



Legislation Details (With Text)

File #:	2022-571	Version:	1	Name:	
Type:	Consent	Status:		Agenda Ready	
File created:	6/22/2022	In control:		City Council	
On agenda:	7/5/2022	Final action:			
Title:	CONSIDER TAKING A POSITION OF OPPOSITION AND SENDING A CORRESPONDING LETTER REGARDING ASSEMBLY BILL 2953 RELATED TO THE REQUIRED USE OF RECYCLED MATERIALS FOR STREET AND HIGHWAY REHABILITATION (CITY COUNCIL)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. OPPOSE AB 2953 for July 5 CC Meeting _ FINAL				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Report to Mayor and City Council

Tuesday, July 05, 2022

Consent

SUBJECT:

CONSIDER TAKING A POSITION OF OPPOSITION AND SENDING A CORRESPONDING LETTER REGARDING ASSEMBLY BILL 2953 RELATED TO THE REQUIRED USE OF RECYCLED MATERIALS FOR STREET AND HIGHWAY REHABILITATION (CITY COUNCIL)

I. SUMMARY

This item transmits a request for City Council to consider taking a position of opposition and directing staff to send a corresponding letter regarding Assembly Bill 2953.

This bill would impose an unfunded mandate upon cities to use recycled materials in maintaining and rehabilitating streets and highways.

II. RECOMMENDATION

OPPOSE Assembly Bill 2953 and DIRECT staff to transmit a corresponding letter.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

According to the League of California Cities (the “League”), AB 2953 would require the Department of Transportation and a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method.

Specifically, the bill would require, beginning January 1, 2024, local agencies to apply standard specifications that allow for the use of recycled materials in streets and highways at or above the level allowed in the California Department of Transportation’s (Caltrans) most recently published standard specifications, when feasible and cost effective.

The bill would exempt cities and counties whose revenues do not exceed specified thresholds from these requirements. By increasing the duties of local agencies, this bill would impose a state-mandated local program.

Governor Newsom vetoed AB 1035 (Salas, 2021), a substantially similar bill, and highlighted that requiring all local agencies that have jurisdiction over streets and highways to comply with Caltrans’ recycling standards may result in increased costs and would create a reimbursable state mandate. The Governor’s veto message also cited objections to forcing local agencies to adopt standards by Caltrans that are specifically designed for larger projects that address a greater volume of traffic and may be inappropriate for all local streets and roads.

V. FISCAL IMPACT

There is no fiscal impact related to this item.

VI. EXHIBITS

1. Letter of Opposition to Assembly Bill 2953 (pg. 3)

Prepared by: Michael George, Assistant to the City Manager; Eliza Jane Whitman, PE, LEED AP, ENV SP, Director of Public Works