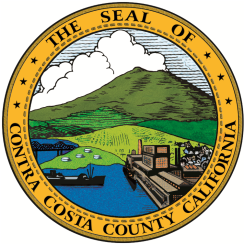


DRAFT



LEGISLATION COMMITTEE

RECORD OF ACTION FOR
May 10, 2021

Supervisor Diane Burgis, Chair
Supervisor Karen Mitchoff, Vice Chair

Present: Karen Mitchoff, Vice Chair

Absent: Diane Burgis, Chair

Staff Present: Lara DeLaney, Senior Deputy County Administrator, staff to Committee; Aruna Bhat, Deputy Director, DCD; Mark Goodwin, Chief of Staff, District III; Gayle Israel, Chief of Staff, District II; Jason Crapo, Deputy Director, DCD; John Kopchik, Director of Department of Conservation & Development; Chris Wickler, Field Representative, District IV; Lynn Peralta, Division Manager, EHSD

Attendees: Michelle Rubalcava, Dr. William Walker, Mariana Moore, David Twa

1. Introductions

Vice Chair Mitchoff called the meeting to order at 1:01 p.m. (Chair Burgis was unable to attend.)

AYE: Vice Chair Karen Mitchoff

2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

No public comment was made to the Committee.

AYE: Vice Chair Karen Mitchoff

3. RECEIVE and APPROVE the Record of Action for the April 12, 2021 meeting with any necessary corrections.

Vice Chair Mitchoff approved the Record of Action for the April 12, 2021 meeting as presented.

AYE: Vice Chair Karen Mitchoff

4. ACCEPT the report and provide direction to staff and the County's state advocates, as needed.

A report summarizing the status of the state budget discussions was provided by staff. The County's state advocate, Michelle Rubalcava from Nielsen Merksamer, provided a summary of the major legislative items of interest to the County. Questions were asked and answered relative to the Suspense File in the Appropriations Committees. Mariana Moore provided a comment in support of SB 91 and rental relief.

AYE: Vice Chair Karen Mitchoff

5. CONSIDER recommending to the Board of Supervisors a position on SB 10 (Wiener) and directing staff on its placement on a Board agenda.

After a brief discussion regarding the status and main provisions of the bill, Vice Chair Mitchoff directed staff to continue monitoring the bill.

AYE: Vice Chair Karen Mitchoff

6. CONSIDER recommending a position to the Board of Supervisors on SB 617 and direct staff on its placement on a Board agenda.

SB 617 would require every city and county to implement an online, automated permitting platform that verifies code compliance and instantaneously issues permits for residential photovoltaic solar energy systems. Deputy Director of the Department of Conservation and Development, Jason Crapo, provided the Committee with a letter (see attached) from the California Building Officials opposing SB 617 (Wiener) on the basis of its "one-size-fits-all approach," bill implementation challenges at the local level, and the challenges of the software technology platform. Vice Chair Mitchoff directed staff to watch the bill. (Subsequent to the meeting SB 617 was held in the Appropriations Committee.)

AYE: Vice Chair Karen Mitchoff

7. CONSIDER recommending to the Board of Supervisors a position on SB 90 (Stern) and AB 1416 (Santiago) and directing staff on its placement on a Board agenda.

Vice Chair Mitchoff noted SB 90 (Stern) was co-authored by Senator Bill Dodd and indicated her support of the bills. (SB 90 and AB 1416 were subsequently held in committee and have not advanced in the legislative process.)

AYE: Vice Chair Karen Mitchoff

8. ACCEPT the report and provide direction to staff and the County's federal lobbyists, as needed.

The report was accepted as provided. No public comment was received.

AYE: Vice Chair Karen Mitchoff

9. The next meeting is currently scheduled for Monday, June 14, 2021 at 1:00 p.m.

10. Adjourn

For Additional Information Contact:

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lara.delaney@cao.cccounty.us



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Building Official
Bureau Veritas North America, Inc.

Andrew Stuffer, C.B.O.
Chief Building Official
City of Santa Barbara

April 20, 2021

The Honorable Scott Wiener
California State Senate
State Capitol, Room 5100
Sacramento, CA 95814

RE: SB 617 (Wiener)- OPPOSE As Amended April 5, 2021

Dear Senator Wiener,

California Building Officials (CALBO) must respectfully **OPPOSE** SB 617, as amended April 19, 2021. As you know, this bill would require every city and county to implement an online, automated permitting platform that verifies code compliance and instantaneously issues permits for residential photovoltaic solar energy systems.

As background, CALBO members are primarily responsible for enforcing building code requirements in an estimated 95% of the buildings constructed in California. Our mission is to promote public health and safety in building construction through responsible legislation, education, and building code development. We ensure that proper public health and structural safety requirements, codes, and standards are adhered to within the built environment. We protect the citizens and the overall safety of the public.

CALBO has worked for decades on prudent and enforceable legislation that will meet the state of California's laudable goals relative to climate change. CALBO commends state legislators and their efforts to further these goals, however; they must be pursued in a feasible and constructive manner to ensure local government's ability to comply and enforce such policies. We have large scale concerns, as we have addressed with

the Sponsor of SB 617, that we do not see as simple changes.

First and foremost, CALBO is founded upon the principle that local California governments must have the ability to make changes and implement programs at the local level. What is good for San Francisco, may not be the best practice for West Covina. Accordingly, CALBO opposes this bill given the inflexible mandate on local government. Although we acknowledge the need to address climate change and promote green energy solutions, CALBO believes that due to the geographic uniqueness and resource availability of each jurisdiction a one-size-fits-all approach is not the solution to this issue.

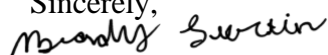
CALBO was an active player in the passage of Assembly Bill 2188 (Muratsuchi, 2014), which required local governments to adopt an expedited permitting process for small residential rooftop solar energy systems by September 30, 2015. Although the aggressive timeline was a concern for us, we worked with the author's office lockstep in an effort to meet the spirit of the policy. However, with time, we have observed local government has continued to struggle with the implementation of the bill. According to Berkeley Lab's July 2019 report on this law, only 71% of California's local entities have complied. This is a concern to CALBO, as we recognize and urge our local jurisdictions to adhere to the regulation and believes enforcement of existing regulations is preferable over the new requirements outlined in SB 617. Using history as a guide and benchmark, we have deep concerns in another local mandate making it more challenging to accomplish intended goals of existing legislation.

Of further note, CALBO has concerns with SolarAPP+, which has been proposed as the solution to streamline permitting. It has been openly discussed that SolarAPP+ has not been fully developed and still needs further testing. Given CALBO's charge and mission of ensuring the welfare and safety of the public, without confirmation that this new technology can fully detect safety hazards or violations in solar energy systems, the program is not a feasible solution.

CALBO continues to offer solutions to meet the intended goals of SB 617 through optional regional pilot programs through our organization. Senior leaders within CALBO showed interest in the SolarAPP+ opportunity, they just do not wish to have it mandated upon them without option.

For these reasons, CALBO must respectfully **OPPOSE** SB 617. CALBO looks forward to a continued partnership with legislative leaders to address climate change in practical and prudent manners. However, mandates upon local government without proper preparation will not successfully meet our shared goals and intentions. Should you have any questions, please do not hesitate to reach out to me at (916) 208-2582.

Sincerely,



Brady Guertin
Public Affairs Manager

