



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Manager



Date: April 8, 2016
Board Meeting Date: April 26, 2016
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: John L. Maltbie, County Manager
Connie Juarez-Diroll, Legislative Director

Subject: 2016 Legislative Session Program

A. Assembly Bill 1732 (Ting) Single-user restrooms

RECOMMENDATION:

- A) Adopt a resolution in support of Assembly Bill 1732 (Ting) Single-user restrooms; and
- B) Adopt a resolution in support of the inclusion of Community Choice Aggregation Policy language in the County 2016 Legislative Session Program.

BACKGROUND:

Existing law requires a public agency that serves the public or is open to the public and maintains toilet facilities to make those facilities available to the public free of charge and to maintain a sufficient number of temporary or permanent toilet facilities to meet the needs of the public at peak hours.

DISCUSSION:

Assembly Bill 1732 (Ting) would require all single-user toilet facilities in businesses, government buildings and places of public accommodation to be identified as all-gender toilet facilities, and designated for use by no more than one occupant at a time or for family assisted use, beginning March 1, 2017. The bill defines a "single-user toilet facility" to mean a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user. It would not require the construction of new bathrooms for this purpose, rather merely changing the sign on existing restroom doors.

According to the author and supporters, which include California NOW, Equality California, and the Transgender Law Center, restrooms are a necessity of life, and access to them influences a person's ability to participate in public life. However,

current practices that restrict access to single-occupancy restrooms by gender create problems of safety, fairness, and convenience. This burden disproportionately impacts members of the LGBT community, women, and parents or caretakers of dependents of the opposite gender. The purpose of the bill is to enable everyone to get in and out on the same terms, and would eliminate the fears and frustration that many people experience in public restrooms on a daily basis by requiring all single-occupancy restrooms to be designated as “all gender.” Compliance with the bill would be a matter of changing a sign on a restroom door.

The County’s Health System has already adopted this policy having changed 6 single occupancy bathrooms in various locations to “all gender.” According to the Health System, it counts people who are transgender, or are transitioning, among both its employees and clients. By making all single occupancy bathrooms available to anyone, it has provided a more welcoming environment that removes the anxiety associated with having to choose a male/female bathroom option for some persons. In addition, the change has provided the Health System with more flexibility for using single occupancy bathrooms to meet demand, whatever that demand may be. The bathroom conversion costs were approximately \$1,000 per bathroom; however, these costs included both the signage and other features.

The County’s Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Commission has reviewed the legislation and recommended your Board’s support of the measure.

County Counsel has reviewed the resolution as to form.

Approval of this resolution contributes to the Shared Vision 2025 of a Healthy Community by supporting a policy that has been recognized by the United States Department of Labor’s Occupational Safety and Health Administration (OSHA) as a workplace best practice and that ensures everyone’s rights are protected.

FISCAL IMPACT:

There are 93 single-user bathrooms in County operated public buildings. The Public Works Department has estimated the signage installation costs throughout County operated facilities to be approximately \$15,000.

B. Community Choice Aggregation Policy Language

RECOMMENDATION:

Adopt a Resolution in support of the inclusion of Community Choice Aggregation policy language in the County’s 2016 Legislation Session Program

BACKGROUND:

The 2016 Legislative Session Program for San Mateo County details state and federal legislative priorities for the County in the current legislative sessions. These priorities, in combination with standing positions and policies taken by the Board of Supervisors,

guide the County's legislative advocacy efforts. The County Manager's Office develops its Legislative Session Program in collaboration with the Board, County, departments, the County's state and federal legislative advocates, and community partners.

DISCUSSION:

Community Choice Aggregation (CCA) programs offer electricity customers cleaner energy, increased choice, and local control. Peninsula Clean Energy (PCE) is a CCA energy program sponsored by San Mateo County that is scheduled to launch in October 2016. Supervisor Dave Pine, whose office has assisted with the roll out of PCE, has requested that your Board adopt language in the Environmental Section of the County's 2016 Legislative Session Program that more clearly supports this effort. Thus, the County of San Mateo would support:

- Policies that promote marketplace equity between CCA energy programs and investor operator owned utilities.
- Policies that create a favorable regulatory environment for CCA energy programs and their customers, including appropriate changes to the Power Charge Indifference Adjustment (PCIA) exit fee calculation.
- Successful operation and local control of CCA energy programs.

County Counsel has reviewed the resolution as to form.

Approval of this resolution contributes to the Shared Vision of 2025 of a Collaborative Community by providing a basic policy framework on a range of legislative proposals, priorities and policies approved by the Board of Supervisors and that guide County advocacy efforts.

FISCAL IMPACT:

None.