Any funds freed up from accelerations returns to Countywide BRT Program.
m. SF Valley Transportation Improvements may include, but are not limited to, Transit Improvements, and I-210 soundwalls in Tujunga, Sunland, Shadow Hills and Lakeview Terrace.
n. Critical grade separation(s) will be implemented early through Operation Shovel Ready.
o. Conversion to LRT or HRT after FY 2067 included in expenditure plan based on ridership demand.
p. Funds for projects identified as "sc" that are not expended are only available for other System Connectivity Capital Projects.
q. Funding calculated based on estimated right-of-way acquisition costs; but can be repurposed for appropriate project uses, as approved by the MTA Board of Directors.
r. This project could start as early as FY 2028 and open as early as FY 2037 with Public-Private Partnership delivery methods.
s. This project will increase system connectivity in the North San Fernando Valley and the Metro Transit System. Environmental plan work shall begin no later than six months after passage of Measure __. To provide equivalent funding to each subregion other than the San Fernando Valley, the subregional equity program will be provided as early as possible to the following subregions in the amounts (in thousands) specified here: AV* $96,000; W* $160,000; CC* $235,000; NC* $115,000; LVM* $17,000; GC* $244,000; SG* $199,000; and SB* $130,000.

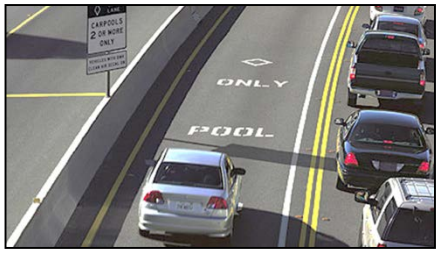
* Subregion Abbreviations:

sc = System Connectivity Projects (no subregion)	nc = North County	® Indicates Measure R-related Projects
av = Arroyo Verdugo	sb = South Bay	
lvm = Las Virgenes Malibu	w = Westside	CY = Calendar Year
cc = Central City Area	gc = Gateway Cities	FY = Fiscal Year
sg = San Gabriel Valley	sf = San Fernando Valley	YOE = Year of Expenditure

** The most recent cost estimate equals the accelerated cost. Prior year expenses included in all project costs.

San Gabriel Valley Council of Governments

Measure M Guidelines Presentation


Major SGV Projects to be Funded with Sales Tax Measure

Project		Proposed Measure M	
Foothill Gold Line 2B		$1.019b	
Eastside Gold Line		$543m	
71		$248m	
605/10 & 605/60		$256m	
57/60		$205m	

Major SGV Programs to be Funded with Sales Tax Measure

Program	Proposed Measure M
Goods Movement	$33m
Active Transportation	$231m
Model Connectivity (first/last mile and complete streets)	$198m
Demand Based (HOV, rideshare)	$231m
Technology (advanced signal systems, system management)	$66m
Bus System Imp.	$55m
10, 60, 210, 605 hotspots (Highway Efficiency Program)	$534m

Measure M includes a Detailed Expenditure Plan

- The expenditure plan was approved by the Metro Board on June 23, 2016
- Metro's expenditure plan is based on revenue availability without any borrowing. This means that projects are spread over the entire revenue period
- The adopted Measure M Ordinance requires the establishment of Expenditure guidelines.

SGVCOG Governing Board adopted Measure M Guiding Principles

- **Planning:** Allowing subregions to utilize a portion of Measure M for in-house transportation planning and programming functions;
- **Subregional Call for Projects:** Delegate administration of Measure M sub-regional programs and the existing Call for Projects process to the respective Councils of Governments (COGs) that express a willingness to manage the programs and allow them to establish their own guidelines, provided they are in compliance with Measure M and other funding requirements.
- **3% Local Contribution and Local Match:** Maximize flexibility in meeting the 3% local match requirement through the following:
    - Allow the 3% Local Contribution for Rail Construction projects to be aggregated over the entire project segment and allow previous investments made by local jurisdictions to count towards this requirement;
    - Allow each Sub-Region, at its sole discretion, to use Measure M sub-regional funding as the minimum required local match for all competitive Metro grant programs and required local contributions; and
    - Count in-kind time and current and future planned betterments near stations towards the 3% local contribution requirement.
- **Project Acceleration:** Allow subregions the discretion to use unallocated Measure M funding to accelerate projects through bonding capacity or other mechanisms.

Metro has released draft Measure M guidelines for comment

- The guidelines were posted on Metro's website on March 17th
- Comments are due on May 26, 2017 at the Measure M website: theplan.metro.net/
- The SGVCOG has drafted a comment letter for submittal to Metro and is on the agenda for the Governing Board meeting on April 20th

Local Return

- The guidelines essentially follow what was adopted for Measure R with notable additions of “Green” and “Complete” streets.
- MOE
- 5 Year lapsing
- Bonding, trading, and loaning
- Annual audits
- $100,000 minimum (affects Industry, Irwindale and Bradbury)

Sub-regional Programs

- The guidelines have Metro handling the programming. SGVCOG believes COG's should do programing
- The guidelines allow borrowing between sub-regional programs. SGVCOG believes this should only be done with consent of affected COG's
- The guidelines allow for "pre-construction activities as defined including "planning studies". SGVCOG recommends that this term be expanded to "planning and programming studies".
- The guidelines allow Metro to fund the "Sub-regional Equity Program" using "any combination of federal, state or Metro controlled funds. SGVCOG is recommending using funds other than Measure M shall only be done with COG consent. In addition SGVCOG is recommending that uses of the "Sub-Regional Equity Fund" be expanded to include the use of these funds for bonding capacity to accelerate proposed projects within the other sub-regional programs

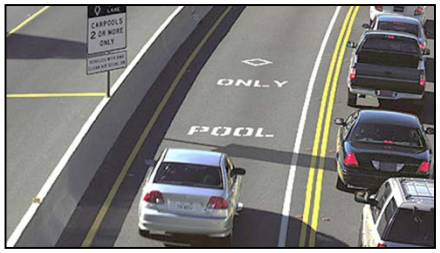
SGVCOG proposed project funding approval process for sub-regional funds

- COG's adopt a five-year programming plan for each sub-regional program within their respective sub-region. The plan will identify specific projects and phasing, allocated funding amounts, and project timing.
- COG adopted five-year programming plans are submitted for approval by Metro Board
- Upon approval by Metro Board, project sponsors may apply for funding MOU's based on adopted five-year sub-regional fund programming plans
- COG's update or amend their adopted five year programming plans on an annual basis reflecting executed funding MOU's and project additions or deletions and submit for approval by Metro Board

3% Local Contribution to Major Transit Projects

- The guidelines exclude “Betterment” work. have Metro handling the programming. SGVCOG believes any “Betterment” that will improve the level of service and/or capacity, capability, appearance, efficiency or function over that which is required by the Metro Design should be counted towards the 3% contribution
- The guidelines exclude staff time. SGVCOG recommends that “in kind” local contributions as defined should include the cost of staff time from the commencement of the environmental phase through the end of the warranty period.
- Contribution estimate based on 30% may need to be revisited for projects advanced beyond that point

San Gabriel Valley Council of Governments



AMENDED IN SENATE MARCH 28, 2017

SENATE BILL No. 649

Introduced by Senator Hueso
(Principal coauthor: Assembly Member Quirk)
(Coauthor: Senator Dodd)

February 17, 2017

An act to amend ~~Sections 65850.6 and~~ *Section* 65964 ~~of~~ *of, and to add Section 65964.2 to,* the Government Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 649, as amended, Hueso. Wireless telecommunications facilities.

Under existing law, a wireless telecommunications collocation facility, as specified, is subject to a city or county discretionary permit and is required to comply with specified criteria, but a collocation facility, which is the placement or installation of wireless facilities, including antennas and related equipment, on or immediately adjacent to that wireless telecommunications collocation facility, is a permitted use not subject to a city or county discretionary permit. ~~Existing law defines various terms for these purposes.~~

This bill would *provide that a small cell is a permitted use, not subject to a city or county discretionary permit, if the small cell meets specified requirements. By imposing new duties on local agencies, this bill would impose a state-mandated local program. The bill would authorize a city or county to require an administrative permit for small cell, as specified. The bill would* define the term "small cell" ~~as a particular type of telecommunications facility~~ for these purposes.

Under existing law, a city or county, as a condition of approval of an application for a permit for construction or reconstruction of a

development project for a wireless telecommunications facility, may not require an escrow deposit for removal of a wireless telecommunications facility or any component thereof, unreasonably limit the duration of any permit for a wireless telecommunications facility, or require that all wireless telecommunications facilities be limited to sites owned by particular parties within the jurisdiction of the city or county, as specified.

This bill would ~~apply these prohibitions to the approval of small cell facilities as defined by this bill.~~ *require permits for these facilities to be renewed for equivalent durations, as specified.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes*. State-mandated local program: ~~no~~ *yes*.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that, to ensure that communities across the state have access to the most advanced wireless communications technologies and the transformative solutions that robust wireless connectivity enables, such as Smart Communities and the Internet of Things, California should work in coordination with federal, state, and local officials to create a statewide framework for the deployment of advanced wireless communications infrastructure in California that does all of the following:

(a) Reaffirms local governments' historic role and authority with respect to wireless communications infrastructure siting and construction generally.

(b) Reaffirms that deployment of telecommunications facilities in the rights-of-way is a matter of statewide concern, subject to a statewide franchise, and that expeditious deployment of telecommunications networks generally is a matter of both statewide and national concern.

(c) Recognizes that the impact on local interests from individual small wireless facilities will be sufficiently minor and that such

deployments should be a permitted use statewide and should not be subject to discretionary zoning review.

(d) Requires expiring permits for these facilities to be renewed so long as the site maintains compliance with use conditions adopted at the time the site was originally approved.

(e) Requires providers to obtain all applicable building or encroachment permits and comply with all related health, safety, and objective aesthetic requirements for small wireless facility deployments on a ministerial basis.

(f) Grants providers fair, reasonable, nondiscriminatory, and nonexclusive access to locally owned utility poles, street lights, and other suitable host infrastructure located within the public right-of-way and in other local public places such as stadiums, parks, campuses, hospitals, transit stations, and public buildings consistent with all applicable health and safety requirements, including Public Utilities Commission General Order 95.

(g) Provides for full recovery by local governments of the costs of attaching small wireless facilities to utility poles, street lights, and other suitable host infrastructure in a manner that is consistent with existing federal and state laws governing utility pole attachments generally.

(h) Permits local governments to charge wireless permit fees that are fair, reasonable, nondiscriminatory, and cost based.

(i) Advances technological and competitive neutrality while not adding new requirements on competing providers that do not exist today.

~~SEC. 2. Section 65850.6 of the Government Code is amended to read:~~

~~65850.6. (a) A collocation facility shall be a permitted use not subject to a city or county discretionary permit if it satisfies the following requirements:~~

~~(1) The collocation facility is consistent with requirements for the wireless telecommunications collocation facility pursuant to subdivision (b) on which the collocation facility is proposed.~~

~~(2) The wireless telecommunications collocation facility on which the collocation facility is proposed was subject to a discretionary permit by the city or county and an environmental impact report was certified, or a negative declaration or mitigated negative declaration was adopted for the wireless telecommunications collocation facility in compliance with the~~

~~California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), the requirements of Section 21166 do not apply, and the collocation facility incorporates required mitigation measures specified in that environmental impact report, negative declaration, or mitigated negative declaration.~~

~~(b) A wireless telecommunications collocation facility, where a subsequent collocation facility is a permitted use not subject to a city or county discretionary permit pursuant to subdivision (a), shall be subject to a city or county discretionary permit issued on or after January 1, 2007, and shall comply with all of the following:~~

~~(1) City or county requirements for a wireless telecommunications collocation facility that specifies types of wireless telecommunications facilities that are allowed to include a collocation facility, or types of wireless telecommunications facilities that are allowed to include certain types of collocation facilities; height, location, bulk, and size of the wireless telecommunications collocation facility; percentage of the wireless telecommunications collocation facility that may be occupied by collocation facilities; and aesthetic or design requirements for the wireless telecommunications collocation facility.~~

~~(2) City or county requirements for a proposed collocation facility, including any types of collocation facilities that may be allowed on a wireless telecommunications collocation facility; height, location, bulk, and size of allowed collocation facilities; and aesthetic or design requirements for a collocation facility.~~

~~(3) State and local requirements, including the general plan, any applicable community plan or specific plan, and zoning ordinance.~~

~~(4) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) through certification of an environmental impact report, or adoption of a negative declaration or mitigated negative declaration.~~

~~(c) The city or county shall hold at least one public hearing on the discretionary permit required pursuant to subdivision (b) and notice shall be given pursuant to Section 65091, unless otherwise required by this division.~~

~~(d) For purposes of this section, the following definitions apply:~~

~~(1) "Collocation facility" means the placement or installation of wireless facilities, including antennas, and related equipment,~~

~~on, or immediately adjacent to, a wireless telecommunications collocation facility.~~

~~(2) "Small cell" means a wireless telecommunications facility within the volume limits established by the Federal Communications Commission for small wireless antennas and associated equipment in the First Amendment to Nationwide Programmatic Agreement for the Collocation of Wireless Antennas (47 C.F.R. Part 1 Appendix B).~~

~~(3) "Wireless telecommunications facility" means equipment and network components such as towers, utility poles, transmitters, base stations, and emergency power systems that are integral to providing wireless telecommunications services.~~

~~(4) "Wireless telecommunications collocation facility" means a wireless telecommunications facility that includes collocation facilities.~~

~~(e) The Legislature finds and declares that both small cell and collocation facilities, as defined in this section, have a significant economic impact in California and are not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution, but are a matter of statewide concern.~~

~~(f) With respect to the consideration of the environmental effects of radio frequency emissions, the review by the city or county shall be limited to that authorized by Section 332(c)(7) of Title 47 of the United States Code, or as that section may be hereafter amended.~~

~~SEC. 3.~~

SEC. 2. Section 65964 of the Government Code is amended to read:

65964. As a condition of approval of an application for a permit for construction or reconstruction for a development project for a wireless telecommunications ~~facility or small cell,~~ *facility*, as defined in Section 65850.6, a city or county shall not do any of the following:

(a) Require an escrow deposit for removal of a wireless telecommunications facility or any component thereof. However, a performance bond or other surety or another form of security may be required, so long as the amount of the bond security is rationally related to the cost of removal. In establishing the amount of the security, the city or county shall take into consideration

information provided by the permit applicant regarding the cost of removal.

(b) Unreasonably limit the duration of any permit for a wireless telecommunications facility. Limits of less than 10 years are presumed to be unreasonable absent public safety reasons or substantial land use reasons. However, cities and counties may establish a build-out period for a site. *A permit shall be renewed for an equivalent duration unless the city or county makes a finding that the wireless telecommunications facility does not comply with the codes and permit conditions applicable at the time the permit was initially approved.*

(c) Require that all wireless telecommunications facilities be limited to sites owned by particular parties within the jurisdiction of the city or county.

SEC. 3. Section 65964.2 is added to the Government Code, to read:

65964.2. (a) A small cell shall be a permitted use not subject to a city or county discretionary permit if it satisfies the following requirements:

(1) The small cell is located in the public right-of-way in any zone or in any zone that includes a commercial or industrial use.

(2) The small cell complies with all applicable state and local health and safety regulations.

(3) The small cell is not located on a fire department facility.

(b) (1) A city or county may require that the small cell be approved pursuant to a single administrative permit provided that the permit is issued within the time frames required by state and federal law.

(2) An administrative permit may be subject to the following:

(A) The same administrative permit requirements as similar construction projects applied in a nondiscriminatory manner.

(B) The submission of additional information showing that the small cell complies the Federal Communications Commission's regulations concerning radio frequency emissions referenced in Section 332(c)(7)(B)(iv) of Title 47 of the United States Code.

(3) The administrative permit shall not be subject to:

(A) Requirements to provide additional services, directly or indirectly, including, but not limited to, in-kind contributions such as reserving fiber, conduit, or pole space.

(B) The submission of any additional information other than that required of similar construction projects, except as specifically provided in this section.

(C) Limitations on routine maintenance or the replacement of small cells with small cells that are substantially similar, the same size or smaller.

(D) The regulation of any antennas mounted on cable strands.

(c) A city or county shall not preclude the leasing or licensing of its vertical infrastructure located in public right-of-way or public utility easements under the terms set forth in this paragraph. Vertical infrastructure shall be made available under fair and reasonable fees, terms, and conditions and offered on a nondiscriminatory basis for small cells. Fees shall be cost-based, and shall not exceed the lesser of either of the following:

(1) The costs of ownership of the percentage of the volume of the capacity of the vertical infrastructure rendered unusable by a small cell.

(2) The rate produced by applying the formula adopted by the Federal Communications Commission for telecommunications pole attachments in Section 1.1409(e)(2) of Part 47 of the Code of Federal Regulations.

(d) A city or county shall not unreasonably discriminate in the leasing or licensing of property not located in the public right-of-way owned or operated by the city or county for installation of a small cell. A city or county shall authorize the installation of a small cell on property owned or controlled by the city or county not located within the public right-of-way to the same extent the city or county permits access to that property for commercial projects or uses. These installations shall be subject to reasonable and nondiscriminatory rates, terms, and conditions.

(e) For purposes of this section, the following terms have the following meanings:

(1) (A) "Small cell" means a wireless telecommunications facility, as defined in Section 65850.6, using licensed or unlicensed spectrum that meets the following qualifications:

(i) Any individual antenna, excluding the associated equipment, is individually no more than three cubic feet in volume, and all antennas on the structure total no more than six cubic feet in volume, whether in a single array or separate.

(ii) (I) The associated equipment on pole structures does not exceed 21 cubic feet for poles that can support fewer than three providers or 28 cubic feet for pole collocations that can support at least three providers, or the associated equipment on nonpole structures does not exceed 28 cubic feet for collocations that can support fewer than three providers or 35 cubic feet for collocations that can support at least three providers.

(II) The following types of associated ancillary equipment are not included in the calculation of equipment volume:

(ia) Electric meters and any required pedestal.

(ib) Concealment elements.

(ic) Any telecommunications demarcation box.

(id) Grounding equipment.

(ie) Power transfer switch.

(if) Cut-off switch.

(ig) Vertical cable runs for the connection of power and other services.

(B) "Small cell" does not include communications infrastructure extending beyond the telecommunications demarcation box.

(2) "Vertical infrastructure" means all poles or similar facilities owned or controlled by a city or county that are in the public right-of-way or public utility easements and meant for, or used in whole or in part for, communications service, electric service, lighting, traffic control, signage, or similar functions.

(f) The Legislature finds and declares that small cells, as defined in this section, have a significant economic impact in California and are not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution, but are a matter of statewide concern.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

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SENATE COMMITTEE ON ENERGY, UTILITIES AND COMMUNICATIONS
Senator Ben Hueso, Chair
2017 - 2018 Regular

Bill No:	SB 649	**Hearing Date:**	4/4/2017
Author:	Hueso		
Version:	3/28/2017 As Amended		
Urgency:	No	**Fiscal:**	Yes
Consultant:	Nidia Bautista		

SUBJECT: Wireless telecommunications facilities

DIGEST: This bill establishes a statewide framework for streamlining the permitting siting process of small cell wireless facilities that meet specified requirements. Specifically, this bill requires an administrative permit in lieu of a discretionary permit, requires cost-based fees in lieu of market pricing, and ensures access to most host infrastructure in the utility right-of-way and also within a commercial or industrial zone. This bill also requires permits for wireless telecommunications facilities would be automatically renewed for equivalent durations, as specified.

ANALYSIS:

Existing law:

1) Establishes specified limitations, preemptions and preservation of local zoning authority in relation to the siting of personal wireless service facilities as part of the many provisions of the Federal Telecommunication Act of 1996.

2) Provides that except as noted in the Federal Telecommunication Act of 1996, nothing in the Act shall limit or affect the authority of a state or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

3) Establishes that the regulation of the placement, construction, and modification of personal wireless service facilities by any state or local government or instrumentality thereof – (i) shall not unreasonably discriminate among providers of functionality equivalent services; and (ii) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

4) Establishes that a state or local government shall act on any request for authorization to place, construct, or modify personal wireless service facilities

within a reasonable period of time after the request is duly filed with such government, taking into account the nature and scope of such request.

5) Requires that any decision by a state or local government to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

6) Provides that no state or local government may regulate the placement, construction, and modification of personal wireless service facilities on the bases of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communications Commission (FCC) regulations concerning such emissions. Allows any person adversely affected by an act or failure to act by a state or local government that is inconsistent with the FCC compliance requirements related to radio frequency emissions may petition the FCC for relief.

7) Provides that any person adversely affected by any final action or failure to act by a state or local government that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis.

   (47 United States Code §332)

8) Limits the consideration of the environmental effects of radio frequency emissions by the city or county to that authorized by Section 332(c)(7) of Title 47 of the United States Code, as specified. (California Government Code §65850.6)

9) Provides that no state or local statute or regulation, or other state or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service. (47 United States Code §253)

10) Provides that a state or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such a tower or base station. (47 United States Code §1455 (a))

11) Establishes a framework, process, and procedures governing the attachment of telecommunications facilities to investor-owned utility poles, providing the California Public Utilities Commission (CPUC) to establish and enforce rates, terms and conditions for pole attachments. (Public Utilities Code §767.5)

12) Establishes a framework, process, fees, and procedures governing the attachment of telecommunications facilities to municipal utility poles, providing for safety and reasonable terms and conditions. (Public Utilities Code §9510 et seq.)

13) Provides that a wireless telecommunications collocation facility shall be a permitted use not subject to a city or county discretionary permit if it satisfies several requirements, as specified. (California Government Code §65850.6)

This bill:

1) Makes findings and declarations regarding ensuring the communities across the state have access to the most advanced wireless communications technologies, reaffirms local governments' historic authority with respect to wireless communications infrastructure siting and many other findings and declarations.

2) Defines small cell as a wireless telecommunications facility using licensed or unlicensed spectrum whereby:

    a) Any individual antenna, excluding the associated equipment, is individually no more than three cubic feet in volume, and all antennas on the structure total no more than six cubic feet in volume, whether in a single array or separate.

    b) The associated equipment on pole structures does not exceed 21 cubic feet for poles that can support fewer than three providers or 28 cubic feet for pole collocations that can support at least three providers, or the associated equipment on non-pole structures does not exceed 28 cubic feet for collocations that can support fewer than three providers or 35 cubic feet for collocations that can support at least three providers.

    c) Exempts specified equipment from the calculations of a small cell, including: electric meters, concealment elements, telecommunications demarcation box, grounding equipment, power transfer switch, cut-off switch, vertical cable runs for the connection of power and other services.

    d) Excludes communications infrastructure extending beyond the telecommunications demarcation box from the definition of small cell.

3) Defines vertical infrastructure to mean all poles or similar facilities owned or controlled by a city or county that are in the public right-of-way or public utility

easements and meant for, or used in whole in or in part for communications service, electric service, lighting, traffic control, signage, or similar functions.

4) Establishes that a small cell is a permitted use not subject to a city or county discretionary permit if it satisfies specified requirements
   a) Located in:
      i) the public right-of-way in any zone or
      ii) in any zone that includes a commercial or industrial use.
   b) Complies with all applicable state and local health and safety regulations.
   c) Is not located on a fire department facility.

5) Authorizes a city or county to require that small cell be approved pursuant to a single administrative permit provide that the permit is issued within the time frames required by state and federal law.

6) Requires the administrative permit must be subject to the same requirements as similar construction projects applied in a nondiscretionary manner and submission of additional information showing that the small cell complies with the FCC's regulations concerning radio frequency emissions.

7) Prohibits an administrative permit from requirements to:

   a) Provide additional services, directly or indirectly, including, but not limited to, in-kind contributions such as reserving fiber, conduit, or pole space.
   b) Submission of any additional information other than required
   c) Limits on routine maintenance of the replacement of small cells with small cells.
   d) Regulation of any antennas mounted on cable strands.

8) Prohibits a city or county from precluding the leasing or licensing of its vertical infrastructure located in public right-of-way or public utility easements, and requires the fees are cost-based, based on the FCC's formula.

9) Prohibits a city or county from unreasonably discriminating in the leasing or licensing of property not located in the public right-of-way.

10) Requires that a permit for a wireless telecommunications facility is renewed for an equivalent duration as the initial permit, unless the city or county makes a finding that the wireless telecommunications facility does not comply with the codes and permit conditions applicable at the time the permit was initially approved.

11) Finds and declares that small cells have a significant economic impact in California and are not a municipal affair but are a matter of statewide concern.

Background

Over the past decade, there has been an explosion of wireless devices in the marketplace, from cell phones, tablets, health monitors, and smart appliances. Satisfying the consumer demand for efficient and reliable wireless communications is largely dependent on infrastructure that has required a network of large macro cell towers (most over 200 feet tall). These large structures have dotted the landscape in various shapes and forms, from a very noticeable large antenna to something disguised as a palm tree.

Next Generation of Technology. Unlike larger macrocell large towers, small cells will need to be deployed at greater volumes in more concentrated areas. These smaller wireless facilities are about 40 feet tall and can augment the capacity of the wireless bandwidth of the macrocell towers. According to the sponsors of this bill, CTIA, the potential for next generation smaller wireless facility technology in the form of 5G network deployments will "likely offer mobile Internet speeds of more than 10 gigabits per second – roughly 100 times faster than current networks. Downloading feature-length movies could take less than five seconds with 5G, compared to as long as eight minutes with 4G LTE. Deployment of 5G technology is a key part of supporting the vast increase in bandwidth-hungry smart objects expected to come online in the decades that follow." Unlike larger macrocell towers, small cells will need to be deployed at greater volumes in more concentrated areas.

Small Cell. According to the FCC, small cells are "low-powered wireless base stations that function like cells in a mobile wireless network, typically covering targeted indoor or localized outdoor areas ranging in size from homes and offices to stadiums, shopping malls, hospitals, and metropolitan outdoor spaces. Wireless service providers often use small cells to provide connectivity to their subscribers in areas that present capacity and coverage challenges to traditional wide-area macrocell networks, such as coverage gaps created by buildings, tower siting difficulties, and challenging terrain. Because these cells are significantly smaller in coverage area than traditional macrocells, networks that incorporate small-cell technology can reuse scarce wireless frequencies, thus greatly increasing spectral efficiency and data capacity within the network footprint." A small cell can only work with a corresponding provider.

Federal Statutes. Section 332 (c)(7) of the Federal Telecommunications Act of 1996 largely preserves state and local authority over siting requirements of

personal wireless service facilities with some limitations. These limitations include a requirement that the state and local entity are:

- not unreasonably discriminating among providers of functionally equivalent service;
- not prohibiting provision of service;
- acting within a reasonable time;
- denying requests in writing and supported by substantial evidence in a written record; and
- not regulating based on effects of radiofrequency emissions if the facility complies with FCC rules.

Additionally, Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act) provides, in part, that "a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." In both cases, the federal government largely preserved the authority of states and local governments to determine decisions regarding the placement, construction, and modification of personal wireless service facilities, even as it largely preempts state and local regulation of wireless services.

FCC Rfforts to Streamline Siting Permitting. In its role in implementing the provisions of the federal statutes, the FCC has taken a strong interest in advancing the deployment of broadband infrastructure, including wireless infrastructure. FCC notable actions in this area include:

> *2009 Declaratory Ruling* adopted in response to a petition by the wireless industry requesting clarification of the wireless communications provisions adopted in the Telecommunications Act of 1996. The ruling addressed what constitutes a reasonable period of time after which an aggrieved applicant for a wireless facility may file suite asserting a failure to act by the local land use agency. In general, but with many exceptions, the presumptively reasonable time period is 90 days for collocations (attached to existing facility) and 150 days for new builds. These timeframes were upheld in a related court case, City of Arlington v. FCC.
>
> *Infrastructure Report and Order* adopted by the FCC in October 2014 which adopted rules to implement and enforce Section 6409(a). In general, the rules addressed the facilities the section would apply to, how substantial changes to a facility would be defined, the review process and timeline, and other matters. These rules were affirmed in a related court case, *Montgomery County v. FCC*.

- Section 6409(a) would apply to facilities for any FCC-authorized wireless communications service, antennas and other equipment associated with and necessary to operation (distributed antenna systems, power supply, and backup power), on any structure built for sole or primary purpose of supporting antennas, or that houses base station equipment, and must have been approved under applicable state or local process.

- Defines substantial change in physical dimensions as any of the following: increases height by more than 10 percent or 10 feet (20 feet for towers outside rights-of-way), protrudes more than 20 feet (most towers) or 6 feet (towers in rights-of-way, base stations), involves more than standard number of equipment cabinets (up to 4), or excavation/deployment is outside current site.

- Establishes a review process and timeline that provides state/local may review to determine applicability of Section 6409(a), may require documents to review, 60-day time limit for review (may toll within first 30 days if incomplete application), after 60 days deemed granted upon applicant's notification, and requires disputes are resolved in court.

- Provides that building codes and non-discretionary structural and safety codes remain applicable and does not apply to municipality in proprietary capacity (city owns the property).

In addition to the above, the FCC has taken steps to streamline siting of wireless communications facilities through the changing the affect of the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) on the siting of these facilities. Specifically, under the 2014 Infrastructure Report and Order, collocations were excluded from NEPA review under FCC rules, except for NHPA review and exposure to radio frequency emissions. Additionally, construction of poles and similar structures in rights-of-way were also excluded under defined conditions. The FCC facilitated the establishment of a Nationwide Collocation Agreement which excluded most collocations from NHPA review. Major exceptions included collocations on structures (other than macro cell wireless towers) that are over 45 years old, on historic properties, or in or near historic districts. The Infrastructure Report and Order adopted limited further exclusions for collocations of small facilities. The FCC committed to develop further exclusions through a program alternative under Advisory Council on Historic Preservation rules.

Additionally, in May 2016, the FCC hosted a day-long workshop on the topic of small cell and distributed antenna system deployment where the former Chair of the FCC under President Obama, Chair Wheeler, opened the workshop and stated that small cell deployment "is a national priority." The workshop provided a venue to discuss some of the existing challenges and interests in further streamlining deployment and shared a few case studies, including the successes and challenges to deploy small cells in San Francisco in response to the Super Bowl 50. Subsequently to the workshop, the FCC sought public comment on several options for additional streamlining with a goal to develop and complete the process by fall of 2016. In late December 2016, the FCC formally invited public comment on streamlining deployment of small cell infrastructure by improving siting policies. The comment period was extended and is scheduled to close this week, on April 7, 2017.

FCC under President Trump. The current chair of the FCC under President Trump, Chair Pai, has also noted the importance of deploying broadband infrastructure, including wireless infrastructure. Just last week, on March 30, 2017, the FCC issued a new Notice of Proposed Rulemaking and Notice of Inquiry to Accelerate Broadband Deployment "to commence an examination of the regulatory impediments to wireless network infrastructure investment deployment and how we [FCC] may remove or reduce such impediments." All signs point to an FCC intent on completing this inquiry as expeditiously as possible, possibly as early as summer. At this juncture, it's unclear how this bill might interact with any actions the FCC adopts.

Public Rights of Way. This bill includes language that acknowledges the need to adhere to existing health and safety requirements associated with attaching communications equipment on utility poles. However, the language in this bill can be strengthened to explicitly mention adherence to existing utility pole attachments requirements in rights of way, including those promulgated by the CPUC for investor-owned utilities (including those in General Orders 95 and 28) and those for municipally-owned utilities, including requirements adopted by AB 1027 (Buchanan, Chapter 580, Statutes of 2011). Both the CPUC for investor-owned utility poles and statute regarding municipally-owned poles, establishes weight limitations and cost-based fees associated with attaching equipment to utility poles. These standards must be maintained to ensure the public safety and ensure utilities are compensated appropriately. *The author and committee may wish to amend this bill to reference the need to adhere to existing requirements of the CPUC for investor-owned and statute regarding utility pole attachments for municipally-owned utilities.*

Cost-based Fees v. Market Price. In anticipation of deploying tens of thousands of small cells, the wireless providers' propose to cap fees a local jurisdiction can

assess when attaching to host infrastructure (including that owned by the locality) in order to reduce costs to for deployment of the technology. As noted above, utility poles require cost-based fees for any equipment that will be attached to the pole. These tend to be formula determined costs, depending on the size of the attachment, established over time via FCC, CPUC, statute, and municipal utility rules. This bill seeks to provide access to attach to other host infrastructure, not only utility poles, but including city-owned street lights, traffic signals and other city-owned properties. The wireless providers argue that fees can be quite varied by jurisdiction and may often be charged at the price the market can bear. The wireless providers suggest that some of the fees result in paying for services other than the costs associated with the attachment. Representatives for the cities and counties acknowledge the varied fees, but note they are the owners of their property and should be able to determine the fee based on their unique needs and costs.

Technology Neutrality? This bill addresses streamlining the permitting siting processes for deployment of small cells. As noted above, small cells are owned by the individual wireless phone service carriers who would each need to deploy their own small cells to augment their bandwidth capacity. It's of note that the FCC, in many documents, combines both distributed antenna systems, whose ownership is not specific to a given provider, but requires working with a provider to utilize their spectrum radio frequency. Additionally, California Cable and Telecommunications Association (CCTA) has expressed concerns regarding their interests to included language related to their wireless technology, wifi, available as remote "hot spots" for their customers. CCTA has recently provided some amendments. The author and committee need more time to review with all stakeholders, including the CPUC which has recently ruled against CCTA for a wireless-related access, absent a specified certificate of public convenience and necessity. Should this bill move forward, the author has committed to continue engaging with CCTA to attempt to address their concerns.

Environmental Health Effects. A few of the commenters that oppose this bill have raised concerns regarding the health impacts from radio frequency/microwave radiation associated with wireless communications. These commenters present several studies, as well as a California Medical Association resolution supporting efforts to reevaluate microwave safety exposure and efforts to implement new safety exposure limits for wireless devices to a level that do not cause harm. While these comments raise very serious concerns, federal law, specifically the Telecommunications Act of 1996, limits the consideration of the environmental effects of radio frequency emissions by states and local governments in so far as a proposed project is in compliance with FCC requirements. The law requires that any remedies for those projects that are out of compliance must be addressed by

the FCC. This bill includes language requiring compliance with the FCC existing emissions requirements. However, those who oppose this bill out of concern for the health impacts of wireless technologies are not likely to be satisfied with the standards the FCC has established.

Local Land Use Concerns. The main thrust of this bill affects local land use decision-making. In establishing a statewide framework for small cell deployment, this bill establishes limitations on the process, procedures and abilities of local governments to site small cell facilities. As such, this bill is double-referred to the Senate Committee on Governance and Finance which can better address issues related to local land use policy, including: changes to zoning, changes to the discretionary permitting process to a ministerial process, changes to fees associated with attachment on host infrastructure owned by local governments and in the right-of-way, aesthetic considerations and review, and other issues.

Double Referral. Should this bill be approved by this committee, it will be re-referred to the Senate Committee on Governance and Finance for its consideration.

Prior/Related Legislation

AB 2788 (Gatto, 2016) included similar provisions as this bill. The bill was referred to this committee, but was never heard after being pulled from being heard by the author.

AB 57 (Quirk, Chapter 685, Statutes of 2015) provided that a collocation or siting application for a wireless telecommunications facility is deemed approved if the city or county fails to approve or disapprove the application within the reasonable time periods specified in applicable decisions of the FCC, all required public notices have been provided regarding application, and the applicant has provided a notice to the city or county that the reasonable time period has lapsed.

AB 162 (Holden, 2013) would have prohibited a local government from denying an eligible facilities request, as defined, for a modification of an existing wireless telecommunications facility or structure that does not substantially change the physical dimensions of the wireless telecommunications facility or structure, and would have required a local government to act on eligible facilities request within 90 days of receipt. The bill was referred to the Assembly Committee on Local Government but was never heard.

AB 1027 (Buchanan, Chapter 580, Statutes of 2011) required local publicly owned electric utilities, including irrigation districts, to make appropriate space and

capacity on and in their utility poles and support structures available for use by communication service providers.

SB 1627 (Kehoe, Chapter 676, Statutes of 2006) required that a city or county to administratively approve, through the issuance of a building permit or nondiscretionary permit issued by the planning department, an application for a collocation facility on or immediately adjacent to a wireless telecommunication facility that complies with specified state and local requirements for such projects. The bill expanded the definition of the term "development project" within the Permit Streamlining Act to include projects involving the issuance of a permit for construction or reconstruction for a wireless telecommunications facility. Additionally, SB 1627 prohibited a development project for a wireless telecommunications facility from being subject to a permit to operate.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT:

CTIA (Source)
59DaysOfCode
American Indian Chamber of Commerce of CA
Asian Pacific Islander American Public Affairs Association
Asian Resources Inc.
AT&T
Berkeley Chamber of Commerce
California Asian Pacific Chamber of Commerce
California Friday Night Live Partnership
California Hispanic Chamber of Commerce
CA Manufacturers & Technology Association
California Urban Partnership
CALinnovates
Carlsbad Chamber of Commerce
Carmel Valley Chamber of Commerce
Cerritos Regional Chamber of Commerce
Chinese American Association of Solano County
Community Technology Network
Concerned Citizens Community Involvement
Congress of California Seniors
Council of Asian Pacific Islanders Together for Advocacy and Leadership
Council on American-Islamic Relations, California
Disability Rights Education and Defense Fund
Downtown San Diego Partnership
Elderly Foundation
El Dorado County Chamber of Commerce
Eskaton Foundation
Exceptional Parents Unlimited
Fresno Area Hispanic Foundation
Lighthouse Counseling & Family Resource Center
Long Beach Area Chamber of Commerce
Los Angeles Urban League Meeting of the Minds
Monterey County Business Council
National Assn of Advancement of Colored People
National Association of Advancement of Colored People – Inglewood/South Bay
National Association of Advancement of Colored People – Riverside
National Association of Advancement of Colored People – San Diego
National City Public Safety Foundation
National Association of Hispanic Real Estate Professionals – Sacramento
National Latina Business Women Assn. of LA
Oakland Metropolitan Chamber of Commerce
Oceanside Chamber of Commerce
Orange County Business Council
Orange County Hispanic Chamber of Commerce
Organization of Chinese Americans
Pacific Grove Chamber of Commerce Board of Directors
Rancho Cordova Chamber of Commerce
Sabio Enterprises Inc.
Sacramento Asian Pacific Chamber of Commerce
Sacramento Hispanic Chamber of Commerce
Sacramento Metro Chamber
Sacramento Regional Conservation Corps
San Diego North Economic Development Council
San Ysidro Chamber of Commerce
Silicon Valley Leadership Group

Fresno Center for New Americans
Fundacion Pro Joven Talento Salvadoreno
Gateway Chambers Alliance
Greater Coachella Valley Chamber of Commerce
Greater Los Angeles African American Chamber of Commerce
Greater Sacramento Urban League
Hacker Lab
Hispanic Heritage Foundation
InBiz Latino-North County Hispanic Chamber
Invictus Foundation
Jobs and Housing Coalition
Lake County Sheriff's Office
Latin Business Association
Latino Council
Latino Environmental Advancement & Policy Project
Lifestyle Stroke Foundation
Society for the Blind
Solano Community College Educational Foundation
South Bay Association of Chamber of Commerce
Southern CA Hispanic Chamber of Commerce
Southern Christian Leadership Conference of Southern California
Sprint
The East Los Angeles Community Union
The Arc California
Torrance Area Chamber of Commerce
United Policyholders
Urban Corps of San Diego County
Verizon
Veteran's Association of North County
Volunteers of America Southwest
Women's Intercultural Network

CONCERN:

California Association of Competitive Telecommunications Companies
California Cable & Telecommunications Association
Frontier Communications

OPPOSITION:

American Planning Association
CA Chapter of the American Planning Association
California State Association of Counties
City of Buena Park
City of Chino Hills
City of Citrus Heights
City of Cloverdale
City of Dublin
City of Hayward
City of Indian Wells
City of Lafayette
City of Laguna Beach Mayor
City of Lakeport
City of Lodi
City of Murrieta
City of National City
City of Nevada City
City of Norwalk
City of Point Arena
City of Roseville
City of Santa Clara
City of Santee
City of Thousand Oaks
City of Vista
EMF Safety Network
Ecological Options Network
League of California Cities
Marin County Council of Mayors and Councilmembers
Northern California Power Agency
Protect our Local Streets Coalition
Rural County Representatives of California
Scientists for Wired Technology
Town of Danville
Town of Hillsborough
Urban Counties of California
An Individual

ARGUMENTS IN SUPPORT: According to the sponsors of this bill, CTIA, "In many California localities, the rules, regulations, and application fees for wireless infrastructure are decades old, put in place when 200-foot tall cell towers

were the norm. These rules are barriers to meeting today's wireless demand and enabling 5G innovations."

ARGUMENTS IN OPPOSITION: The majority of the arguments against the bill are reflected in the letter from the League of Cities which opposes the limitations this bill imposes on decision-making of local jurisdictions on permit siting, including concerns regarding the limitations on the assessment of fees on use of city and county property, the limitations on local discretionary review, imposition of zoning changes, concern that more than one antenna would be sited on a host infrastructure (pole) and an overall belief that this bill "strips the local governments of the ability to protect the quality of life of their residents." As noted above, some opposition stems from the growth of radio frequency which would increase near homes under this bill. The opposition from NCPA requests clarification that municipal utility poles are still subject to existing requirements relative to the involvement of the municipal utility.

-- END --

Future Visioning in San Gabriel Valley

SGVCOG General Assembly

Potential Topics and Speakers

First Panel Discussion: Retail
The way people buy and sell everything from books to clothes and food has been changing. Technology enables purchases to be made from any place and any time and delivered directly within minutes. What impact will this have on traditional brick and mortar stores, local downtowns, and big box chains?

Same-day Delivery. Same day delivery may require warehousing to be closer to customers rather than on the periphery of the urban area. It will increase the number of delivery trucks on the road, as well as the amount of packaging, although much of the packaging may be recyclable.

Drone Delivery. UPS is experimenting with the use of drones flying from their delivery vans. Drivers need only to park on the street, open the roof, attach packages, and turn the drone lose to deliver packages to the doorstep. Unlike drones emanating from a distant warehouse, this use of drones holds promise due to limited range, line of sight issues, and controllability. This eliminates the constant need for the driver to stop, start, reposition, and get in and out of the truck saving the company money on van maintenance as well as easing the physical duties of drivers. Cutting one mile from each of UPS' 66,000 routes would save $50 million per year.

Amazon GO. Amazon GO, a convenience store located in Seattle, WA, has no cash registers, no lines, and no checkout staff. Customers use the GO app to register their purchases made possible by the same types of technologies used in self-driving cars: computer vision, sensor fusion, and deep learning. The technology automatically detects when products are taken from or returned to the shelves and keeps track of them in a virtual cart. The store offers ready-to-eat breakfast, lunch, dinner, and snack options as well as grocery staples like bread and milk. Currently, 3.4 million Americans work as cashiers, almost 6% of the total workforce.

Food delivery. Although pizza delivery has been with us for a long time, more and more fast food, and even dining venues, are offering home delivery through third party delivery sources such as GrubHub.

Potential Speakers
Amazon
UPS
GrubHub
Academia

Second Panel Discussion: Communications
Although the first wave of the communications revolution has already come, the next wave may include publicly-owned communications utilities such as a city-wide wifi network.

Potential Speakers
AT&T
City of Loma Linda
Academia

Third Panel Discussion: Energy
The future of energy will include more sources of power, both green and brown, as well as nimble distribution networks. To control this distribution, redundancy, storage, dynamic pricing, and demand response must be built into the system.

Supply. Metropolitan areas will source their power from multiple sources, at greater distances. As green power becomes cheaper, solar farms will play a big part in the south west where the climate is conducive to year-round sun shine.

Distribution. Multiple sources of power will require construction and maintenance of longer and more complicated distribution networks. The share of power costs that go toward distribution will rise even as the cost of power falls.

Storage. With the ability to manufacture power from multiple sources and move it long distances, there will be impetus to build storage capacity in order to smooth out spikes in cost and demand.

Management. Controlling the movement, storage, and distribution of power will require sophisticated power management centers. One question will be at what level should those centers exist. Could a subregion benefit by controlling its distribution of power at that level?

Price. With the ability to control the distribution of power, demand management subject to dynamic pricing becomes attainable.

Potential Speakers
Tesla
SCE
Academia
Renewable Source

Fourth Panel Discussion: Transportation
The revolution in transportation will change everything from parking, to car ownership, to commuting.

Autonomous Vehicles. AVs offer the potential of decreasing accidents and smoothing the flow of traffic. Widespread personal use may depend on younger generations of drivers. AVs are especially popular among Millennials who now comprise the largest population segment. AVs could also emerge to fill specialized roles such as local shuttle transportation between neighborhood pickup sites and transit hubs. They are already being tested in the trucking industry where low levels of technology enable multiple trucks to exactly match the speed and movements of a lead truck. Known as truck platooning, this technology increases fuel efficiency by as much as 20% per truck.

Ride Sharing, Ride Hailing. For those living in dense urban areas, where car ownership is already low, ride sharing and ride hailing offer the chance to forgo privately owned autos altogether. That being the case, it is unclear whether this will lead to lower congestion as riders may choose services such as Uber and Lyft to provide point-to-point rides rather than rely on public transportation.

Elective Vehicles. Already the EV world is here but the support infrastructure is slow to emerge. Will cities embrace EVs as a public good and build charging stations as a way to spur ownership, economic development, and meet their environmental quality goals?

Public Transportation. Public transportation will continue to compete with the convenience of point-to-point transportation but may have additional competition on price from ride sharing services, especially if those are driverless, i.e. AV. Agencies must find and exploit the niche that public transportation fills, likely the fastest service during rush hour. This will only be the case if public transportation is prioritized over other modes during those periods of time and first/last mile connections make it easy to connect, ride, transfer, and pay for public transportation.

Dynamic pricing. Transportation is highly sensitive to price. Ride hailing services know this well; they often increase prices as much as 200% after sporting events or concerts. Public transportation must develop the ability to price accordingly while at the same time making provisions for disadvantaged communities. Twenty five percent of public transportation riders rely on this mode as their only means of transportation.

Parking. With the ability to call up a ride when required, what will be the future of parking? Already, private autos remain idle 95% of the time and there are eight parking spaces for every vehicle in the United States. As first/last mile connections, local shuttle transportation, and ride hailing services evolve, will there be a need for the current level of parking at shopping malls, restaurants, stores, and transit stops?

Potential Speakers
Uber
Lyft

Metro
Waymo (Google)