


Agenda Report Reviewed by:  
City Manager: 

CITY OF SEBASTOPOL  
CITY COUNCIL  
AGEND ITEM

**Meeting Date:** June 1, 2021  
**To:** Honorable Mayor and City Councilmembers  
**From:** Climate Action Committee  
Responsible Department: Planning  
**Subject:** Letter of Support for AB 965  
**Recommendation :** Authorize the Mayor to sign the letter of support  
**Funding:** Currently Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No  X  N/A  
Net General Fund Cost: N/A  
Amount: \$0

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

**INTRODUCTION/PURPOSE:**

This item is for City Council to Discuss and Consider Authorizing the Mayor to prepare and send a Letter of Support to Assemblymember Marc Levine expressing the City of Sebastopol’s formal support for his bill Assembly Bill (AB) 965.

**BACKGROUND:**

On February 17, 2021, Assemblymember Marc Levine introduced AB 965 which will require the California Department of Housing and Community Development (HCD) and the California Building Standards Commission (BSC), by July 1, 2024, or the publication of the next interim California Building Code, whichever comes first, to research, develop, and propose building standards regarding the installation of electric vehicle charging infrastructure for parking spaces for existing multifamily dwellings and nonresidential development, with an automatic review of the standards every 18 months to update them as needed.

**DISCUSSION:**

At its May 12, 2021 meeting, the Climate Action Committee voted to recommend the City Council consider a letter of support for State Senator Marc Levine’s AB 965. This request is now before the City Council for its consideration.

**The Problem:**

Fossil fuel internal combustion vehicles are the largest contributor to greenhouse gas emissions in California. In September 2020, Governor Newsom issued an Executive Order to phase out the sale of new internal combustion engine vehicles by 2035. To accomplish this goal, the California Energy Commission has estimated that California will need 1.5 million electric vehicle (EV) chargers to support driver transition to EVs in the coming decade.

Requiring EV-ready parking spaces at multi-family housing developments is one of the most cost-effective methods to facilitate broad deployment of EV charging infrastructure. In 2019, Assemblymember Levine authored AB 684, which would have required the HCD and BSC to develop building standards for EV charging infrastructure

at multi-family housing and non-residential developments. That legislation received bi-partisan support but was vetoed by the governor stating that the, “issue is best addressed administratively.” Later that fall, in a public hearing on EV charging infrastructure, HCD stated that it did not have the authority to develop standards on their own without legislative authorization.

The Solution:

AB 965 authorizes HCD and the BSC to develop and implement building standards for EV charging stations at existing multi-family housing and non-residential building developments. With ongoing confusion between public agencies, housing developers and the EV industry, this measure is necessary to provide clarity on agency authorization to proceed in developing the standards.

A member of the Climate Action Committee will be available to answer questions.

**GENERAL PLAN CONSISTENCY:**

The proposed legislation is consistent with the City’s General Plan policies as follows:

**Goal CIR 5: Reduce Vehicle Miles Traveled (VMT) in Order to Reduce Congestion and Help Achieve Regional Efforts to Reduce Greenhouse Gas (GHG) Emissions**

*Policy CIR 5-3: Support the establishment and expansion of a regional network of electric vehicle charging stations and encourage the expanded use of electric vehicles.*

**Goal COS 9: Promote Conservation of Energy and Other Natural Resources**

*Policy COS 9-7: Promote efforts and programs, including increased access to clean technologies such as electric vehicles and charging stations, to encourage residents, businesses, and local organizations to use clean energy sources to supplant dirty technologies.*

**PUBLIC COMMENT:**

As of the writing of this staff report, the City has not received any public comment. However, staff anticipates receiving public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of the agenda item.

**PUBLIC NOTICE:**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to scheduled meeting date.

**FISCAL IMPACT:**

There is no direct fiscal impact associated with the recommended action tonight.

**RECOMMENDATION:**

Authorize the Mayor to sign the letter of support

**Attachments:**

- Letter of Support
- Legislative Language

City Council

Mayor Una Glass

Vice Mayor Sarah Gurney

Patrick Slayter

Neysa Hinton

Diana Rich



DATE

Re: AB 965 (Levine) SUPPORT

To: [Committee Chair]

I am writing on behalf of the City of Sebastopol City Council, and its citizens, to express our support for Assembly Bill (AB) 965, authored by Assemblymember Marc Levine. Our Climate Action Committee brought this item forward to City Council for support on this important policy.

AB 965 authorizes the California Department of Housing and Community Development (HCD) and the California Building Standards Commission (BSC) to develop and implement building standards for electric vehicle (EV) charging stations at existing multi-family housing and non-residential building developments. Given the ongoing confusion between public agencies, housing developers and the EV industry, this measure is necessary to provide clear guidance to ensure the equitable deployment of EV charging infrastructure throughout California.

In response to the climate crisis, California is on a policy trajectory toward full economic decarbonization. Gasoline and diesel-powered vehicles are the largest contributor to greenhouse gas emissions in California. In September 2020, Governor Newsom issued an Executive Order to cease the registration of new gasoline-powered cars no later than 2035. To achieve this goal, the California Energy Commission (CEC) has estimated that California will need 1.5 million EV chargers to support the transition to EVs in the coming decade.

Requiring EV-ready parking spaces at multi-family housing developments is one of the biggest challenges, but also one of the most cost-effective and socially equitable methods to facilitate broad deployment of EV charging infrastructure. Renters in multi-unit dwellings who want to drive an EV but don't have their own garage or other location to install charging equipment are at an unfair disadvantage.

In 2019, Assemblymember Levine authored AB 684, which would have required the HCD and the BSC to develop building standards for EV charging infrastructure at multi-family housing and non-residential developments. That legislation received bi-partisan support but was vetoed by the Governor stating that the "issue is best addressed administratively." Later that fall in a public hearing on EV charging infrastructure HCD stated that it did not have the authority to develop standards on their own without legislative authorization. Therefore, AB 965 is clearly needed.

City Hall, 7120 Bodega Avenue, Sebastopol, CA 95472

[www.ci.sebastopol.ca.us](http://www.ci.sebastopol.ca.us)

For the above reasons, we urge your “aye” vote when this measure comes to your committee.

Sincerely,

Una Glass  
Mayor

cc: Hon. Marc Levine, California Assembly, District 10

**ASSEMBLY BILL**

**No. 965**

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**Introduced by Assembly Member Levine**

February 17, 2021

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An act to amend Section 18941.10 of the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 965, as introduced, Levine. Building standards: electric vehicle charging infrastructure.

Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services. Existing law requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code. Existing law requires the commission to adopt, approve, codify, and publish mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development.

This bill would require the Department of Housing and Community Development and the commission, by July 1, 2024, or the publication of the next interim California Building Code, whichever comes first, to research, develop, and propose building standards regarding the installation of future electric vehicle charging infrastructure for parking spaces for existing multifamily dwellings and nonresidential development, as specified. The bill would also require the Department of Housing and Community Development and the commission to review the standards for multifamily dwellings and nonresidential development every 18 months to update the standards as needed pursuant to that review.

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 18941.10 of the Health and Safety Code  
2 is amended to read:  
3 18941.10. (a) (1) ~~The commission shall,~~ *commission,*  
4 commencing with the next triennial edition of the California  
5 Building Standards Code (Title 24 of the California Code of  
6 Regulations) adopted after January 1, 2014, *shall* adopt, approve,  
7 codify, and publish mandatory building standards for the  
8 installation of future electric vehicle charging infrastructure for  
9 parking spaces in multifamily dwellings and nonresidential  
10 development.  
11 (2) For purposes of paragraph (1), the Department of Housing  
12 and Community Development shall propose mandatory building  
13 standards for the installation of future electric vehicle charging  
14 infrastructure for parking spaces in multifamily dwellings and  
15 submit the proposed mandatory building standards to the  
16 commission for consideration.  
17 (b) *The Department of Housing and Community Development*  
18 *and the commission shall research, develop, and propose for*  
19 *adoption building standards, including thresholds below which*  
20 *the standards would not apply, regarding the installation of future*  
21 *electric vehicle charging infrastructure for parking spaces for*  
22 *existing multifamily dwellings and nonresidential development in*  
23 *the California Building Standards Code (Title 24 of the California*  
24 *Code of Regulations) on or before July 1, 2024, or in the next*  
25 *interim code cycle, whichever is sooner.*  
26 ~~(b)~~  
27 (c) (1) In proposing and adopting mandatory building standards  
28 under this section, the Department of Housing and Community  
29 Development and the commission shall use Sections A4.106.6,  
30 A4.106.6.1, A4.106.6.2, A5.106.5.1, and A5.106.5.3 of the  
31 California Green Building Standards Code (Part 11 of Title 24 of  
32 the California Code of Regulations) as the starting point for the  
33 mandatory building standards and amend those standards as  
34 necessary.

1 (2) In proposing and adopting mandatory building standards  
2 under this section, the Department of Housing and Community  
3 Development and the commission shall actively consult with  
4 interested parties, including, but not limited to, investor-owned  
5 utilities, municipal utilities, *community choice aggregators, electric*  
6 *vehicle and electric vehicle supply equipment* manufacturers, local  
7 building officials, commercial building and apartment owners, and  
8 the building industry.

9 (3) *The Department of Housing and Community Development*  
10 *and the commission shall review the standards for multifamily*  
11 *dwelling and nonresidential development every 18 months to*  
12 *update the standards as needed pursuant to that review.*

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