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May 26, 2022

The Honorable Anthony Portantino  
Member, California State Senate  
1021 O Street, Suite 7630  
Sacramento, CA 95814

**RE: SB 932 (Portantino): General plans: circulation element: bicycle and pedestrian plans and traffic calming plans. Notice of OPPOSE UNLESS AMENDED (As amended May 4, 2022)**

Dear Senator Portantino,

The City of Vista opposes unless amended your measure SB 932, which would make significant, unprecedented, and overly prescriptive changes to the requirements of the circulation element of local general plans; impose costly, unfunded mandates for physical changes to local transportation infrastructure; and expose local governments to significant legal liability.

Local agencies support active transportation projects and have been leading the charge to improve local streets and roads, while also retrofitting them to improve safety for all roadway users. According to the California Transportation Commission, during just the first two and a half fiscal years when SB 1 (Beall, 2017) funds were available, cities and counties reported spending \$1.5 billion to complete over 3,100 projects, with more than 1,300 additional projects in progress. In addition to repairing 10,000 miles of local roads, local governments installed or improved 4,700 Americans with Disabilities Act curb ramps and over 1,223 miles of bicycle lanes. These vital multi-modal projects were delivered through maintenance funding from the Road Maintenance and Rehabilitation Account. These statistics do not include additional local government pedestrian and bicycle safety projects or complete streets projects funded with dedicated federal Highway Safety Improvement Program funds or Active Transportation Program grants (which the City has sought and received), nor do they include any regionally funded projects from the Surface Transportation Block Grant Program or projects funded with Highway User Tax Account funds or local funds.

Local governments have made significant progress to develop active transportation in a way that best meets the unique needs of their communities. SB 932 takes a top-down approach that dictates both the type of improvements required as well as the timing for implementing such improvements. The timeframes in SB 932 do not account for existing funding gaps, much less the additional capital costs of the improvements the bill requires.

Local agencies face significant tradeoffs in prioritizing competing needs for roadway maintenance and improvements across jurisdictions. The circulation element must continue to provide flexibility as to the type of transportation improvements needed in each community, and any timelines for implementation must be developed in consideration of realistically available financial resources. Local agencies are also prohibited from charging any fees to developers for the types of capital improvements mandated in this bill. As a result, cities will be forced to use limited resources from their general fund, placing additional cost pressures on and threatening the deployment of critical infrastructure projects. We recommend that SB 932 align with the May Revision's proposal to fund \$1.2 billion in action transportation projects and make those funds available for those who update or have updated (retroactively for the past 2 years) their circulation elements accordingly.

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Recent amendments to SB 932 create significant new legal liability for the largest ten counties and the cities located within those jurisdictions that fail to meet the bill's arbitrary implementation timeframes. In addition to the funding constraints and practical issues discussed above, the new private right of action created by SB 932 will be counter-productive to making progress on improving our local streets. Simply put, every additional dollar that goes toward defending against litigation is one fewer dollar available for improving our local streets and roads. As a result, we recommend that this new private right of action be completely removed.

For these reasons, the City of Vista opposes, unless amended, SB 932.

Sincerely,



Judy Ritter  
Mayor

cc: Office of Senator Patricia Bates, [Cynthia.Bryant@sen.ca.gov](mailto:Cynthia.Bryant@sen.ca.gov)  
Office of Assemblymember Tasha Boerner Horvath, [Celia.Mata@asm.ca.gov](mailto:Celia.Mata@asm.ca.gov)  
Catherine Hill, League of California Cities, [Chill@cacities.org](mailto:Chill@cacities.org)  
League of California Cities, [cityletters@cacities.org](mailto:cityletters@cacities.org)