

MEMORANDUM

TO: RANCHO PALOS VERDES CITY COUNCIL
FROM: DOUG WILLMORE, CITY MANAGER
DATE: MAY 31, 2017
SUBJECT: ADMINISTRATIVE REPORT NO. 17-22

TABLE OF CONTENTS - CITY MANAGER AND DEPARTMENT REPORTS

- **CITY MANAGER – PAGE 3**
 - Legislative Update
- **FINANCE – PAGE 4**
 - FY 2017-18 Draft Budget
- **PUBLIC WORKS – PAGE 4**
 - Wireless Telecommunications Facilities Permit
 - Hawthorne Blvd. Repairs between Dupre Dr. and Highridge Rd
 - Abalone Cove Sewer Manhole Rehabilitation Project
 - Sanitation District of Los Angeles County
 - Pedestrian Safe Bus Stop Linkage on Hawthorne Blvd. Project
 - Used Oil Payment Program
 - Sunnyside Ridge Trail Improvement Project
 - Maintenance
- **COMMUNITY DEVELOPMENT – PAGE 5**
 - Coyote SBCOGG Task Force Meeting
 - Marilyn Ryan Sunset Park
 - General Plan Update
 - Electronic Submittal of Geotechnical Reports
 - Applications of Note
- **RECREATION & PARKS – PAGE 6**
 - Healthy RPV Programs
 - Park Events
 - PVIC and Docents
 - REACH Therapeutic Recreation Program
 - Palos Verdes Nature Preserve

ADMINISTRATIVE REPORT

May 31, 2017

Page 2

- **CORRESPONDENCE AND INFORMATION RECEIVED (See Attachments)**
 - Calendars – Page 8
 - Tentative Agendas – Page 11
 - Channel 33 & 38 Schedule – Page 17
 - Channel 35 & 39 Schedule – Page 18
 - Crime Report – Page 19
 - PRA Log – Page 21

CITY MANAGER

Legislative Update: Friday, May 26th was the deadline by which pending legislation needed to pass from the fiscal committee of each house of the State legislature. The City Council has taken position on several bills in the current session. Here are brief updates on their status:

- AB 1250: On April 17th, the City Manager sent a letter in opposition to AB 1250, which could effectively prohibit cities' ability to contract for many personal services. On May 26th, the Assembly Appropriations Committee passed AB 1250, as most recently amendment on April 25th (see attachments). The bill now moves to the full Assembly for review.
- AB 1326: On May 2nd, the City Council sent a letter in support of AB 1326, which would close a "loophole" in Proposition 47. On April 18th, AB 1326 failed to pass in the Assembly Public Safety Committee (see attachments), but the author agreed to make this a 2-year bill.
- AB 1479: On May 16th, the City Council sent a letter in opposition to AB 1479, which would place substantial burdens on local agencies by adding onerous, costly and unnecessary requirements in processing California Public Records Act (CPRA) requests. On May 26th, the Assembly Appropriations Committee passed AB 1479, as most recently amended on April 27th (see attachments). The bill now moves to the full Assembly for review.
- Proposition 64 Trailer Bill: On May 16th, the City Council sent letters in opposition to the Proposition 64 Trailer Bill, which would undermine local control by deleting current provisions in State law regarding the regulation of medical marijuana under the guise of resolving "conflicts" with Proposition 64, the Adult Use of Marijuana Act (AUMA). As of May 31st, the provision of this trailer bill remain as a part of Governor Brown's proposed budget.
- SB 649: On April 18th, the City Council sent a letter in opposition to SB 649, which would dictate that "small cell" sites are permitted "by right" without local discretionary review in all zoning districts, including residential districts. On May 26th, the Senate Appropriations Committee passed SB 649, as most recently amended on May 2nd (see attachments). The bill now moves to the full Senate for review.

The deadline for each of these bills to be heard in its current house is this Friday, June 2nd.

Attachments

AB 1250 – Page 25

AB 1326 – Page 41

AB 1479 – Page 45

SB 649 – Page 50

FINANCE

FY 2017-18 Draft Budget: The FY 2017-18 Draft Budget document is now available to view on the City's website. The budget document includes all proposed operating and capital expenditure and revenue amounts along with their justification pages. Staff will be presenting the FY 2017-18 Draft Budget for the City Council's consideration on June 6th. The Draft Budget document can be viewed [here](#).

PUBLIC WORKS

Wireless Telecommunications Facilities Permit: Eight Applications for proposed cell sites were submitted for mock-up permits. As part of the new Ordinance, this is one step in the new process, and is not the final step. The Planning Commission will review each application to make the final determination. Mock-Ups are expected to be set up in the next two weeks and will be up for 30 days. Residents around the proposed sites received notices, and are encouraged to submit their comments and input.

Hawthorne Blvd. Repairs between Dupre Dr. and Highridge Rd: Hardy & Harper will be performing road repairs on Hawthorne Blvd. on Thursday, June 1st and Friday, June 2nd from 8:30 am to 4:30 pm. Expect traffic delays due to construction activities. There will be one traffic lane opened in each direction at all times. Please watch for and obey the traffic control signs and follow the flaggers' directions for your safety and the safety of the workers. For more information, contact the City's consulting Public Works Inspector, Jim Pugh at (310) 621-8865. Thank you in advance for your patience and cooperation.

Abalone Cove Sewer Manhole Rehabilitation Project: Ayala Engineering has cleaned, repaired and lined 40 out of the 70 existing sewer manholes along various streets within the Abalone Cove area. The remaining 30 manholes are located on private property in easements, and thus, the contractor will be making arrangements with the affected residents for access prior to entering the property. For more information, contact the City's consulting Public Works Inspector, Mr. Jim Pugh at (310) 621-8865. Thank you in advance for your patience and cooperation.



Sewer Manhole Before Lining



Sewer Manhole After Lining

Sanitation District of Los Angeles County: The LA County Sanitation District will be conducting pipeline inspections along Palos Verdes Drive South near the landslide area over the next two weeks. There will be intermittent lane closures on PVDS to accommodate this work. The work will continue through May 31, 2017. Additional work dates include June 5, 6 and 7 from 7 am to 7 pm. Please be prepared to slow down or use alternative routes

Pedestrian Safe Bus Stop Linkage on Hawthorne Blvd. Project: Staff, Interwest Consulting Group and California Landscape & Design will be having a pre-construction meeting on Friday, June 2nd in anticipation of the project starting. It is estimated start date for construction is June 12th to avoid conflicts with the upcoming school graduations.

Used Oil Payment Program: Staff is in the process of applying for the annual used oil payment program Cycle 8 (formerly Used Oil Recycling Block grant). The annual grant amount is approximately \$12,000 and is used to promote and educate residents of used oil and filter recycling opportunities.

Sunnyside Ridge Trail Improvement Project: Staff met with the LA County grant representative on Thursday, May 25th, and satisfactorily completed the grant-related final site inspection of the trail project. Final grant reimbursement will be processed next month. The project Notice of Completion is scheduled for City Council's consideration on June 20, 2017.

Maintenance: Maintenance vendors completed weed abatement on the medians of Western Avenue, areas of PVDE from south of Vista Del Mar to Crest Rd, PVDS near Portuguese Bend Club, and are currently working on Hawthorne Blvd.

Maintenance staff responded to a report of a bluff failure at Vanderlip park post 95. No recent failure was detected, however the fence is very close to the edge of the bluff. Caution tape has been placed and we are relocating one post to move it away from the edge of the bluff.

A traffic accident occurred at the intersection of Calle Entradero and Via Vicente on Tuesday, May 30th. There is significant damage to the curb, sidewalk, fence and vegetation at the scene of the incident. We are working on a damage estimate for the claim and repairs.

COMMUNITY DEVELOPMENT

Coyote SBCOGG Task Force Meeting: In an ongoing effort to learn more about coyote issues and how other South Bay cities are dealing with coyotes, Staff will be attending the quarterly Regional Coyote Management Task Force meeting hosted by South Bay Cities Council of Governments (SBCCOG) on June 7th. This meeting will focus on the Culver City Coyote Management Plan and how Culver City has been dealing with their coyote issues. Staff will update the Council after that meeting.

Marilyn Ryan Sunset Park: The park furniture was replaced and the contractors will be at the park securing some of the stools this week.



General Plan Update: On April 24, 2017, the Traffic Safety Committee (TSC) began its review of the draft Traffic Study that will be used to update the General Plan. Due to the voluminous content of the 500+ page Traffic Study, the TSC requested additional time to provide Staff with its comments and continued the meeting to May 22nd. Given the breadth and scope of the comments the TSC provided Staff, ESA (the consultant preparing the Traffic Study) requested additional time to prepare a red-line version incorporating the TSC's suggested edits and comments. As a result, the TSC will review the revised Traffic Study at a special meeting on June 5th. Once TSC accepts the Traffic Study, ESA will then complete the Air Quality and Noise Analysis, which will take approximately 6 weeks, for inclusion in the draft General Plan. Staff anticipates presenting the Planning Commission with the draft General Plan Update late this summer.

Electronic Submittal of Geotechnical Reports: Beginning June 1, 2017, the Building and Safety Division will be requiring the submittal of both hard copies and electronic copies of geotechnical reports. Between April and June 1st, the City conducted its public outreach of this new submittal requirement including handouts at the public counter, list-serve messages, and updated information on the City's website. The purpose of this new requirement is to move the Department toward the electronic retention of City documents and records.

Applications of Note: See attached table with a summary of the Applications of Note that were submitted to the department between Wednesday, May 24, 2017 and Tuesday, May 30, 2017.

Attachments:

Applications of Note – Page 58

RECREATION & PARKS

Healthy RPV Programs: Yoga in the Park – Eleven adults participated in the free outdoor yoga class held Tuesday morning, May 30th at Ryan Park.

ADMINISTRATIVE REPORT

May 31, 2017

Page 7

Open Gym – Opportunities are available for drop-in basketball at the following times and locations this week:

Miraleste Intermediate Gym:	Sunday	10:00 a.m. to noon
	Wednesday	7:00 p.m. to 9:00 p.m.
Peninsula High Gym:	Sunday	2:00 p.m. to 4:00 p.m.

Recreation staff is on-site during all open gym hours, and all participants (or parents, in the case of a minor) are required to sign a waiver to participate.

Hesse Park: The facilities are rented this week for twelve indoor recreation classes, five non-profit group rentals, two Peninsula Seniors activities, and three private rentals.

Ladera Linda Park: The facilities are rented this week for eight indoor recreation classes and one private rental.

Ryan Park: The facilities are rented this week for four outdoor recreation classes, six youth sports league rentals, and two private rentals.

PVIC and Docents: The Sunset Room will be rented for a non-profit rental on Thursday morning. On Friday and Saturday, the amphitheater will be rented for wedding ceremonies, and the Sunset Room will be rented for wedding receptions.

The annual Docent and Volunteer Appreciation Luncheon will be held this Saturday, June 3rd at Ports O' Call Restaurant. This is the City's opportunity to thank and recognize the Los Serenos docents and volunteers for the countless hours of service they provide to the City and community.

REACH Therapeutic Recreation Program: On Saturday, REACH participants will attend the Pacific Islander Festival at the Aquarium of the Pacific.

Palos Verdes Nature Preserve: On Memorial Day, the Preserve staff set up an Information Booth at the Burma Road Gate. The number of people entering the reserve at this location was 670. This total included; 575 hikers, 81 dog walkers, and 14 mountain bikes. Visitors that approached the information booth totaled 293. Surveys and a contest were available. Visitors completed 25 surveys and 22 of them participated in the contest.





May 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 7:00 pm – City Council Meeting @ Hesse Park	3	4	5	6 10:00 am – 2:00 pm Happy Pets Healthy People Expo @ City Hall
7	8	9 7:00 pm – Planning Commission Meeting @ Hesse Park	10	11 8:00 am – Peninsula Regional Law Enforcement @ RH City Hall (Brooks & Missetich) 6:00 pm – IMAC Meeting @ Hesse Park	12 7:30 am—Mayor’s Breakfast @ Trump National Golf Club/Golfer’s Lounge (Campbell/Duhovic)	13 8:15 am – Hike With Mayor Campbell— Families Welcome Contact campbell.rpv@gmail.com for each month’s starting location 5:30 pm – Peninsula Education Foundation Main Event Fundraiser @ Terranea Resort
14	15 4:00 pm – Solid Waste Subcommittee @ City Hall Community Room (Brooks & Missetich)	16 7:00 pm – City Council Meeting @ Hesse Park	17 12:00 pm – Mayor’s Lunch @ The Depot (Campbell) 1:30 pm – Sanitation District Meeting (Brooks) 6:00 pm – PV Nature Preserve Subcommittee @ City Hall Community Room (Dyda/Missetich)	18 7:00 pm – Emergency Preparedness Committee @ City Hall Community Room	19	20 10:00 am–12:00 pm – Docent-Led Hike @ Alta Vicente Reserve
21 10:00 am–12:00 pm – Native Plant Garden Volunteer Event @ PVIC	22 7:00 pm – Traffic Safety Committee @ City Hall Community Room	23 7:00 pm – Planning Commission Meeting @ Hesse Park CANCELLED	24	25	26 6:00 pm – PV Transit Authority (if necessary for Budget Hearing) @ RHE City Hall (Duhovic & Brooks)	27
28	29 <div style="border: 1px solid black; padding: 5px; display: inline-block;">Memorial Day – City Hall Closed</div>	30	31			



June 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 7:00 pm – Traffic Safety Committee @ City Hall Community Room	6 7:00 pm – City Council Meeting @ Hesse Park	7	8 6:00 pm – IMAC Meeting @ Hesse Park	9	10 8:15 am – Hike With Mayor Campbell— Families Welcome Contact campbell.rpv@gmail.com for each month's starting location
11 10:00 am–12:00 pm – Native Plant Garden Volunteer Event @ PVIC	12	13 7:00 pm – Planning Commission Meeting @ Hesse Park	14	15 7:00 pm – Emergency Preparedness Committee @ City Hall Community Room	16 7:30 am—Mayor's Breakfast @ Trump National Golf Club/Golfer's Lounge (Campbell/Dyda)	17 10:00 am–12:00 pm – Docent-Led Hike @ Ocean Trails Reserve
18	19	20 7:00 pm – City Council Meeting @ Hesse Park	21 12:00 pm – Mayor's Lunch @ The Depot (Campbell) 1:30 pm – Sanitation District Meeting (Brooks)	22	23	24 6:00 pm – Drive-in Movie Family Activities, Movie Begins at 8:15 pm (Kubo and the Two Strings) @ City Hall
25	26 7:00 pm – Traffic Safety Committee @ City Hall Community Room TENTATIVE CANCELLED	27 7:00 pm – Planning Commission Meeting @ Hesse Park	28 6:00 pm – Preserve Public Forum @ City Hall Community Room	29	30	



July 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 11:00 am–5:00 pm – 4 th of July Celebration @ Pt. Vicente Park/Civic Center	5 7:00 pm – City Council Meeting @ Hesse Park	6	7	8 8:15 am – Hike With Mayor Campbell— Families Welcome Contact campbell.rpv@gmail.com for each month's starting location 10:00 am – Docent-Led Hike @ PVIC/Vicente Bluff Reserve
	4th of July Holiday – City Hall Closed					
9 7:00 pm–9:00 pm – Shakespeare by the Sea @ Hesse Park	10	11 7:00 pm – Planning Commission Meeting @ Hesse Park	12	13 6:00 pm – IMAC Meeting @ Hesse Park	14	15
16 10:00 am–12:00 pm – Native Plant Garden Volunteer Event @ PVIC	17	18 7:00 pm – City Council Meeting @ Hesse Park	19 12:00 pm – Mayor's Lunch @ The Depot (Campbell) 1:30 pm – Sanitation District Meeting (Brooks)	20 7:00 pm – Emergency Preparedness Committee @ City Hall Community Room	21 7:30 am—Mayor's Breakfast @ Trump National Golf Club/Golfer's Lounge (Campbell/Misetich)	22
23	24 7:00 pm – Traffic Safety Committee @ City Hall Community Room	25 7:00 pm – Planning Commission Meeting @ Hesse Park	26	27 6:00 pm – PV Transit Authority @ RHE City Hall (Duhovic & Brooks)	28	29 6:00 pm – Movie in Park Family Activities, Movie Begins at 8:15 pm (Lego Batman Movie) @ Eastview Park
30	31					

TENTATIVE AGENDAS**

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 **Time Estimates include an hour for the first section of the agenda (Mayor's Announcements, Public Comments, etc. through the Consent Calendar) and 15 minutes for the last section (Future Agenda Items through Adjournment).

DEPARTMENT	AGENDA SECTION	AGENDA TITLE	ESTIMATED TIME
June 20, 2017	5:30 PM	CITY COUNCIL ADJOURNED REGULAR MEETING - CLOSED SESSION	
	CLOSED SESSION		
(After Interviews)	STUDY SESSION	Study Session Discussion	
June 20, 2017	6:00 PM	CITY COUNCIL SPECIAL MEETING - INTERVIEWS	
	REGULAR BUSINESS	Interviews for the Civic Center Advisory Committee - Part 3 of 4 interview sessions	
June 20, 2017	7:00 PM	CITY COUNCIL REGULAR MEETING	3:35
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
ADMIN	CONSENT CALENDAR	Adoption of Records Retention/Destruction Resolution Citywide	
FINANCE	CONSENT CALENDAR	Warrant Register	
FINANCE	CONSENT CALENDAR	Treasury Report	
FINANCE	CONSENT CALENDAR	GANN Report	
ADMIN	CONSENT CALENDAR	Contract for grant services with Blais & Associates	
ADMIN	CONSENT CALENDAR	Resolution Approving the Citywide Records Retention Schedule	
ADMIN	CONSENT CALENDAR	Resolution Establishing Civic Center Committee and Number of Members	
CDD	CONSENT CALENDAR	Biological Consulting Services Agreement	
CDD	CONSENT CALENDAR	Water Efficiency Landscape Consulting Services Agreement	
CDD	CONSENT CALENDAR	2nd Reading and Adoption of Code Amendment Ch. 15.20.040 Moratorium on Land Use Permits Ordinance	
CDD	CONSENT CALENDAR	Mediations Services Agreement	
PUBLIC WORKS	CONSENT CALENDAR	Consider Contract for ADA Access at RPV TV Building	
PUBLIC WORKS	CONSENT CALENDAR	Consider Contract for ADA Access at Hesse Park	
PUBLIC WORKS	CONSENT CALENDAR	Contract for ADA Access Improvements -Bus Stop Adjacent to City Hall/Civic Center Complex (CDBG) Project	
PUBLIC WORKS	CONSENT CALENDAR	NOC for Sunnyside Ridge Segment Trail	
PUBLIC WORKS	CONSENT CALENDAR	Second Amendment to MDG Associates Agreement for FY 17/18	
PUBLIC WORKS	CONSENT CALENDAR	Measure A Deed restriction/Use covenant	
PUBLIC WORKS	CONSENT CALENDAR	Approval of Third Amendment to the Agreement with Hardy & Harper, Inc. for Maintenance of Streets and Right-of-Way (ROW)	
PUBLIC WORKS	CONSENT CALENDAR	Contract Amendment with All-City Management Services for School Crossing Guard Services for FY 17-18	
			1:00

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DEPARTMENT	AGENDA SECTION	AGENDA TITLE	ESTIMATED TIME
FINANCE	PUBLIC HEARING	Consideration of Final Budget and CIP Update FY 2017-2018 Adoption	0:15
CDD	PUBLIC HEARING	5375 Rolling Ridge Appeal	0:20
CDD	PUBLIC HEARING	2nd Reading and Adoption of Fire Code Ordinance (by Reference)	0:10
PUBLIC WORKS	PUBLIC HEARING	Approval of an Adjustment to the Existing Sewer Service Charge for the Abalone Cove Sewer Maintenance District	0:10
CDD	REGULAR BUSINESS	Peafowl Census Report	0:10
CDD	REGULAR BUSINESS	Code Amendment Initiation of City Sign Ordinance	0:15
ADMIN	REGULAR BUSINESS	Civic Center Update	0:20
ADMIN	REGULAR BUSINESS	Consideration of Labor MOU	0:30
PUBLIC WORKS	REGULAR BUSINESS	First Reading and Introduction of Ordinance to Amend Chapter 12.18 WTF in the Public Right-of-Way (ROW)	0:10
July 5, 2017	5:30 PM	CITY COUNCIL ADJOURNED REGULAR MEETING - CLOSED SESSION	
	CLOSED SESSION		
July 5, 2017	7:00 PM - CANCELLED	CITY COUNCIL REGULAR MEETING - CANCELLED	
	AGENCY MEETING	Improvement Authority Meeting - CANCELLED	
	AGENCY MEETING	Successor Agency Meeting - CANCELLED	
July 18, 2017	6:00 PM	CITY COUNCIL ADJOURNED REGULAR MEETING - CLOSED SESSION/STUDY SESSION	
	CLOSED SESSION		
	STUDY SESSION	Study Session Discussion	
July 18, 2017	7:00 PM	CITY COUNCIL REGULAR MEETING	3:15
	AGENCY MEETING	Improvement Authority Special Meeting	0:05
	AGENCY MEETING	Successor Agency Special Meeting	0:05
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
FINANCE	CONSENT CALENDAR	Warrant Register	
FINANCE	CONSENT CALENDAR	Treasury Report	
PUBLIC WORKS	CONSENT CALENDAR	2nd reading and adoption of Ordinance to Amend Chapter 12.18 WTF in the Public Right-of-Way (ROW)	
CDD	CONSENT CALENDAR	Building and Safety Services Contract	
CDD	CONSENT CALENDAR	Geology Services Contract	
			1:00

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DEPARTMENT	AGENDA SECTION	AGENDA TITLE	ESTIMATED TIME
	PUBLIC HEARING	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	REGULAR BUSINESS	City Council Goals Update (1 of 6)	0:30
PUBLIC WORKS	REGULAR BUSINESS	City Council Subcommittee Goals for Portuguese Bend Landflow	1:00
ADMIN	REGULAR BUSINESS	Consider Adoption of Labor MOU	0:20
August 1, 2017	5:30 PM	CITY COUNCIL ADJOURNED REGULAR MEETING - CLOSED SESSION	
	CLOSED SESSION	NO ITEMS SCHEDULED AT THIS TIME	
August 1, 2017	6:00 PM	CITY COUNCIL SPECIAL MEETING - INTERVIEWS	
	REGULAR BUSINESS	Interviews for the Civic Center Advisory Committee - Part 4 of 4 interview sessions	
August 1, 2017	7:00 PM	CITY COUNCIL REGULAR MEETING	3:50
	AGENCY MEETING	Improvement Authority Meeting	0:05
	AGENCY MEETING	Successor Agency Meeting	0:05
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
FINANCE	CONSENT CALENDAR	Warrant Register	
FINANCE	CONSENT CALENDAR	Treasury Report	
PUBLIC WORKS	CONSENT CALENDAR	Consider Contract for Residential Street Pavement Rehab Proj Area 7	
ADMIN	REGULAR BUSINESS	IT 5-year Strategic Plan Review	
			1:00
ADMIN	REGULAR BUSINESS	Designation of Voting Delegates and Alternates for League Annual Business Meeting	0:10
REC & PARKS	REGULAR BUSINESS	Options for Conqueror Trail Security	0:45
REC & PARKS	REGULAR BUSINESS	Special Event Enforcement Ordinance	0:20
REC & PARKS	REGULAR BUSINESS	Public Drinking and Smoking Ordinances	0:20
REC & PARKS	REGULAR BUSINESS	Preserve Permitted Uses	0:20
REC & PARKS	REGULAR BUSINESS	Approval of Ladera Linda Master Plan	0:30
August 15, 2017	6:00 PM	CITY COUNCIL REGULAR MEETING - CLOSED SESSION/STUDY SESSION	
	CLOSED SESSION	NO ITEMS SCHEDULED AT THIS TIME	
	STUDY SESSION	Study Session Discussion	

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DEPARTMENT	AGENDA SECTION	AGENDA TITLE	ESTIMATED TIME
August 15, 2017 7:00 PM CITY COUNCIL REGULAR MEETING			3:55
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
FINANCE	CONSENT CALENDAR	Warrant Register	1:00
CDD	PUBLIC HEARING	Noise Ordinance	0:45
CDD	REGULAR BUSINESS	Overlay district 26919 Western Ave	0:20
ADMIN	REGULAR BUSINESS	City Council Goals Update (2 of 6)	0:30
ADMIN	REGULAR BUSINESS	Appointments for Civic Center Committee members	0:15
ADMIN	REGULAR BUSINESS	Presentation by Captain Beringer regarding AB109 (Early Release Program)	0:30
REC & PARKS	REGULAR BUSINESS	PVIC Lighting and Parking Solutions	0:20
September 5, 2017 6:00 PM CITY COUNCIL REGULAR MEETING - CLOSED SESSION			
	CLOSED SESSION	NO ITEMS SCHEDULED AT THIS TIME	
September 5, 2017 7:00 PM CITY COUNCIL REGULAR MEETING			2:15
	AGENCY MEETING	Improvement Authority Meeting	0:05
	AGENCY MEETING	Successor Agency Meeting	0:05
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
FINANCE	CONSENT CALENDAR	Warrant Register	
FINANCE	CONSENT CALENDAR	Treasury Report	1:00
	PUBLIC HEARING	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	REGULAR BUSINESS	City Council Goals Update (3 of 6)	0:30
REC & PARKS	REGULAR BUSINESS	Options for Preserve Access	0:20
September 20, 2017 6:00 PM CITY COUNCIL REGULAR MEETING - CLOSED SESSION/STUDY SESSION			
	CLOSED SESSION	NO ITEMS SCHEDULED AT THIS TIME	
	STUDY SESSION	Study Session Discussion	

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DEPARTMENT	AGENDA SECTION	AGENDA TITLE	ESTIMATED TIME
September 20, 2017 7:00 PM CITY COUNCIL REGULAR MEETING 1:45			
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
FINANCE	CONSENT CALENDAR	Warrant Register	1:00
	PUBLIC HEARING	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	REGULAR BUSINESS	City Council Goals Update (4 of 6)	0:30
October 3, 2017 6:00 PM CITY COUNCIL REGULAR MEETING - CLOSED SESSION			
	CLOSED SESSION	NO ITEMS SCHEDULED AT THIS TIME	
October 3, 2017 7:00 PM CITY COUNCIL REGULAR MEETING 1:55			
	AGENCY MEETING	Improvement Authority Meeting	0:05
	AGENCY MEETING	Successor Agency Meeting	0:05
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
FINANCE	CONSENT CALENDAR	Warrant Register	
FINANCE	CONSENT CALENDAR	Treasury Report	1:00
	PUBLIC HEARING	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	REGULAR BUSINESS	City Council Goals Update (5 of 6)	0:30
October 17, 2017 6:00 PM CITY COUNCIL REGULAR MEETING - CLOSED SESSION/STUDY SESSION			
	CLOSED SESSION	NO ITEMS SCHEDULED AT THIS TIME	
	STUDY SESSION	Study Session Discussion	
October 17, 2017 7:00 PM CITY COUNCIL REGULAR MEETING 1:45			
	MAYOR ANNOUNCEMENTS	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	CONSENT CALENDAR	Minutes	
FINANCE	CONSENT CALENDAR	Warrant Register	1:00

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DEPARTMENT	AGENDA SECTION	AGENDA TITLE	ESTIMATED TIME
	PUBLIC HEARING	NO ITEMS SCHEDULED AT THIS TIME	
ADMIN	REGULAR BUSINESS	City Council Goals Update (6 of 6)	0:30
FUTURE AGENDA ITEMS - Identified at Council meetings & pending receipt of memo from Councilmember			
<u>Request Date:</u>	<u>Requested By:</u>	<u>Item:</u>	
FUTURE AGENDA ITEMS AGENDIZED OR OTHERWISE BEING ADDRESSED			0:15
<u>Request Date:</u>	<u>Requested By:</u>	<u>Item:</u>	<u>Agendized Date:</u>
3/7/2017	Brooks	Public Drinking Ordinance	8/1/2017
3/7/2017	Brooks	Special Events Permit Enforcement Ordinance	8/1/2017
3/7/2017	Brooks	Preserve Permitted Uses	8/1/2017
4/18/2017	Campbell	Civic Center Update	6/20/2017
4/18/2017	Dyda	Update Council Policies/Procedures	TBD
5/2/2017	Dyda	City Council Subcommittee Goals for Portuguese Bend Landflow	7/18/2017
5/16/2017	Misetich	Annexation of San Pedro homes into City	6/6/2017
5/16/2017	Misetich	Presentation by Captain Beringer regarding AB109 (Early Release Program)	8/15/2017
5/16/2017	Dyda	Options for Preserve Access	9/5/2017

PVPTV Cox 35 / FIOS 39 Programming Schedule Guide Schedule - 06/04/17 - 06/10/17								
	Sunday 06/04	Monday 06/05	Tuesday 06/06	Wednesday 06/07	Thursday 06/08	Friday 06/09	Saturday 06/10	
6:00 AM - 6:30 AM								
6:30 AM - 7:00 AM								
7:00 AM - 7:30 AM	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	The City of Rancho Palos Verdes City Council Meeting June 6th, 2017	The City of Rancho Palos Verdes City Council Meeting June 6th, 2017	The City of Rancho Palos Verdes City Council Meeting June 6th, 2017	The City of Rancho Palos Verdes City Council Meeting June 6th, 2017	
7:30 AM - 8:00 AM								
8:00 AM - 8:30 AM								
8:30 AM - 9:00 AM								
9:00 AM - 9:30 AM								
9:30 AM - 10:00 AM								
10:00 AM - 10:30AM	Community Announcements	Community Announcements	Community Announcements	Community Announcements	Community Announcements	Community Announcements	Community Announcements	
10:30 AM - 11:00AM								
11:00 AM - 11:30 AM	The Brigitte Schuegraf - Elementary Choral Festival March 28 - 30th, 2017	The Brigitte Schuegraf - Elementary Choral Festival March 28 - 30th, 2017	The Brigitte Schuegraf - Elementary Choral Festival March 28 - 30th, 2017	The Brigitte Schuegraf - Elementary Choral Festival March 28 - 30th, 2017	The Brigitte Schuegraf - Elementary Choral Festival March 28 - 30th, 2017	The Brigitte Schuegraf - Elementary Choral Festival March 28 - 30th, 2017	The Brigitte Schuegraf - Elementary Choral Festival March 28 - 30th, 2017	
11:30 AM - 12:00PM								
12:00 PM - 12:30PM								
12:30 PM - 1:00PM								
1:00 PM - 1:30PM								
1:30 PM - 2:00PM								
2:00 PM - 2:30PM								
2:30 PM - 3:00PM								
3:00 PM - 3:30PM	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	Palos Verdes Library District Board of Trustees Meeting	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	Peninsula Symphonic Winds Spring Has Sprung May 21, 2017	
3:30 PM - 4:00PM								
4:00 PM - 4:30PM								
4:30 PM - 5:00PM								
5:00 PM - 5:30PM								
5:30 PM - 6:00PM								
6:00 PM - 6:30PM	Palos Verdes Peninsula Coordinating Council	Palos Verdes Peninsula Coordinating Council	Palos Verdes Peninsula Coordinating Council	Palos Verdes Peninsula Coordinating Council	Palos Verdes Peninsula Coordinating Council	Palos Verdes Peninsula Coordinating Council	Palos Verdes Peninsula Coordinating Council	
6:30 PM - 7:00PM								
7:00 PM - 7:30PM								
7:30 PM - 8:00PM								
8:00 PM - 8:30PM								
8:30 PM - 9:00PM	The City of Rolling Hills Estates City Council Meeting - May 23rd, 2017	The Palos Verdes Peninsula Unified School District (PVPUSD) Board of Education Meeting	LIVE - The City of Rancho Palos Verdes City Council Meeting June 6th, 2017	The City of Rolling Hills Estates City Council Meeting - May 23rd, 2017	The City of Rancho Palos Verdes City Council Meeting June 6th, 2017	The City of Rolling Hills Estates City Council Meeting - May 23rd, 2017	The City of Rancho Palos Verdes City Council Meeting June 6th, 2017	
9:00 PM - 9:30PM								
9:30 PM - 10:00PM								
10:00 PM - 10:30PM								
10:30 PM - 11:00PM								
11:00 PM - 11:30PM	Community Announcements	Community Announcements	Community Announcements	Community Announcements	Community Announcements	Community Announcements	Community Announcements	
11:30 PM - 12:00 AM								
12:00 AM - 1:00 AM								
1:00 AM - 6:00 AM								



**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT- LOMITA STATION
REPORTED CRIMES & ARRESTS BETWEEN 05/21/17 - 05/27/17**



LOMITA:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
ROBBERY	17-02084	1714	5/21/2017	0130	1800 BLK PCH	OPEN FOR BUSINESS	U.S. CURRENCY, MISC CREDIT CARDS, CHECKS, CDL	1 SUSPECT ARRESTED
ROBBERY (ESTES)	17-02027	1710	5/22/2017	0015	2000 BLK LOMITA BL	OPEN FOR BUSINESS	BEER CANS, CHIPS, FLAMING HOT STICKS	1 SUSPECT ARRESTED
BURGLARY (RESIDENTIAL)	17-02059	1711	5/23/2017	1530-1900	2400 BLK W 247TH ST	REAR DOOR GLASS PANE SMASHED	U.S. CURRENCY, IPHONE, CHECK, FISHING REELS	SUSPECT(S) UNKNOWN
BURGLARY (RESTAURANT)	17-02070	1714	5/24/2017-5/25/2017	2100-0440	1900 BLK PCH	FRONT GLASS DOOR SHATTERED	REGISTER, U.S. CURRENCY	SUSPECT(S) UNKNOWN
BURGLARY (COMMERCIAL)	17-02071	1714	5/24/2017/5/25/2017	1900-0430	1900 BLK PCH	FRONT GLASS DOOR SHATTERED	CANDY MACHINE	SUSPECT(S) UNKNOWN
ROBBERY	17-02076	1710	5/25/2017	1410	243RD PL WALNUT ST	N/A	HEADPHONES, IPHONE, CDL	S1 MW, 30's, PATCHY BEARD, LIGHT BUILD W/SHORT DK BRO HAIR, WRG A BLU ZIP UP JACKET AND BLU JEANS; S2 MW, MID 30's, HEAVY ACNE, LIGHT BUILD, BLK HAIR W/PONY TAIL WRG A BLK HOODIE IN A WHI OLDER MODEL POSS 1990's/EARLY 2000's TOYOTA CAMRY W/SPARE TIRE ON REAR RIGHT PASSENGER SIDE.
GRAND THEFT (AUTO)	17-02091	1712	5/25/2017-5/26/2017	1800-0900	1800 BLK LOMITA BL	N/A	2016 SIL 4DR HYUNDAI ACCENT	SUSPECT ARRESTED BY OUTSIDE AGENCY. VEH RECOVERED.
PETTY THEFT	17-02103	1714	5/27/2017	1145	1900 BLK PCH	N/A	WALLET, U.S. CURRENCY, CDL	SUSPECT(S) UNKNOWN
ARRESTS: APPROPRIATION OF LOST PROPERTY-1, DRUGS-3, ID THEFT-1, ROBBERY-1, VANDALISM-1, VEHICLE VIOLATIONS-8, WARRANTS-13								

RANCHO PALOS VERDES:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
BURGLARY (RESIDENTIAL)	17-02048	1737	5/22/2017	2126	30700 BLK RUE LANGLOIS	REAR SLIDING GLASS DOOR SHATTERED	UNK AT TIME OF REPORT	SUSPECT(S) UNKNOWN

BURGLARY (RESIDENTIAL)	17-02058	1746	5/23/2017	1200- 1616	28600 BLK MOUNT RUSHMORE	SKYLIGHT WINDOW	CAMERA	SUSPECT(S) UNKNOWN
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ARRESTS: BURGLARY-3, VEHICLE VIOLATIONS-1, WARRANTS-1

ROLLING HILLS:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
NO CRIMES DURING THIS TIME								
NO ARRESTS DURING THIS TIME								

ROLLING HILLS ESTATES:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
BURGLARY (RESIDENTIAL)	17-02087	1720	5/26/2017	0100	HIDDEN VALLEY RD	UNSECURED GARAGE	MISC ITEMS RECOVERED	2 SUSPECTS ARRESTED

ARRESTS: BATTERY-1, BURGLARY-2, GRAND THEFT-1, VANDALISM-2, WARRANTS-1

SAN PEDRO:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
NO CRIMES DURING THIS TIME								
ARRESTS: DRUGS-2, VEHICLE VIOLATIONS-1, WARRANTS-2								

PVP:

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
NO CRIMES DURING THIS TIME								
NO ARRESTS DURING THIS TIME								

PUBLIC RECORDS ACT REQUESTS - TRACKING LOG 2017

DATE OF REQUEST	DATE RECEIVED	REQUESTOR	SUBJECT	ACTION TAKEN
12/27/2016	1/3/2017	Smart Procure	PRA for PO Vendor Info	1/3/2017 Accounting Tech Amundson provided info. Completed.
1/7/2017	1/9/2017	Bill West	PRA for attorney contracts and statements	1/16/17 DCC Takaoka sent response to requestor. Awaiting payment.
1/12/2017	1/12/2017	Center for Contract Compliance (Nick Santos)	PRA for certified payroll documents for the Pro Tech Engineering Corporation - Hawthorne Blvd. Signal Synchronization Project	1/23/17 Admin Asst. Zweizig sent email response with responsive documents. 14 day extension letter sent for remaining documents. 2/6/17 Admin Asst. Zweizig responded. Completed.
1/12/2017	1/13/2017	Law Office Lisa Herzog	PRA for Willdan documents	01/16/2017 AAll Cloke sent response re Request No. 1. 01/18/2017 AAll Cloke sent 14 day extension letter. 2/2/2017 AAll Cloke sent letter to requestor with date the documents (request nos. 2 & 3) will be ready for review. 2/6/2017 PWDD Jules notified the City Clerk's office that we have no responsive documents to this request. AAll Cloke sent letter to requester. Completed.
1/13/2017	1/13/2017	Center for Contract Compliance (Nick Santos)	PRA for Portuguese Bend Landslide Dewatering Wells	1/19/17 DCC Takaoka responded- completed.
1/17/2017	1/17/2017	Matt Pearce	PRA for Trump National Golf Course golf tax	1/25/17 DCC Takaoka responded. Completed.
1/23/2017	1/23/2017	Valencia Harkless (CA Department of Industrial Relations)	PRA for copies of any building permits for the residence: 30437 Rhone Drive	2/1/17 DCC Takaoka responded to requestor. Awaiting payment.
1/26/2017	1/26/2017	Center for Contract Compliance (Marisol Hernandez)	PRA for Abalone Cove Sewer System Cleaning and Inspection	1/31/17 Admin Asst. Zweizig responded. Completed.
1/26/2017	1/26/2017	Center for Contract Compliance (Nick Santos)	PRA for Southwest Pipeline and Trenchless Corp and Performance Pipeline Technologies	1/26/17 ACC Takaoka sent PRA to Public Works Dept for their review and action. 2/6/2017 ACE Eder found Southwest (Performance Pipeline) needs additional time. AAll Cloke sent 14-day extension letter. 2/22/2017 AAll Cloke sent second letter extending time to respond. 2/28/2017 AAll Cloke emailed records. Completed.
1/27/2017	1/27/2017	North American Procurement Council	PRA AB Cove Sewer Manhole Rehab Fy 16-17 bid docs	1/27/17 Asst Mitchell responded. Completed.
1/30/2017	1/30/2017	Roberto Ortega (Farmers Insurance)	PRA for Construction Permits from 2003-2004 for AIN 7581004020	2/8/2017 CDD responded. AAll Cloke emailed records to requestor. Completed.
2/3/2017	2/3/2017	Latham & Watkins	PRA for docs from Baron & Budd; Port of Long Beach	2/13/17 DCC Takaoka responded. Completed.

PUBLIC RECORDS ACT REQUESTS - TRACKING LOG 2017

DATE OF REQUEST	DATE RECEIVED	REQUESTOR	SUBJECT	ACTION TAKEN
2/8/2017	2/8/2017	Accutrend Data Corporation (Colin Yost)	PRA for List of NewBusiness Licenses Filed in January 2017	2/15/2017 AAll Cloke responded. Completed.
2/13/2017	2/13/2017	Carl Sheriff PE Michael Johnson	PRA for docs and plans as related to 6510 Ocean Crest Drive	2/15/2017 AAll Cloke sent CDD response. Completed. 2/27/17 resent docs using dropbox. Completed.
2/13/2017	2/15/2017	Jeanetta Wright	PRA for residential code enforcement violations written between 1/1/2016 and 2/13/2017.	2/15/2017 AAll Cloke request forwarded to CDD Director Mihranian. 2/27/17 DCC Takaoka responded. Completed.
2/23/2017	2/23/2017	SBA Alyssa Frank	PRA copies of plans for cell site tower	2/23/17 DCC Takaoka responded. Completed.
2/23/2017	2/23/2017	Professional Finders	PRA for Uncashed checks/ bonds etc	3/6/17 DCC Takaoka responded. Completed.
3/6/2017	3/6/2017	Matt Pearce LA Times	PRA for Film permits at Trump National	3/6/17 Senior Admin Analyst Fox responded. Completed.
3/6/2017	3/7/2017	Dennis Romero LA Weekly	PRA for records/contracts for affordable housing Trump National	3/15/17 DCC Takaoka responded. Completed. DCC Takaoka left two messages seeking clarification on latest voicemail- to date no response.
3/8/2017	3/8/2017	California River Watch	PRA for record relating to RPV Sewer Collection	3/13/17 City Atty is responding to the requestor
3/10/2017	3/10/2017	Lisa Herzog	PRA for Notices of Completion for Anderson-Penna Partners, Inc.	3/13/17 Admin Asst. Zweizig responded. Completed.
3/13/2017	3/13/2017	Bill Crawford	PRA for a copy of the Traffic Control Plan and the associated Encroachment Permit associated with the Edison work being performed today, March 13, 2017, on Sauna Street/Drive off of Miraleste Drive	3/23/17 Admin Asst. Zweizig responded. Completed.
3/15/2017	3/15/2017	Brian Tseng	PRA for all building permits and records for 3726 Coolheights Drive, RPV.	3/16/2017 CDD provided responsive records. AAll Cloke forwarded to Mr. Tseng via email. Complete.
3/16/2017	3/16/2017	Robert Davis (BuildZoom)	PRA for REPORT of all building permits processed by department to date. Requests REPORT covers last 10 years at a minimum.	3/16/2017 AAll Cloke forwarded request to CDD.
3/16/2017	3/16/2017	Center for Contract Compliance (Marisol Hernandez)	PRA for Palos Verdes Drive East Traffic Safety Guardrails Project	3/21/17 Asst. Engineer Carrasco responded. Complete.
3/17/2017	3/17/2017	Linda Albertoni	PRA for a certified copy of Municipal Code Section 17.76.040	3/17/17 Admin Asst. Zweizig responded. Completed.
3/24/2017	3/24/2017	Accutrend Data Corporation (Colin Yost)	PRA for List of NewBusiness Licenses Filed in January 2017	3/30/2017 Acct Supervisor Ramos provided data. AAll Cloke responded. Completed.

PUBLIC RECORDS ACT REQUESTS - TRACKING LOG 2017

DATE OF REQUEST	DATE RECEIVED	REQUESTOR	SUBJECT	ACTION TAKEN
9/22/2016	3/28/2017	Law Office of Lisa Herzog	PRA for Anderson Penna Partners, Inc (APP) certified payroll documents. (Also requested Contracts, Invoices, and Checks. This portion is complete.)	3/27/2017 Herzog Check (\$13.25) to APP received. 3/28/2017 Herzog Check mailed to APP Attorney Morris Polich & Purdy LLP. 4/24/17 Received APP certified payroll documents. 4/25/2017 Mailed documents to Lisa Herzog. Sent email requesting Herzog provide check for \$7.20 to cover postal fees.
3/28/2017	3/28/2017	Bill Crawford	PRA for plans, permits, and any and communications associated with Southern California Edison for work performed on March 28, 2017 on Kingsridge Drive.	4/6/2017 Asst. Engineer Carrasco responded. Complete.
3/27/2017	3/29/2017	Alfredo Roman (Dept. of Industrial Relations - Div. of Labor Standards Enforcement)	PRA for Portuguese Bend Landslide Dewatering Wells	4/3/17 Asst Engineer Flannigan responded. Completed.
	3/31/2017	Center for Contract Compliance Marisol Hernandez	PRA for Sewer Manhole Rehabilitation FY 16/17	4/5/17 Asst Engineer Carrasco responded. Completed.
4/4/2017	4/4/2017	SmartProcure	PRA PO Vendor Information	4/12/17 DCC Takaoka responded. Completed.
4/4/2017	4/4/2017	Noel Weiss	PRA for indemnity Agreement Green Hills (amounts paid)	4/13/2017 City Attorney's Office responded. Complete.
4/5/2017	4/5/2017	John Cruikshank	List of all City current city contractors for all departments including contact information.	4/13/2017 AA Zweizig responded. Completed.
4/4/2017	4/7/2017	Lisa Herzog	PRA Willdan Engineering On-Call Traffic Engineering	4/13/2017 AAll Cloke sent determination Letter to Herzog with City request of for Willdan Cert Payroll. 4/13/2017 Letter and Email sent to Willdan requesting Payroll.
4/7/2017	4/7/2017	Alyssa Frank for SBA Communications	PRA for Site Plans, Permits, Applications to construct brand new Wireless Communication Towers SINCE 2/1/2017.	4/13/2017 AAll Cloke sent determination letter request \$5.98 for disk and postage. AE Edner gathered electronic files. Check received week of 5/15/2017. Disk mailed. Completed.
4/10/2017	4/10/2017	Accutrend Data Corporation (Bela Christensen)	Business licenses filed in March 2017	4/11/2014 DCC responded. Completed.
4/10/2017	4/10/2017	Robert Fellner (records@transparentcalifornia.com)	RPV Employee Compensation Report for 2016	4/20/2017 DCC Takaoka responded. Completed.
4/10/2017	4/11/2017	Charles F. Peterson, Esq.	Request for documents related to restoration/preservation claims	4/21/2017 DCC Takaoka forwarded on info. Completed.- Follow up- Senior Planner Alvarez reached out to requestor for addt'l clarification. To date no response.
4/11/2017	4/13/2017	Lisa Herzog	PRA Vali Cooper NOC FY 12/13 13/14 Residential St Area 1 5B	4/20/17 DCC Takaoka responded. Completed.

PUBLIC RECORDS ACT REQUESTS - TRACKING LOG 2017

DATE OF REQUEST	DATE RECEIVED	REQUESTOR	SUBJECT	ACTION TAKEN
4/20/2017	4/20/2017	Hisano Hamada	PRA for Housing Element docs	4/24/17 DCC responded. Completed.
4/21/2017	4/21/2017	Mike Katz-Lacabe	PRA for info purchase of license plate readers etc	5/1/17 DCC Takaoka responded. Completed.
4/27/2017	4/27/2017	Ben Casteel (Fisher & Phillips LLP)	PRA for Public Works On-Call Contracts dated 6/1/16 with Annealta Group and/or Timothy D'Zmura	5/1/17 AA Zweizig responded. Completed.
5/3/2017	5/3/2017	Bill Crawford	PRA requesting documents related to SCE work performed on 5/16/17 on Sunnyside Ridge Road	5/15/2017 AAll Cloke sent 14-day extension letter via email to Mr. Crawford. 5/30/17 AA Zweizig responded. Completed
5/8/2017	5/8/2017	Bela Christensen for Accutrend Data Corporation	Listing of New Businesses that filed in April 2017.	5/8/2017 AAll Cloke notified requestor that requested data is being processed and will be likely be available by June 1, 2017. Requestor was asked to resubmit their request at that time. Completed.
5/10/2017	5/10/2017	Center for Contract Compliance (Nick Santos)	PRA for certified payroll documents for the Pro Tech Engineering Corporation - Hawthorne Blvd. Signal Synchronization Project	5/22/2017 AA Zweizig sent 14-day extension letter via email to Mr. Santos.
5/11/2017	5/11/2017	Broedlow Lewis LLB (Jeff Lewis)	PRA for Elkmont Canyon Records (records produced for July 17, 2016 request should not be produced a second time).	5/19/2017 14-day extension letter sent via email and us mail.
5/11/2017	5/11/2017	Alexus Carpenter	PRA for Current Plan Holder's List - Storm Drain Improvements FY 2016-17	5/11/2017 PW Responded. Complete.
5/12/2017	5/12/2017	Shingler Law (Mark Riepling)	PRA for documents identifying electrical equipment in "Generator Building that was part of former Nike Missile site. Records related to asbestos surveys, assessments, sampling and abatement of site.	5/22/17 Principal Civil Engineer Dragoo responded. Completed.
5/16/2017	5/16/2017	Rachel Vogel American Transparency	PRA for Employee Compensation 2016	5/22/17 DCC Takaoka responded to requestor.

AMENDED IN ASSEMBLY APRIL 25, 2017

AMENDED IN ASSEMBLY APRIL 17, 2017

AMENDED IN ASSEMBLY APRIL 4, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 1250

Introduced by Assembly Member Jones-Sawyer

February 17, 2017

An act to add Sections 31000.10, 31000.11, 37103.1, and 37103.2 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1250, as amended, Jones-Sawyer. Counties and cities: contracts for personal services.

Existing law authorizes the board of supervisors of a county to contract for special services on behalf of various public entities with persons who are specially trained, experienced, expert, and competent to perform the special services, as prescribed. These services include financial, economic, accounting, engineering, legal, and other specified services. Existing law also authorizes legislative bodies of cities to contract with any specially trained and experienced person, firm, or corporation for special services and advice in financial, economic, accounting, engineering, legal, or administrative matters.

This bill would establish specific standards for the use of personal services contracts by counties and cities. Beginning January 1, 2018, the bill would allow a county or county agency, or a city or city agency, to contract for personal services currently or customarily performed by county employees, as applicable, when specified conditions are met. Among other things, the bill would require the county or city to clearly

demonstrate that the proposed contract will result in actual overall costs savings to the county or city and also to show that the contract does not cause the displacement of county or city workers. The bill would require a contract entered into under these provisions to specify that it may be terminated upon material breach, if notice is provided, as specified. Additionally, the bill would require the county or city to provide an orientation to employees of the contractor who would perform services pursuant to the contract, ~~and would establish liability provisions for employment law violations and torts committed in the course of providing services under contract,~~ among other conditions. *The bill would require that the county or city conduct a cost-benefit analysis prior to entering into the contract and would require the prospective contractors to reimburse the cost of the analysis. The bill would also require the county or city to conduct an audit of the contract to determine whether cost savings have been realized and would require the contractor to reimburse the cost of the audit.* The bill would impose additional disclosure requirements for contracts exceeding ~~\$100,000~~ \$5,000,000 annually, would exempt certain types of contracts from its provisions, and would require each county or city to maintain on its Internet Web site a searchable database of all of its contracts exceeding ~~\$100,000.~~ \$5,000,000. By placing new duties on local government agencies, the bill would impose a state-mandated local program.

The bill also would provide that its provisions are severable.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

- 1 SECTION 1. Section 31000.10 is added to the Government
- 2 Code, to read:
- 3 31000.10. The purpose of this section and Section 31000.11
- 4 is to establish standards for the use of personal services contracts
- 5 by counties.

1 (a) If otherwise permitted by law, a county or county agency
2 may contract for personal services currently or customarily
3 performed by county employees when all the following conditions
4 are met:

5 (1) The board of supervisors or county agency clearly
6 demonstrates that the proposed contract will result in actual overall
7 cost savings to the county for the duration of the entire contract
8 as compared with the county's actual costs of providing the same
9 services, provided that:

10 (A) In comparing costs, there shall be included the county's
11 additional cost of providing the same service as proposed by a
12 contractor. These additional costs shall include the salaries and
13 benefits of additional staff that would be needed and the cost of
14 additional space, equipment, and materials needed to perform the
15 function.

16 (B) In comparing costs, there shall not be included the county's
17 indirect overhead costs unless these costs can be attributed solely
18 to the function in question and would not exist if that function was
19 not performed in county service. Indirect overhead costs shall
20 mean the pro rata share of existing administrative salaries and
21 benefits, rent, equipment costs, utilities, and materials.

22 (C) In comparing costs, there shall be included in the cost of a
23 contractor providing a service any continuing county costs that
24 would be directly associated with the contracted function. These
25 continuing county costs shall include, but not be limited to, those
26 for inspection, supervision, and monitoring.

27 (2) Proposals to contract out work shall not be approved solely
28 on the basis that savings will result from lower contractor pay rates
29 or benefits. Proposals to contract out work shall be eligible for
30 approval if the contractor's wages are at the industry's level and
31 do not significantly undercut county pay rates.

32 (3) The contract does not cause the displacement of county
33 employees. "Displacement" includes layoff, demotion, involuntary
34 transfer to a new class, involuntary transfer to a new location
35 requiring a change of residence, and time base reductions.
36 "Displacement" does not include changes in shifts or days off or
37 reassignment to other positions within the same class and general
38 location.

39 (4) The contract does not cause vacant positions in county
40 employment to remain unfilled.

- 1 (5) The contract does not adversely affect the county’s
2 affirmative action efforts.
- 3 (6) The savings shall be large enough to ensure that they will
4 not be eliminated by private sector and county cost fluctuations
5 that could normally be expected during the contracting period.
- 6 (7) The amount of savings clearly justifies the size and duration
7 of the contracting agreement.
- 8 (8) The contract is awarded through a publicized, competitive
9 bidding process. The county shall reserve the right to reject any
10 and all bids or proposals.
- 11 (9) The contract includes specific provisions pertaining to the
12 qualifications of the staff that will perform the work under the
13 contract, as well as assurance that the contractor’s hiring practices
14 meet applicable nondiscrimination, affirmative action standards.
- 15 (10) The potential for future economic risk to the county from
16 potential contractor rate increases is minimal.
- 17 (11) The contract is with a firm. “Firm” means a corporation,
18 partnership, nonprofit organization, or sole proprietorship.
- 19 (12) The potential economic advantage of contracting is not
20 outweighed by the public’s interest in having a particular function
21 performed directly by county government. Before executing a
22 contract for personal services under this section, the county shall
23 demonstrate that outsourcing the particular functions at issue is in
24 the public interest, addressing the cost of the contract, the cost of
25 administering the contract, the effect on the quality of services
26 provided to the public, and any other relevant circumstances.
- 27 (13) The contract shall provide that it may be terminated at any
28 time by the county without penalty if there is a material breach of
29 the contract and notice is provided at least 30 days before
30 termination.
- 31 (14) The county shall provide an orientation to employees of
32 the contractor who will perform services pursuant to the contract.
33 The orientation shall include, but is not limited to, all of the
34 following:
- 35 (A) A description of the services to be provided pursuant to the
36 contract.
- 37 (B) A description of the function and goals of the public agency
38 responsible for providing the services in the absence of the contract.

1 (C) Any applicable rules governing provision of the services
2 and how the employee may report violations of applicable rules
3 or contractual requirements.

4 ~~(15) The county shall be jointly and severally liable with the~~
5 ~~contractor and any of its subcontractors for:~~

6 ~~(A) Employment law violations arising from performance of~~
7 ~~the contract, unless otherwise provided by a bona fide collective~~
8 ~~bargaining agreement covering the affected employees.~~

9 ~~(B) Torts committed by the contractor or its subcontractors in~~
10 ~~the course of providing services under the contract.~~

11 ~~(16)~~

12 (15) If the contract is for personal services in excess of one
13 hundred thousand dollars (\$100,000) annually, all of the following
14 shall occur:

15 (A) The county shall require the contractor to disclose all of the
16 following information as part of its bid, application, or answer to
17 a request for proposal:

18 (i) A description of all charges, claims, or complaints filed
19 against the contractor with any federal, state, or local administrative
20 agency during the prior 10 years.

21 (ii) A description of all civil complaints filed against the
22 contractor in any state or federal court during the prior 10 years.

23 (iii) A description of all state or federal criminal complaints or
24 indictments filed against the contractor, or any of its officers,
25 directors, or managers, at any time.

26 (iv) A description of any debarments of the contractor by any
27 public agency or licensing body at any time.

28 (v) The total compensation, including salaries and benefits, the
29 contractor provides to workers performing work similar to that to
30 be provided under the contract.

31 (vi) The total compensation, including salaries, benefits, options,
32 and any other form of compensation, provided to the five highest
33 compensated officers, directors, executives, or employees of the
34 contractor.

35 (vii) Any other information the county deems necessary to
36 ensure compliance with this section.

37 (B) Prior to entering into the contract, the county shall conduct,
38 and make public, a ~~study of cost-benefit analysis considering~~ the
39 potential impact of outsourcing the work covered by the ~~contract,~~
40 ~~including, but not limited to:~~ *contract. The analysis shall include:*

- 1 (i) The potential loss of employment opportunities within the
- 2 county and resultant loss of income to workers.
- 3 (ii) ~~The economic~~ impact on local businesses if consumer
- 4 spending power is reduced as a result of reduced wages under the
- 5 contract.
- 6 (iii) The impact on the county’s ability to provide social services
- 7 and the effect of any reduction in social services on county
- 8 residents.
- 9 ~~(iv) Any environmental impact caused by contracting for the~~
- 10 ~~services at issue.~~
- 11 (iv) *Potential impacts on the environment, if any.*
- 12 (C) *Prospective contractors shall reimburse the county for the*
- 13 *cost of the cost-benefit analysis.*
- 14 ~~(C)~~
- 15 (D) The contract shall provide that the county is entitled to
- 16 receive a copy of any records related to the contractor’s or any
- 17 subcontractor’s performance of the contract, and that any of those
- 18 records shall be subject to the California Public Records Act
- 19 (Chapter 3.5 (commencing with Section 6250) of Division 7 of
- 20 Title 1). In furtherance of this subdivision, contractors and any
- 21 subcontractors shall maintain records related to performance of
- 22 the contract that ordinarily would be maintained by the county in
- 23 performing the same functions.
- 24 ~~(D)~~
- 25 (E) The county shall include in the contract specific, measurable
- 26 performance standards and provisions for a performance audit by
- 27 the county, or an independent auditor approved by the county, to
- 28 determine whether the performance standards are being met and
- 29 whether the contractor is in compliance with applicable laws and
- 30 regulations. The county shall not renew or extend the contract prior
- 31 to receiving and considering the audit report.
- 32 ~~(E)~~
- 33 (F) (1) The contract shall include provisions for an audit by
- 34 the county, or an independent auditor approved by the county, to
- 35 determine whether and to what extent the anticipated cost savings
- 36 have actually been realized. The county shall not renew or extend
- 37 the contract before receiving and considering the audit report.
- 38 (2) *The contractor shall reimburse the county for the cost of the*
- 39 *audit.*

1 (b) This section does not preclude a county from adopting more
2 restrictive rules regarding the contracting of public services.

3 (c) When otherwise permitted by law, the absence of any
4 requirement of subdivision (a) shall not prevent personal services
5 contracting when any of the following conditions are met:

6 (1) The contract is for a new county function and the Legislature
7 has specifically mandated or authorized the performance of the
8 work by independent contractors.

9 (2) *The contract is between the county and another government*
10 *entity for services to be performed by employees of the other*
11 *government entity.*

12 ~~(2)~~

13 (3) The services contracted cannot be performed satisfactorily
14 by county employees, or are of such a highly specialized or
15 technical nature that the necessary expert knowledge, experience,
16 and ability are not available among county employees.

17 ~~(3)~~

18 (4) The services are incidental to a contract for the purchase or
19 lease of real or personal property. Contracts under this criterion,
20 known as “service agreements,” shall include, but not be limited
21 to, agreements to service or maintain office equipment or
22 computers that are leased or rented.

23 ~~(4)~~

24 (5) The legislative, administrative, or legal goals and purposes
25 cannot be accomplished through the utilization of county
26 employees. Contracts are permissible under this criterion to protect
27 against a conflict of interest or to ensure independent and unbiased
28 findings in cases where there is a clear need for a different, outside
29 perspective. These contracts shall include, but not be limited to,
30 obtaining expert witnesses in litigation.

31 ~~(5)~~

32 (6) The nature of the work is such that the standards of this part
33 for emergency appointments apply. These contracts shall conform
34 with Section 31000.4.

35 ~~(6)~~

36 (7) Public entities or officials need private counsel because a
37 conflict of interest on the part of the county counsel’s office
38 prevents it from representing the public entity or official without
39 compromising its position. These contracts shall require the written
40 consent of the county counsel.

1 (7)

2 (8) The contractor will provide equipment, materials, facilities,
3 or support services that could not feasibly be provided by the
4 county in the location where the services are to be performed.

5 (8)

6 (9) The contractor will conduct training courses for which
7 appropriately qualified county employee instructors are not
8 available, provided that permanent instructor positions in academies
9 or similar settings shall be filled by county employees.

10 (9)

11 (10) The services are of such an urgent, temporary, or occasional
12 nature that the delay incumbent in their implementation by county
13 employees would frustrate their very purpose.

14 (d) All persons who provide services to a county under
15 conditions constituting an employment relationship shall be
16 employed directly by the county.

17 (e) (1) Except as provided in paragraph (2), this section shall
18 apply to all counties, including counties that have adopted a merit
19 or civil service system.

20 (2) This section does not apply to a charter county formed
21 pursuant to Section 3 of Article XI of the California Constitution.

22 (f) (1) This section does not apply to any contract for services
23 described in Section 4525 or 4529.10.

24 (2) This section does not apply to any contract that is subject
25 to Chapter 1 (commencing with Section 1720) of Part 7 of Division
26 2 of the Labor Code.

27 (3) This section does not apply to a contract for public transit
28 services, including paratransit services, if the county's transit
29 services are fully funded by Federal Transit Administration
30 assistance and the county is thereby subject to the guidelines
31 established in FTA Circular 4220.1F or any subsequent guidelines
32 or revisions issued by the Federal Transit Administration.

33 (g) This section shall apply to personal services contracts entered
34 into, renewed, or extended on or after January 1, 2018.

35 SEC. 2. Section 31000.11 is added to the Government Code,
36 to read:

37 31000.11. (a) Each county shall maintain on its Internet Web
38 site a searchable database of all contracts of an annual value in
39 excess of ~~one hundred thousand dollars (\$100,000)~~ *five million*

1 *dollars (\$5,000,000)* entered into pursuant to Section 31000.10.

2 The database shall include, but is not limited to, the following:

3 (1) A description of the services provided under the contract.

4 (2) The name of the agency, department, or division responsible
5 for providing the service in the absence of the contract.

6 (3) The name of the contractor and any subcontractors providing
7 services under the contract.

8 (4) The effective and expiration dates of the contract.

9 (5) The annual amount paid pursuant to the contract to the
10 contractor in the past three fiscal years and the current fiscal year,
11 including the funding source for all amounts paid.

12 (6) The annual amount expected to be paid pursuant to the
13 contract to the contractor in the next three fiscal years.

14 (7) The total projected cost of the contract for all fiscal years
15 and the funding source for all amounts to be paid.

16 (8) The names of the employees of the contractor and any
17 subcontractors providing services pursuant to the contract and their
18 hourly pay rates, and the total number of full-time equivalent
19 positions involved in performing the services under the contract.

20 (9) The names of any workers providing services pursuant to
21 the contract as independent contractors and the compensation rates
22 for such workers.

23 (b) The information identified in subdivision (a) shall be
24 compiled in an annual service contractor expenditure budget
25 accompanying the county budget, reflecting all spending on
26 personal services contracts by the county.

27 SEC. 3. Section 37103.1 is added to the Government Code, to
28 read:

29 37103.1. The purpose of this section and Section 37103.2 is
30 to establish standards for the use of personal services contracts by
31 cities.

32 (a) If otherwise permitted by law, a city or city agency may
33 contract for personal services currently or customarily performed
34 by city employees when all the following conditions are met:

35 (1) The city council or city agency clearly demonstrates that
36 the proposed contract will result in actual overall cost savings to
37 the city for the duration of the entire contract as compared with
38 the city's actual costs of providing the same services, provided
39 that:

1 (A) In comparing costs, there shall be included the city's
2 additional cost of providing the same service as proposed by a
3 contractor. These additional costs shall include the salaries and
4 benefits of additional staff that would be needed and the cost of
5 additional space, equipment, and materials needed to perform the
6 function.

7 (B) In comparing costs, there shall not be included the city's
8 indirect overhead costs unless these costs can be attributed solely
9 to the function in question and would not exist if that function was
10 not performed in city service. Indirect overhead costs shall mean
11 the pro rata share of existing administrative salaries and benefits,
12 rent, equipment costs, utilities, and materials.

13 (C) In comparing costs, there shall be included in the cost of a
14 contractor providing a service any continuing city costs that would
15 be directly associated with the contracted function. These
16 continuing city costs shall include, but not be limited to, those for
17 inspection, supervision, and monitoring.

18 (2) Proposals to contract out work shall not be approved solely
19 on the basis that savings will result from lower contractor pay rates
20 or benefits. Proposals to contract out work shall be eligible for
21 approval if the contractor's wages are at the industry's level and
22 do not significantly undercut city pay rates.

23 (3) The contract does not cause the displacement of city
24 employees. "Displacement" includes layoff, demotion, involuntary
25 transfer to a new class, involuntary transfer to a new location
26 requiring a change of residence, and time base reductions.
27 "Displacement" does not include changes in shifts or days off or
28 reassignment to other positions within the same class and general
29 location.

30 (4) The contract does not cause vacant positions in city
31 employment to remain unfilled.

32 (5) The contract does not adversely affect the city's affirmative
33 action efforts.

34 (6) The savings shall be large enough to ensure that they will
35 not be eliminated by private sector and city cost fluctuations that
36 could normally be expected during the contracting period.

37 (7) The amount of savings clearly justifies the size and duration
38 of the contracting agreement.

1 (8) The contract is awarded through a publicized, competitive
2 bidding process. The city shall reserve the right to reject any and
3 all bids or proposals.

4 (9) The contract includes specific provisions pertaining to the
5 qualifications of the staff that will perform the work under the
6 contract, as well as assurance that the contractor’s hiring practices
7 meet applicable nondiscrimination, affirmative action standards.

8 (10) The potential for future economic risk to the city from
9 potential contractor rate increases is minimal.

10 (11) The contract is with a firm. “Firm” means a corporation,
11 partnership, nonprofit organization, or sole proprietorship.

12 (12) The potential economic advantage of contracting is not
13 outweighed by the public’s interest in having a particular function
14 performed directly by city government. Before executing a contract
15 for personal services under this section, the city shall demonstrate
16 that outsourcing the particular functions at issue is in the public
17 interest, addressing the cost of the contract, the cost of
18 administering the contract, the effect on the quality of services
19 provided to the public, and any other relevant circumstances.

20 (13) The contract shall provide that it may be terminated at any
21 time by the city without penalty if there is a material breach of the
22 contract and notice is provided at least 30 days before termination.

23 (14) The city shall provide an orientation to employees of the
24 contractor who will perform services pursuant to the contract. The
25 orientation shall include, but is not limited to, all of the following:

26 (A) A description of the services to be provided pursuant to the
27 contract.

28 (B) A description of the function and goals of the public agency
29 responsible for providing the services in the absence of the contract.

30 (C) Any applicable rules governing provision of the services
31 and how the employee may report violations of applicable rules
32 or contractual requirements.

33 ~~(15) The city shall be jointly and severally liable with the~~
34 ~~contractor and any of its subcontractors for:~~

35 ~~(A) Employment law violations arising from performance of~~
36 ~~the contract, unless otherwise provided by a bona fide collective~~
37 ~~bargaining agreement covering the affected employees.~~

38 ~~(B) Torts committed by the contractor or any of its~~
39 ~~subcontractors in the course of providing services under the~~
40 ~~contract.~~

1 ~~(16)~~
2 (15) If the contract is for personal services in excess of one
3 hundred thousand dollars (\$100,000) annually, all of the following
4 shall occur:
5 (A) The city shall require the contractor to disclose all of the
6 following information as part of its bid, application, or answer to
7 a request for proposal:
8 (i) A description of all charges, claims, or complaints filed
9 against the contractor with any federal, state, or local administrative
10 agency during the prior 10 years.
11 (ii) A description of all civil complaints filed against the
12 contractor in any state or federal court during the prior 10 years.
13 (iii) A description of all state or federal criminal complaints or
14 indictments filed against the contractor, or any of its officers,
15 directors, or managers, at any time.
16 (iv) A description of any debarments of the contractor by any
17 public agency or licensing body at any time.
18 (v) The total compensation, including salaries and benefits, the
19 contractor provides to workers performing work similar to that to
20 be provided under the contract.
21 (vi) The total compensation, including salaries, benefits, options,
22 and any other form of compensation, provided to *the* five highest
23 compensated officers, directors, executives, or employees of the
24 contractor.
25 (vii) Any other information the city deems necessary to ensure
26 compliance with this section.
27 (B) Prior to entering into the contract, the city shall conduct,
28 and make public, a ~~study of~~ *cost-benefit analysis considering* the
29 potential impact of outsourcing the work covered by the ~~contract,~~
30 ~~including, but not limited to:~~ *contract. The analysis shall include:*
31 (i) The potential loss of employment opportunities within the
32 city and resultant loss of income to workers.
33 (ii) The ~~economic~~ impact on local businesses if consumer
34 spending power is reduced as a result of reduced wages under the
35 contract.
36 (iii) The impact on the city’s ability to provide social services
37 and the effect of any reduction in social services on city residents.
38 ~~(iv) Any environmental impact caused by contracting for the~~
39 ~~services at issue.~~
40 ~~(iv) Potential impacts on the environment, if any.~~

1 (C) *Prospective contractors shall reimburse the city for the cost*
2 *of the cost-benefit analysis.*

3 ~~(C)~~

4 (D) The contract shall provide that the city is entitled to receive
5 a copy of any records related to the contractor's or any
6 subcontractor's performance of the contract, and that any such
7 records shall be subject to the California Public Records Act
8 (Chapter 5 (commencing with Section 6250) of Division 7 of Title
9 1). In furtherance of this subdivision, contractors and any
10 subcontractors shall maintain records related to performance of
11 the contract that ordinarily would be maintained by the city in
12 performing the same functions.

13 ~~(D)~~

14 (E) (I) The city shall include in the contract specific,
15 measurable performance standards and provisions for a
16 performance audit by the city, or an independent auditor approved
17 by the city, to determine whether the performance standards are
18 being met and whether the contractor is in compliance with
19 applicable laws and regulations. The legislative body shall not
20 renew or extend the contract prior to receiving and considering
21 the audit report.

22 (2) *The contractor shall reimburse the city for the cost of the*
23 *audit.*

24 ~~(E)~~

25 (F) The contract shall include provisions for an audit by the
26 city, or an independent auditor approved by the city, to determine
27 whether and to what extent the anticipated cost savings have
28 actually been realized. The city shall not renew or extend the
29 contract before receiving and considering the audit report.

30 (b) This section does not preclude a city from adopting more
31 restrictive rules regarding the contracting of public services.

32 (c) When otherwise permitted by law, the absence of any
33 requirement of subdivision (a) shall not prevent personal services
34 contracting when any of the following conditions are met:

35 (1) The contract is for a new city function and the Legislature
36 has specifically mandated or authorized the performance of the
37 work by independent contractors.

38 (2) The services contracted cannot be performed satisfactorily
39 by city employees, or are of such a highly specialized or technical

1 nature that the necessary expert knowledge, experience, and ability
2 are not available among city employees.

3 (3) The services are incidental to a contract for the purchase or
4 lease of real or personal property. Contracts under this criterion,
5 known as “service agreements,” shall include, but not be limited
6 to, agreements to service or maintain office equipment or
7 computers that are leased or rented.

8 (4) The legislative, administrative, or legal goals and purposes
9 cannot be accomplished through the utilization of city employees.
10 Contracts are permissible under this criterion to protect against a
11 conflict of interest or to ensure independent and unbiased findings
12 in cases where there is a clear need for a different, outside
13 perspective. These contracts shall include, but not be limited to,
14 obtaining expert witnesses in litigation.

15 (5) The nature of the work is such that the standards of this title
16 for emergency appointments apply. These contracts shall conform
17 with Section 45080.

18 (6) Public entities or officials need private counsel because a
19 conflict of interest on the part of the city attorney’s office prevents
20 it from representing the public entity or official without
21 compromising its position. These contracts shall require the written
22 consent of the city attorney.

23 (7) The contractor will provide equipment, materials, facilities,
24 or support services that could not feasibly be provided by the city
25 in the location where the services are to be performed.

26 (8) The contractor will conduct training courses for which
27 appropriately qualified city employee instructors are not available,
28 provided that permanent instructor positions in academies or similar
29 settings shall be filled by city employees.

30 (9) The services are of such an urgent, temporary, or occasional
31 nature that the delay incumbent in their implementation by city
32 employees would frustrate their very purpose.

33 (d) All persons who provide services to a city under conditions
34 constituting an employment relationship shall be employed directly
35 by the city.

36 (e) (1) Except as provided in paragraph (2), this section shall
37 apply to all cities, including cities that have adopted a merit or
38 civil service system.

39 (2) This section does not apply to a charter city formed pursuant
40 to Section 3 of Article XI of the California Constitution.

1 (f) (1) This section does not apply to any contract for services
2 described in Section 4525 or 4529.10.

3 (2) This section does not apply to any contract that is subject
4 to Chapter 1 (commencing with Section 1720) of Part 7 of Division
5 2 of the Labor Code.

6 (3) This section does not apply to a contract for public transit
7 services, including paratransit services, if the county's transit
8 services are fully funded by Federal Transit Administration
9 assistance and the county is thereby subject to the guidelines
10 established in FTA Circular 4220.1F or any subsequent guidelines
11 or revisions issued by the Federal Transit Administration.

12 (g) This section shall apply to personal services contracts entered
13 into, renewed, or extended on or after January 1, 2018.

14 SEC. 4. Section 37103.2 is added to the Government Code, to
15 read:

16 37103.2. (a) Each city shall maintain on its Internet Web site
17 a searchable database of all contracts of an annual value in excess
18 of ~~one hundred thousand dollars (\$100,000)~~ *five million dollars*
19 *(\$5,000,000)* entered into pursuant to Section 37103.1. The
20 database shall include, but is not limited to, the following:

21 (1) A description of the services provided under the contract.

22 (2) The name of the agency, department, or division responsible
23 for providing the service in the absence of the contract.

24 (3) The name of the contractor and any subcontractors providing
25 services under the contract.

26 (4) The effective and expiration dates of the contract.

27 (5) The annual amount paid pursuant to the contract to the
28 contractor in the past three fiscal years and the current fiscal year,
29 including the funding source for all amounts paid.

30 (6) The annual amount expected to be paid pursuant to the
31 contract to the contractor in the next three fiscal years.

32 (7) The total projected cost of the contract for all fiscal years
33 and the funding source for all amounts to be paid.

34 (8) The names of the employees of the contractor and any
35 subcontractors providing services pursuant to the contract and their
36 hourly pay rates, and the total number of full-time equivalent
37 positions involved in performing the services under the contract.

38 (9) The names of any workers providing services pursuant to
39 the contract as independent contractors and the compensation rates
40 for such workers.

1 (b) The information identified in subdivision (a) shall be
2 compiled in an annual service contractor expenditure budget
3 accompanying the county budget, reflecting all spending on
4 personal services contracts by the county.

5 SEC. 5. The provisions of this act are severable. If any
6 provision of this act or its application is held invalid, that invalidity
7 shall not affect other provisions or applications that can be given
8 effect without the invalid provision or application.

9 SEC. 6. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.

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AMENDED IN ASSEMBLY APRIL 17, 2017

AMENDED IN ASSEMBLY APRIL 6, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 1326

Introduced by Assembly Members Cooper and Cervantes
(Coauthor: Assembly Member Bocanegra)
(Coauthors: Assembly Members Arambula, Bocanegra, Calderon,
Chau, Dababneh, Grayson, and Lackey)
(Coauthor: Senator Wilk)

February 17, 2017

An act to amend ~~Section~~ *Sections 459.5, 490.2, and 666* of the Penal Code, relating to theft.

LEGISLATIVE COUNSEL'S DIGEST

AB 1326, as amended, Cooper. Petty theft: subsequent convictions.

Existing law establishes the penalty for petty theft as a fine not exceeding \$1,000, or by imprisonment in the county jail not exceeding 6 months, or by both that fine and imprisonment. Existing law, the Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by the electors at the November 4, 2014, statewide general election, provides that a registered sex offender or a person with a prior conviction for certain serious or violent felonies, such as a sexually violent offense, who commits petty theft, is subject to imprisonment in the county jail for up to one year or in the state prison for 16 months, or 2 or 3 years.

This bill would expand those enhanced petty theft penalties to a person who has a prior conviction for any serious or violent felony, and to any person who as 3 or more prior convictions for crimes such as petty theft,

grand theft, and burglary. *The bill would also authorize the court, when it is in the interests of justice, to order a person convicted of a felony violation under those provisions to complete a licensed drug rehabilitation program in lieu of part or all of any term of imprisonment. The bill would provide that as a condition of that sentence, the court may require the offender to pay all or a portion of the drug rehabilitation program, as specified. The bill would make additional conforming changes.*

The California Constitution authorizes the Legislature to amend an initiative statute by another statute that becomes effective only when approved by the electors.

This bill would provide that it would become effective only upon approval of the voters, and would provide for the submission of this measure to the voters for approval at the statewide general election.

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

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

- 1 SECTION 1. Section 459.5 of the Penal Code is amended to
- 2 read:
- 3 459.5. (a) Notwithstanding Section 459, shoplifting is defined
- 4 as entering a commercial establishment with intent to commit
- 5 larceny while that establishment is open during regular business
- 6 hours, where the value of the property that is taken or intended to
- 7 be taken does not exceed nine hundred fifty dollars (\$950). Any
- 8 other entry into a commercial establishment with intent to commit
- 9 larceny is burglary. Shoplifting shall be punished as a
- 10 misdemeanor, *except as provided in subdivisions (a) and (b) of*
- 11 Section 666, *and* except that a person with one or more prior
- 12 convictions for an offense specified in clause (iv) of subparagraph
- 13 (C) of paragraph (2) of subdivision (e) of Section 667 or for an
- 14 offense requiring registration pursuant to subdivision (c) of Section
- 15 290 may be punished pursuant to subdivision (h) of Section 1170.
- 16 (b) Any act of shoplifting as defined in subdivision (a) shall be
- 17 charged as shoplifting. No person who is charged with shoplifting
- 18 may also be charged with burglary or theft of the same property.
- 19 SEC. 2. Section 490.2 of the Penal Code is amended to read:
- 20 490.2. (a) Notwithstanding Section 487 or any other provision
- 21 of law defining grand theft, obtaining any property by theft where

1 the value of the money, labor, *or* real or personal property taken
2 does not exceed nine hundred fifty dollars (\$950) shall be
3 considered petty theft and shall be punished as a misdemeanor,
4 *except as provided in subdivisions (a) and (b) of Section 666, and*
5 *except that such* the person may instead be punished pursuant to
6 subdivision (h) of Section 1170 if that person has one or more
7 prior convictions for an offense specified in clause (iv) of
8 subparagraph (C) of paragraph (2) of subdivision (e) of Section
9 667 or for an offense requiring registration pursuant to subdivision
10 (c) of Section 290.

11 (b) This section shall not be applicable to any theft that may be
12 charged as an infraction pursuant to any other provision of law.

13 (c) This section shall not apply to theft of a firearm.

14 ~~SECTION 1.~~

15 *SEC. 3.* Section 666 of the Penal Code is amended to read:

16 666. (a) Notwithstanding Section 490, every person who,
17 having been convicted three or more times of petty theft, grand
18 theft, a conviction pursuant to subdivision (d) or (e) of Section
19 368, auto theft under Section 10851 of the Vehicle Code, burglary,
20 carjacking, robbery, or a felony violation of Section 496, and
21 having served a term therefor in any penal institution or having
22 been imprisoned therein as a condition of probation for that offense,
23 and who is subsequently convicted of petty theft, is punishable by
24 imprisonment in a county jail not exceeding one year, or
25 imprisonment pursuant to subdivision (h) of Section 1170.

26 (b) Notwithstanding Section 490, any person described in
27 paragraph (1) who, having been convicted of petty theft, grand
28 theft, a conviction pursuant to subdivision (d) or (e) of Section
29 368, auto theft under Section 10851 of the Vehicle Code, burglary,
30 carjacking, robbery, or a felony violation of Section 496, and
31 having served a term of imprisonment therefor in any penal
32 institution or having been imprisoned therein as a condition of
33 probation for that offense, and who is subsequently convicted of
34 petty theft, is punishable by imprisonment in the county jail not
35 exceeding one year, or in the state prison.

36 (1) This subdivision shall apply to any person who is required
37 to register pursuant to the Sex Offender Registration Act, or who
38 has a prior violent or serious felony conviction, as specified in
39 subdivision (c) of Section 667.5 or subdivision (c) of Section
40 1192.7.

1 (2) This subdivision shall not be construed to preclude
2 prosecution or punishment pursuant to subdivisions (b) to (i),
3 inclusive, of Section 667, or Section 1170.12.

4 (c) (1) *The court may, when it is in the interests of justice, order*
5 *a person convicted of a felony violation of subdivision (a) or (b)*
6 *to complete a licensed drug rehabilitation program in lieu of part*
7 *or all of any term of imprisonment. As a condition of that sentence,*
8 *the court may require the offender to pay all or a portion of the*
9 *drug rehabilitation program, to the extent the offender is financially*
10 *able to do so.*

11 (2) *Paragraph (1) does not prevent deferred entry of judgment*
12 *or a defendant’s participation in a preguilty plea drug court*
13 *program under Chapter 2.5 (commencing with Section 1000) of*
14 *Title 6 of Part 2 unless the person is charged with violating*
15 *subdivision (b) or (c) of Section 243.*

16 ~~SEC. 2.—Section 1~~

17 *SEC. 4. Sections 1, 2, and 3 of this act amends the Safe*
18 *Neighborhoods and Schools Act, Proposition 47, an initiative*
19 *statute, and shall become effective only when submitted to and*
20 *approved by the voters at a statewide election. The Secretary of*
21 *State shall submit ~~Section 1~~ Sections 1, 2, and 3 of this act for*
22 *approval by the voters at a statewide election in accordance with*
23 *Section 9040 of the Elections Code.*

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AMENDED IN ASSEMBLY APRIL 27, 2017

AMENDED IN ASSEMBLY MARCH 21, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 1479

Introduced by Assembly Member Bonta
(Coauthor: Assembly Member Cristina Garcia)

February 17, 2017

An act to amend Sections 6255 and 6259 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1479, as amended, Bonta. Public records: ~~supervisor~~ *custodian* of records: ~~finer~~ *civil penalties*.

Existing law, the California Public Records Act, requires a public agency, defined to mean any state or local agency, to make its public records available for public inspection and to make copies available upon request and payment of a fee, unless the public records are exempt from disclosure. Existing law requires an agency to justify withholding a record from disclosure by demonstrating either that the record in question is exempt under express provisions of law or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. Existing law requires specified state and local agencies to establish written guidelines for accessibility of records. Existing law authorizes a person to institute proceedings for injunctive or declarative relief or writ of mandate in any court of competent jurisdiction to enforce his or her right to inspect or to receive a copy of any public record or class of public records under these provisions.

This bill would require public agencies to ~~identify a supervisor~~ *designate a person or office to act as the agency's custodian* of records who ~~shall review a determination by the agency that a request for records is denied.~~ *is responsible for responding to any request made pursuant to the California Public Records Act and any inquiry from the public about a decision by the agency to deny a request for records.* The bill also would make other conforming changes. Because the bill would require local agencies to perform additional duties, the bill would impose a state-mandated local program.

The bill would also authorize a court that finds that an agency *or the custodian* ~~improperly withheld public records from a member of the public without justification, failed to furnish a properly requested record or a portion thereof in a timely manner,~~ *public, public records which were clearly subject to public disclosure, unreasonably delayed providing the contents of a record subject to disclosure in whole or in part,* assessed an unreasonable *or unauthorized* fee upon a requester, or otherwise did not act in good faith to comply with these provisions, to assess ~~punitive damages a civil penalty~~ *a civil penalty* against the agency in an amount not less than \$1,000, nor more than ~~\$5,000,~~ *that shall be deposited into the Public Records Assistance Fund, which is created by the bill. \$5,000.*

~~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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

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.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 6255 of the Government Code is amended
2 to read:

3 6255. (a) The agency shall justify withholding any record by
4 demonstrating that the record in question is exempt under express
5 provisions of this chapter or that on the facts of the particular case
6 the public interest served by not disclosing the record clearly
7 outweighs the public interest served by disclosure of the record.

8 (b) A response to a written request for inspection or copies of
9 public records that includes a determination that the request is
10 denied, in whole or in part, shall be in writing.

11 (c) Each agency shall ~~identify a supervisor~~ *designate a person*
12 *or office to act as the agency's custodian* of records who ~~shall~~
13 ~~review a determination~~ *is responsible for responding to any request*
14 *made pursuant to this chapter and any inquiry from the public*
15 *about a decision by the agency that to deny a request for records*
16 ~~is denied.~~ *records.*

17 SEC. 2. Section 6259 of the Government Code is amended to
18 read:

19 6259. (a) Whenever it is made to appear by verified petition
20 to the superior court of the county where the records or some part
21 thereof are situated that certain public records are being improperly
22 withheld from a member of the public, the court shall order the
23 ~~supervisor~~ *custodian* of records or person charged with withholding
24 the records to disclose the public record or show cause why he or
25 she should not do so. The court shall decide the case after
26 examining the record in camera, if permitted by subdivision (b)
27 of Section 915 of the Evidence Code, papers filed by the parties
28 and any oral argument and additional evidence as the court may
29 allow.

30 (b) If the court finds that the ~~supervisor~~ *custodian* of records'
31 or other public official's decision to refuse disclosure is not
32 justified under Section 6254 or 6255, he or she shall order the
33 ~~supervisor~~ *custodian* of records or public official to make the record
34 public. If the judge determines that the ~~supervisor~~ *custodian* of

1 records or other public official was justified in refusing to make
2 the record public, he or she shall return the item to the ~~supervisor~~
3 *custodian* of records or other public official without disclosing its
4 content with an order supporting the decision refusing disclosure.

5 (c) In an action filed on or after January 1, 1991, an order of
6 the court, either directing disclosure by a public official or
7 supporting the decision of the ~~supervisor~~ *custodian* of records or
8 other public official refusing disclosure, is not a final judgment or
9 order within the meaning of Section 904.1 of the Code of Civil
10 Procedure from which an appeal may be taken, but shall be
11 immediately reviewable by petition to the appellate court for the
12 issuance of an extraordinary writ. Upon entry of any order pursuant
13 to this section, a party shall, in order to obtain review of the order,
14 file a petition within 20 days after service upon him or her of a
15 written notice of entry of the order, or within a further time not
16 exceeding an additional 20 days as the trial court may for good
17 cause allow. If the notice is served by mail, the period within which
18 to file the petition shall be increased by five days. A stay of an
19 order or judgment shall not be granted unless the petitioning party
20 demonstrates it will otherwise sustain irreparable damage and
21 probable success on the merits. Any person who fails to obey the
22 order of the court shall be cited to show cause why he or she is not
23 in contempt of court.

24 (d) (1) The court shall award court costs and reasonable attorney
25 fees to the plaintiff should the plaintiff prevail in litigation filed
26 pursuant to this section. The costs and fees shall be paid by the
27 public agency of which the ~~supervisors~~ *custodian* of records or
28 public official is a member or employee and shall not become a
29 personal liability of the ~~supervisor~~ *custodian* of records or public
30 official.

31 (2) If the court finds that the plaintiff’s case is clearly frivolous,
32 it shall award court costs and reasonable attorney fees to the public
33 agency.

34 (3) If a court finds that an agency or the ~~supervisor~~ *custodian*
35 of records or other public official of an agency improperly withheld
36 a public record from a member of the public ~~without justification,~~
37 ~~failed to furnish a properly requested record or a portion thereof~~
38 ~~in a timely manner, that was clearly subject to public disclosure,~~
39 ~~unreasonably delayed providing the contents of a record subject~~
40 ~~to disclosure in whole or in part,~~ assessed an unreasonable or

1 *unauthorized* fee upon a requester, or otherwise did not act in good
 2 faith to comply with this chapter, the court may assess ~~punitive~~
 3 ~~damages~~ *a civil penalty* against the agency in an amount not less
 4 than one thousand dollars (\$1,000) nor more than five thousand
 5 dollars ~~(\$5,000) that shall be deposited into the Public Records~~
 6 ~~Assistance Fund, which is hereby established in the state treasury.~~
 7 ~~(\$5,000).~~

8 ~~SEC. 3. If the Commission on State Mandates determines that~~
 9 ~~this act contains costs mandated by the state, reimbursement to~~
 10 ~~local agencies and school districts for those costs shall be made~~
 11 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
 12 ~~4 of Title 2 of the Government Code.~~

13 *SEC. 3. No reimbursement is required by this act pursuant to*
 14 *Section 6 of Article XIII B of the California Constitution because*
 15 *the only costs that may be incurred by a local agency or school*
 16 *district under this act would result from a legislative mandate that*
 17 *is within the scope of paragraph (7) of subdivision (b) of Section*
 18 *3 of Article I of the California Constitution.*

19 *SEC. 4. The Legislature finds and declares that Sections 1 and*
 20 *2 of this act, which amend Sections 6255 and 6259 of the*
 21 *Government Code, respectively, further, within the meaning of*
 22 *paragraph (7) of subdivision (b) of Section 3 of Article I of the*
 23 *California Constitution, the purposes of that constitutional section*
 24 *as it relates to the right of public access to the meetings of local*
 25 *public bodies or the writings of local public officials and local*
 26 *agencies. Pursuant to paragraph (7) of subdivision (b) of Section*
 27 *3 of Article I of the California Constitution, the Legislature makes*
 28 *the following findings:*

29 *By requiring local agencies to designate custodians of records*
 30 *responsible for responding to requests and inquiries under the*
 31 *California Public Records Act, this act furthers the public’s access*
 32 *to public records.*

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AMENDED IN SENATE MAY 2, 2017
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 Section 65964 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.

This bill would provide that a small cell is a permitted use, ~~not~~ subject *only* to a *specified permitting process adopted by a city or county discretionary permit, county*, 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~~ *encroachment permit or a building permit, and any additional ministerial permits*, for a small cell, as specified. The bill would define the term "small cell" 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 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: yes. State-mandated local program: yes.

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

- 1 SECTION 1. The Legislature finds and declares that, to ensure
- 2 that communities across the state have access to the most advanced
- 3 wireless communications technologies and the transformative
- 4 solutions that robust wireless connectivity enables, such as Smart
- 5 Communities and the Internet of Things, California should work
- 6 in coordination with federal, state, and local officials to create a
- 7 statewide framework for the deployment of advanced wireless
- 8 communications infrastructure in California that does all of the
- 9 following:
- 10 (a) Reaffirms local governments’ historic role and authority
- 11 with respect to wireless communications infrastructure siting and
- 12 construction generally.
- 13 (b) Reaffirms that deployment of telecommunications facilities
- 14 in the rights-of-way is a matter of statewide concern, subject to a
- 15 statewide franchise, and that expeditious deployment of
- 16 telecommunications networks generally is a matter of both
- 17 statewide and national concern.
- 18 (c) Recognizes that the impact on local interests from individual
- 19 small wireless facilities will be sufficiently minor and that such

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

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

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

10 (f) Grants providers fair, reasonable, nondiscriminatory, and
11 nonexclusive access to locally owned utility poles, ~~street lights,~~
12 *streetlights*, and other suitable host infrastructure located within
13 the public right-of-way and in other local public places such as
14 stadiums, parks, campuses, hospitals, transit stations, and public
15 buildings consistent with all applicable health and safety
16 requirements, including Public Utilities Commission General Order
17 95.

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

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

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

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

30 65964. As a condition of approval of an application for a permit
31 for construction or reconstruction for a development project for a
32 wireless telecommunications facility, as defined in Section 65850.6,
33 a city or county shall not do any of the following:

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

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

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

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

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

17 65964.2. (a) A small cell shall be a permitted use ~~not~~ subject
18 *only to a permitting process adopted by a city or county*
19 ~~discretionary permit pursuant to subdivision (b)~~ if it satisfies the
20 following requirements:

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

23 (2) The small cell complies with all applicable ~~state federal,~~
24 ~~state,~~ and local health and safety ~~regulations.~~ *regulations, including*
25 *compliance with the federal Americans with Disabilities Act of*
26 *1990 (42 U.S.C. Sec. 12101 et seq.).*

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

28 (b) (1) A city or county may require that the small cell be
29 approved pursuant to ~~a single administrative permit~~ *a building*
30 *permit or its functional equivalent in connection with placement*
31 *outside of the public right-of-way or an encroachment permit or*
32 *its functional equivalent issued consistent with Sections 7901 and*
33 *7901.1 of the Public Utilities Code for the placement in public*
34 *rights-of-way, and any additional ministerial permits, provided*
35 ~~that the permit is all permits are issued within the time frames~~
36 ~~timeframes~~ *required by state and federal law.*

37 (2) ~~An administrative permit~~ *Permits issued pursuant to this*
38 *subdivision may be subject to the following:*

39 (A) The same administrative permit requirements as *for* similar
40 construction projects *and* applied in a nondiscriminatory manner.

1 (B) ~~The submission of~~ *A requirement to submit* additional
2 information showing that the small cell complies *with* the Federal
3 Communications Commission’s regulations concerning radio
4 frequency emissions referenced in Section 332(c)(7)(B)(iv) of
5 Title 47 of the United States Code.

6 (C) *A condition that the applicable permit may be rescinded if*
7 *construction is not substantially commenced within one year.*
8 *Absent a showing of good cause, an applicant under this section*
9 *may not renew the permit or resubmit an application to develop*
10 *a small cell at the same location within six months of rescision.*

11 (D) *A condition that small cells no longer used to provide*
12 *service shall be removed at no cost to the city or county.*

13 (E) *Compliance with building codes, including building code*
14 *structural requirements.*

15 (F) *A condition that the applicant pay all electricity costs*
16 *associated with the operation of the small cell.*

17 (G) *A condition to comply with feasible design and collocation*
18 *standards on a small cell to be installed on property not in the*
19 *right-of-way.*

20 (3) ~~The administrative permit~~ *Permits issued pursuant to this*
21 *subdivision shall not be subject to:*

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

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

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

31 (D) ~~The regulation of any antennas~~ *micro wireless facilities*
32 ~~mounted on cable strands.~~ *a span of wire.*

33 (c) *A city or county shall not preclude the leasing or licensing*
34 *of its vertical infrastructure located in public right-of-way or public*
35 *utility easements under the terms set forth in this paragraph.*
36 *Vertical infrastructure shall be made available for the placement*
37 *of small cells under fair and reasonable fees, terms, and conditions*
38 ~~and offered on a nondiscriminatory basis for small cells. Fees shall~~
39 ~~be cost-based, and shall not exceed the lesser of either of the~~
40 ~~following:~~ *conditions, which may include feasible design and*

1 collocation standards. A city or county may reserve capacity on
2 vertical infrastructure if the city or county adopts a resolution
3 finding, based on substantial evidence in the record, that the
4 capacity is needed for projected city or county uses. Fees shall be
5 tiered or flat and within a range of \$100 to \$850 per small cell
6 per year, indexed for inflation from the effective date of this section.

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

10 ~~(2) The rate produced by applying the formula adopted by the~~
11 ~~Federal Communications Commission for telecommunications~~
12 ~~pole attachments in Section 1.1409(c)(2) of Part 47 of the Code~~
13 ~~of Federal Regulations.~~

14 (d) A city or county shall not ~~unreasonably~~ discriminate in the
15 ~~leasing or licensing of~~ *against the deployment of a small cell on*
16 *property owned by the city or county and shall make space*
17 *available on property not located in the public right-of-way owned*
18 *or operated by the city or county for installation of a small cell. A*
19 *city or county shall authorize the installation of a small cell on*
20 *property owned or controlled by the city or county not located*
21 *within the public right-of-way to the same extent the city or county*
22 *permits access to that property for under terms and conditions that*
23 *are no less favorable than the terms and conditions under which*
24 *the space is made available for comparable commercial projects*
25 *or uses. These installations shall be subject to reasonable and*
26 *nondiscriminatory rates, terms, and conditions. conditions, which*
27 *may include feasible design and collocation standards.*

28 (e) *Nothing in this section shall be construed to alter, modify,*
29 *or amend any franchise or franchise requirements under state or*
30 *federal law.*

31 ~~(e)~~

32 (f) For purposes of this section, the following terms have the
33 following meanings:

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

37 (i) ~~Any individual antenna, All antennas on the structure,~~
38 ~~excluding the associated equipment, is individually no more than~~
39 ~~three cubic feet in volume, and all antennas on the structure total~~

1 no more than six cubic feet in volume, whether in a single array
2 or separate.

3 (ii) (I) The associated equipment on pole structures does not
4 exceed 21 cubic feet for poles that can support fewer than three
5 providers or 28 cubic feet for pole collocations that can support at
6 least three providers, or the associated equipment on nonpole
7 structures does not exceed 28 cubic feet for collocations that can
8 support fewer than three providers or 35 cubic feet for collocations
9 that can support at least three providers. *provided that any*
10 *individual piece of associated equipment or pole structures do not*
11 *exceed nine cubic feet.*

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

- 14 (ia) Electric meters and any required pedestal.
- 15 (ib) Concealment elements.
- 16 (ic) Any telecommunications demarcation box.
- 17 (id) Grounding equipment.
- 18 (ie) Power transfer switch.
- 19 (if) ~~Cut-off~~ Cutoff switch.
- 20 (ig) Vertical cable runs for the connection of power and other
21 services.

22 (B) *“Small cell” includes a micro wireless facility that is no*
23 *larger than 24 inches long, 15 inches in width, 12 inches in height,*
24 *and that has an exterior antenna, if any, no longer than 11 inches.*

25 ~~(B)~~
26 (C) *“Small cell” does not include communications infrastructure*
27 *extending beyond the telecommunications demarcation box. either*
28 *of the following:*

- 29 (i) *Coaxial or fiber optic cables that do not exclusively provide*
30 *service to that small cell.*
- 31 (ii) *Wireless facilities placed in any historic district listed in*
32 *the National Park Service Certified State or Local Historic*
33 *Districts or in any historical district listed on the California*
34 *Register of Historical Resources or placed in coastal zones subject*
35 *to the jurisdiction of the California Coastal Commission.*

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

1 (B) For purposes of this paragraph, the term “controlled”
 2 means having the right to allow subleases or sublicensing. A city
 3 or county may impose feasible design or collocation standards for
 4 small cells placed on vertical infrastructure, including the
 5 placement of associated equipment on the vertical infrastructure
 6 or the ground.

7 (g) Existing agreements regarding the leasing or licensing of
 8 vertical infrastructure entered into prior to the effective date of
 9 this section remain in effect, subject to applicable termination
 10 provisions. The operator of a small cell may accept the rates of
 11 this section for small cells that are the subject of an application
 12 submitted after the agreement is terminated pursuant to the terms
 13 of the agreement.

14 (h) Nothing in this section shall be construed to impose an
 15 obligation to charge a use fee different than those authorized by
 16 Part 2 (commencing with Section 9510) of Division 4.8 of the
 17 Public Utilities Code on a local publicly owned electric utility.

18 (f)

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

24 SEC. 4. No reimbursement is required by this act pursuant to
 25 Section 6 of Article XIII B of the California Constitution because
 26 a local agency or school district has the authority to levy service
 27 charges, fees, or assessments sufficient to pay for the program or
 28 level of service mandated by this act, within the meaning of Section
 29 17556 of the Government Code.

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Applications of Note as of May 31, 2017

Case No.	Owner	Street Address	Project Description	Submitted
ZON2017-00204	CITY OF RANCHO PALOS VERDES	30940 HAWTHORNE BLVD (ADMIN BLDG)	Modification to existing AT&T wireless monopole that includes installation of 3 new RRUs (1 per sector), 3 new WCS quad filters, 1 converter system and 2 modules within existing cabinet, 2 rectifier within existing cabinet and 1 power trunk cabling.	5/26/2017

Site Plan Review

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