



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

915 I Street, Sacramento, CA 95814-2671

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CONSENT
August 9, 2007

Honorable Members of the
Law and Legislation Committee

**Title: Legislative Position: Support AB 163 Green and Healthy Workplace Bicycle
Facilities Act of 2007**

Location/Council District: All Districts

Recommendation: Support AB 163 which is the adoption of regulations for the construction and renovation of State buildings that require the inclusion of bicycle facilities, showers, and clothing lockers.

Contact: Fedolia "Sparky" Harris, Senior Planner, Transportation Department, (916)
808-2996

Presenters: None

Department: Transportation

Division: Office of the Director

Organization No: 3416

Description/Analysis

Issue: If approved, this bill will require the State of California's Department of General Services to adopt regulations for the construction and renovation of state buildings that require the inclusion of bicycle facilities, showers, and clothing lockers.

Policy Considerations: Support of AB 163 is consistent with the goal of the City's Strategic Plan which is to achieve sustainability and livability.

Environmental Considerations: Support of AB 163 has no adverse environmental impacts.

Committee/Commission Action: None

Rationale for Recommendation: The support of AB 163 is consistent with the City's existing transportation and planning policies. In 2001, the City of Sacramento adopted Smart Growth principles that encourage the provision of a variety of transportation choices (Resolution 2001-805). The City is also in the process of updating the 1988 General Plan using guiding principles adopted by Council (Resolution 2006-851) to develop a balanced, integrated, multi-modal transportation system that is efficient and safe with frequent service connecting every neighborhood to the rest of the city and the region, and to provide a variety of transportation choices that promote accessible alternatives to the automobile including walking, bicycling, and taking transit. Finally, in 2001 the City adopted an update to the 2010 City/County Bicycle Master Plan that included sections encouraging bicycle parking and support facilities (Resolution 2001-326).

Financial Considerations: None as result of this action.

Emerging Small Business Development (ESBD): There are no ESBD considerations as no goods or services are being purchased.

Respectfully Submitted by: Francesca L. Halbakken
Francesca L. Halbakken
Operations Manager

Approved by: Jerry Way
Jerry Way
Director of Transportation

Approved by: Carol Shearly
Carol Shearly
Director of Planning

Recommendation Approved:

Gustavo F. Vina
GUSTAVO F. VINA
Assistant City Manager

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Attachment 1

June 5, 2007

The Honorable Tony Mendoza
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0009

Subject: Support for Assembly Bill 163: Green and Healthy Workplace Bicycle Facilities Act of 2007

Dear Assembly Member Mendoza:

On behalf of the City of Sacramento, I am pleased to express the City's strong support of Assembly Bill 163, an act to adopt regulations for the construction and renovation of State buildings that require the inclusion of bicycle facilities, showers, and clothing lockers. The State of California leases over 7 million square feet of office space in the Sacramento area and many state employees either live in the City or commute to downtown state offices on a daily basis. In order to alleviate increased traffic congestion and improve air quality, the City of Sacramento encourages the use of bicycles and the efforts to provide better bicycle parking and support facilities for cyclists.

Endorsement of AB 163 is consistent with the City's existing transportation and planning policies including:

- Smart Growth principles that encourage the provision of a variety of transportation choices (Resolution 2001-805);
- The General Plan Update Vision and Guiding Principles to develop a balanced, integrated, multi-modal transportation system that is efficient and safe with frequent service connecting every neighborhood to the rest of the city and the region, and to provide a variety of transportation choices that promote accessible alternatives to the automobile including walking, bicycling, and taking transit (Resolution 2006-851);
- 2010 City/County Bicycle Master Plan that included sections encouraging bicycle parking and support facilities (Resolution 2001-326).

Sincerely,

Sandy Sheedy, Chair
Law and Legislation Committee

cc: Senator Darrell Steinberg
Senator Dave Cox

Assembly Member Roger Niello
Assembly Member Alan Nakanishi
Mayor Fargo and City Councilmembers
David Jones, Emanuels and Jones and Associates

Attachment 2

BILL NUMBER: AB 163 AMENDED
BILL TEXT

AMENDED IN ASSEMBLY JUNE 1, 2007
AMENDED IN ASSEMBLY MARCH 28, 2007

INTRODUCED BY Assembly Member Mendoza

JANUARY 22, 2007

An act to add Article 3.5 (commencing with Section 14691) to Chapter 2 of Part 5.5 of Division 3 of Title 2 of the Government Code, relating to state buildings.

LEGISLATIVE COUNSEL'S DIGEST

AB 163, as amended, Mendoza. State buildings: bicycle facilities.

Existing law generally sets forth the centralized services to be provided by the Department of General Services with respect to state buildings and property, among other duties.

This bill would enact the Green and Healthy Workplace Bicycle Facilities Act of 2007, which would require the department, in consultation with the State Architect and other state agencies, to adopt regulations establishing standards for bicycle facilities, including parking areas, showers, and lockers in state-owned and state-leased buildings. The bill would require each state agency to develop programs to promote and encourage bicycle commuting and use of bicycles for work-related trips, as well as to manage its bicycle facilities. ~~It would also require, on and after July 1, 2010, a capital plan for, or renovation of, state buildings to comply with the adopted regulations.~~

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

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The State of California endeavors to meet certain goals regarding more transportation choices, reducing traffic congestion, improving air quality, conserving energy, reducing greenhouse gas emissions, improving social equity, and increasing physical activity to promote public health. Increased levels of bicycling rate by state employees and by visitors to state offices would help reach these goals.

(b) The state invests approximately \$2 billion annually for design, construction, and renovation, and more than six hundred million dollars (\$600,000,000) annually for energy, water, and waste disposal at state-funded facilities.

(c) The state invests an unspecified amount in funding for automobile parking for state employees and visitors.

(d) An opportunity exists for the state to foster continued economic growth and provide environmental leadership by incorporating

bicycle facilities into the state capital outlay and building management processes.

(e) The widespread adoption of bicycle facilities principles would result in significant long-term benefits to the state's environment, including reductions in smog generation and greenhouse gas emissions, increased employee and public health, and reduced congestion.

(f) It is critical that the state provide leadership to both private and public sectors to provide bicycle facilities for employees and visitors.

(g) It is the policy of the state to site, design, deconstruct, construct, renovate, operate, and maintain state buildings that are models of energy efficiency, while encouraging energy-efficient travel to and from buildings, and providing healthy, productive, and comfortable indoor environments and long-term benefits to Californians.

(h) It is the intent of the Legislature in enacting this act to increase the availability and usefulness of bicycle facilities in state-owned and state-leased buildings by providing safe and secure bicycle parking and storage and comfortable changing and showering areas, and to promote alternative transportation to the workplace.

SEC. 2. Article 3.5 (commencing with Section 14691) is added to Chapter 2 of Part 5.5 of Division 3 of Title 2 of the Government Code, to read:

Article 3.5. Green and Healthy Workplace Bicycle Facilities Act of 2007

14691. This act shall be known, and may be cited, as the Green and Healthy Workplace Bicycle Facilities Act of 2007.

~~14691.5. For the purposes of this article, "state building" means a building owned or leased by the state.~~

14692. (a) On or before July 1, 2009, the department shall adopt regulations for the construction and renovation of ~~state buildings~~ *state-owned buildings used primarily for office functions and other state-owned buildings as deemed appropriate by the department* that establish standards regarding bicycle facilities, including short-term visitor bicycle parking, long-term employee bicycle parking, showers, and clothing lockers.

(b) When adopting regulations pursuant to subdivision (a), the department shall consider those aspects of existing relevant information and guidelines that maximize the utility of bicycle facilities, and shall allow for flexibility to meet the state's building standards. The existing relevant guidelines and information shall include, but are not limited to, both of the following:

(1) The Sacramento Area Bicycle Advocates State Bicycle Facilities--Statewide Policies and Recommendations.

(2) The Association of Pedestrian and Bicycle Professionals--Bicycle Parking Guidelines.

(c) In adopting the regulations pursuant to subdivision (a), the department shall consult with the State Architect and other appropriate state agencies, the building and construction industry, recognized bicycle advocacy groups, the League of California Cities, the California State Association of Counties, other interested organizations, and the public.

14692.5. (a) For an existing state-owned building without ~~adequate~~ short-term visitor bicycle parking, ~~high quality~~ *meeting the regulations adopted pursuant to Section 14692*, short-term bicycle parking *meeting the regulations adopted pursuant to Section 14692* shall be added before December ~~1~~ 31 , 2009.

(b) For an existing state-owned building without ~~adequate~~ bicycle facilities for employees *meeting the regulations adopted pursuant to Section 14692* , the addition of secure long-term bicycle parking, showers, and clothing lockers shall be a priority when the building is renovated.

~~(c) For an existing state-leased building, the state shall make~~

(c) *For state-leased buildings used primarily for office functions and other state-leased buildings as deemed appropriate by the department, the state, when negotiating or renegotiating a lease, shall make every effort* ~~to renegotiate the lease~~ to include provision of facilities for bicycle commuters and bicycle parking for visitors.

14693. Each state agency shall develop a program to manage its bicycle facilities so that bicycle parking and lockers are fairly assigned and access to showers is available. Facilities shall be available for workers at state buildings, whether they are state employees, contract employees, interns, or volunteers.

14693.5. Each state agency shall develop a program to promote and encourage bicycle commuting and the use of bicycles for work-related trips.

~~14694. On and after July 1, 2010, a capital plan for, renovation of, a state building shall be built, designed, and operated in accordance with the regulations adopted pursuant to subdivision (a) of Section 14692.~~

Attachment 3

AB 163
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ASSEMBLY THIRD READING
AB 163 (Mendoza)
As Amended June 1, 2007
Majority vote

BUSINESS & PROFESSIONS 7-3 APPROPRIATIONS 12-5

Ayes:	Eng, Bass, Carter, Hayashi, Hernandez, Price, Torrico	Ayes:	Leno, Caballero, Davis, DeSaulnier, Huffman, Karnette, Krekorian, Lieu, Ma, Nava, Solorio, Feuer
Nays:	Emmerson, Horton, Maze	Nays:	Walters, Emmerson, La Malfa, Nakanishi, Sharon Runner

SUMMARY : Requires the Department of General Services (DGS) to adopt regulations for the construction and renovation of state buildings that require the inclusion of bicycle facilities, showers, and clothing lockers. Specifically, this bill :

- 1) Requires DGS to adopt regulations, by July 1, 2009, for the construction and renovation of state owned office buildings and other buildings deemed appropriate by DGS, that require the inclusion of bicycle facilities, including short and long term parking, showers, and clothing lockers. In promulgating the regulations, DGS is required to consider:
 - a) Guidelines established by the Sacramento Area Bicycle Advocates State Bicycle Facilities - Statewide Policies and Recommendations;
 - b) Guidelines established by the Association of Pedestrian and Bicycle Professionals - Bicycle Parking Guidelines; and,
 - c) Input from the State Architect, other state agencies, building and construction industry, recognized bicycle advocacy groups, the League of California Cities, California State Association of Counties, and other interested organizations and the public.

- 2) Requires existing state owned office buildings, and other buildings deemed appropriate by DGS, to be retrofitted to include short term bicycle parking, by December 31, 2009.
- 3) Requires existing state owned office buildings, and other buildings deemed appropriate by DGS, to include long term bicycle parking, showers, and clothing for use by employees when the building is renovated.
- 4) Requires DGS to make every effort to negotiate, or renegotiate, state leases for inclusion of facilities for bicycle commuters and visitors in state office buildings and other buildings deemed appropriate by DGS.
- 5) Requires each state agency to develop a program to manage its bicycle facilities so that bicycle parking and facilities are fairly assigned and access to showers is available for its employees.
- 6) Requires each state agency to develop a program to promote and encourage bicycle commuting and the use of bicycles for work-related trips.

EXISTING LAW establishes DGS as the state government entity responsible for providing a broad range of business services to government. DGS' functions include: procurement and contracting for goods and services; real estate and design services for state buildings; telecommunications; fleet management; information services; publishing services; architectural services; energy efficiency programs; legal services; and building maintenance.

FISCAL EFFECT : According to the Assembly Appropriations Committee:

- 1) Costs to incorporate bicycle facilities into new and renovated state office buildings, estimated by DGS at around \$50,000 per building, would be a minor increase to each project's cost. Statewide, this would be a significant total cost over time, however.
- 2) Assuming a similar cost to retrofit leased facilities and assuming these additional costs would be incorporated into lease costs, the impact would be an increase in lease costs, whose impact would depend on the amount of state-occupied space in the building and the terms of the lease. Again, these costs

probably would not be significant in any single building but could be major statewide. These costs would occur over several years. DGS indicates that the state leases about 1,800 buildings.

- 3) The cost to add high quality short-term bicycle parking to state-owned buildings is unknown.

COMMENTS : According to the author's office: "The State of California has goals regarding increasing transportation choice, reducing traffic congestion, improving air quality, conserving energy, reducing greenhouse gases, improving social equity and increasing physical activity to promote public health. Increased levels of bicycling by state employees and by visitors to state buildings will help reach all these important goals."

The Sacramento Area Bicycle Advocates write in support: "The state's policies towards bicycling have sometimes discouraged, rather than encouraged, bicycle use by its employees and those in the community. In many cases, cyclists face no or inadequate bike facilities at their workplace. There may be no place to store their bikes safely, shower or keep their clothes and other personal items.

"The state's policies have been inconsistent between (and sometimes within) departments, agencies and locations. There is a hodge-podge of different arrangements. Some state employees enjoy state of the art bike facilities while accommodations elsewhere are substandard-making it difficult or impossible to bike commute. Sometimes privileges or facilities are available to some categories of employees, but denied to others.

"The state's bicycle facilities and policies should be a model to all employers statewide. The state can help achieve some of its most important goals by better serving cyclists. The state will benefit from healthier employees in the process. Joggers and other employees who exercise at lunch or before or after work can also use the showers and lockers."

Analysis Prepared by : Ross Warren / B. & P. / (916) 319-3301