



MEETING AGENDA
Monday, March 18, 2019
Realtor House, 26529 Jefferson Ave, Murrieta

Presiding: Greg Morrison, Chair

201 Strategic Initiatives

Budget & Tax Reform / Job Creation and Retention / Healthcare / Infrastructure & the Environment/ Public Safety

Call to Order, Roll Call & Introductions: 12:00 p.m.

Chair Report

Approval of Minutes

Action

2019 Legislative Report #3

Action

1. [AB 213 \(Reyes\) Local government finance: property tax revenue allocations: vehicle license fee adjustments.](#)
2. [SB 246 \(Wieckowski\) Oil and gas severance tax.](#)
3. [SB 248 \(Glazer\) Taxation: renters' credit.](#)
4. [SB 264 \(Glazer\) Wine growers: tasting rooms.](#)
5. [SB 313 \(Hueso\) Wild and exotic animals: prohibition on use in traveling animal acts.](#)
6. [SB 340 \(Stone\) High-speed rail bonds.](#)
7. [SB 414 \(Caballero\) Small System Water Authority Act of 2019.](#)
8. [SB 448 \(Borgeas\) Volunteers: small wineries.](#)
9. [SB 449 \(McGuire\) Pest control: Pierce's disease.](#)
10. [SB 522 \(Hertzberg\) Taxation.](#)
11. [SB 210 \(Leyva\) Heavy-Duty Vehicle Inspections and Maintenance Program.](#)

Featured speaker

[Brad Neet, CEO Southwest Healthcare](#)

Information

Speaker and Chamber Announcements

Information

Our lunch sponsor

[Corner Bakery Cafe](#)

Thank You

Adjourn – Next Meeting April 15, 2019

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Metropolitan Water District of Southern
California
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Murrieta/Wildomar Chamber of Commerce
Lake Elsinore Valley Chamber of
Commerce
Menifee Valley Chamber of Commerce

Southwest Healthcare Systems
Temecula Valley Hospital
EDC of Southwest California
The Murrieta Temecula Group
Southern California Edison
The Gas Company



MEETING MINUTES

Monday, February 25, 2019

Realtor House, 26529 Jefferson Ave, Murrieta

Presiding: Chairman Greg Morrison

Strategic Initiatives

Budget & Tax Reform / Job Creation and Business Retention / Healthcare / Infrastructure & The Environment/ Public Safety

**Lake Elsinore Chamber of Commerce
 Menifee Valley Chamber of Commerce
 Murrieta/Wildomar Chamber of Commerce
 Temecula Valley Chamber of Commerce**

DIRECTOR ATTENDANCE

P	Benoit, Ben (LE)	P	Neet, Brad (MW)
A	Bouvet, Adam (MW)	A	Nolta, Paul (T)
P	Braicovich, Alex (LE)	P	Phillips, Derek (M)
P	Frank, Dennis (T)	P	Ruiz, Adam (T)
P	McLeod, Erik (MW)	P	Sparkman, Joan (T)
P	Morgenroth, Victor (T)		
P	Morris, Andy (MW)		
A	Morrison, Greg (LE)		

P= Present A=Absent EX= Excused
 LE=Lake Elsinore M=Menifee MW=Murrieta/Wildomar T=Temecula

Chamber Representatives

✓	Cousins, Kim	Lake Elsinore Valley Chamber
✓	Lindsey, Michelle	Lake Elsinore Valley Chamber
✓	Ellis, Patrick	Murrieta/Wildomar Chamber
	Estrada, Heather	Murrieta/Wildomar Chamber
✓	LoPiccolo, Tony	Menifee Chamber
✓	Monroe, Myke	Murrieta/Wildomar Chamber
✓	Niebla, Kimberly	Murrieta/Wildomar Chamber
	Sullivan, Alice	Temecula Valley Chamber
✓	Turnbow, Laura	Temecula Valley Chamber
✓	Wunderlich, Gene	SWCLC

Guest Attendance

	Name	Company	E-mail
✓	Abeles, Andy	Rancon Real Estate	andyabeles@gmail.com
✓	Arlt, Patti	MWD of SoCal	parlt@mwdh2o.com
✓	Ashworth, Daneen	Meridian HR	daneen@mymeridianhr.com
✓	Bott, Jeff	The Toll Roads (TCA)	jbott@thetollroads.com
✓	Coats, Danielle	EMWD	coatsd@emwd.org
✓	Dickson, Kenneth	MVUSD	kcdickson@verizon.net
✓	Dieringer, Jon	Dieringer Law Group	jon@dieringerlawgroup.com
✓	Freese, Tim	Alta Pacific Bank	
✓	Goldman, Jeremy	Southern California Edison	Jeremy.goldman@sce.com
✓	Herrera, Debbie	Senator Stone	Debbie.herren@sen.ca.gov
✓	Hunneman, John	Senator Stone	John.hunneman@sen.ca.gov
✓	Krzenski, Keith	PKC Kuebler, APC	Keith.krzenski@pkckuebler.com
✓	Levasheff, Drake	Azusa Pacific University	dlevasheff@apu.edu
✓	Lynch, Connie	SRCAR	ceo@srcar.org
✓	MacDougall, Kristy	Assemblywoman Waldron	Kristy.macdougall@asm.ca.gov
✓	Myers, Morris	MSJC	mmyers@msjc.edu
✓	Stilwell, Samantha	Assemblywoman Melendez	Samantha.stilwell@asm.ca.gov
✓	White, Christi	Brandman University/City of Murrieta	christi.white.murrieta@earthlink.net
✓	Wilson, Walter	SRCAR	walter@srcar.org

Call to Order

The meeting was called to order by Acting Chairman Frank at 12:07pm
Acting Chairman Frank thanked Archibald's for providing the wonderful lunch!

ACTION ITEMS

Approval of 2019 Governing Documents

The motion was made to approve the 2019 Governing Documents with votes cast in SUPPORT. The motion was seconded and carried by a unanimous vote.

2019 Legislative Report #2

Gene Wunderlich began the review of the first bills to be introduced for 2019. There were a total of Eight (8) bills reviewed by the Council.

- 1. AB 162 (Kiley) Communications: universal service programs: Public Utilities Commission reimbursement fees.**
This bill would prohibit the commission from collecting, for deposit into any universal service fund, any revenues derived from charges upon the provision of a communications service that the Federal Communications

Commission has determined is an information service as specified.

Motion to SUPPORT seconded and carried.

- 2. AB 193 (Patterson/Melendez) Professions and vocations.** This bill would require the department, beginning on January 1, 2021, to conduct a comprehensive review of all occupational licensing requirements and identify unnecessary requirements/licensing that cannot be adequately justified.

Motion to SUPPORT seconded and carried.

- 3. AB231 (Mathis) California Environmental Quality Act: exemption: recycled water.** This bill would exempt CEQA a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. This bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.

Motion to SUPPORT seconded and carried.

- 4. AB 298 (Mathis) Housing: home purchase assistance program: first responders: Legislative Analyst: study and report.** This bill would require the Legislative Analyst to conduct a study, and present the findings thereof to the Legislature, to inform the creation of a low-interest loan program for the first responders. The bill would require the report to be submitted on or before January 1, 2024. The bill would require the report to include a recommendation as to which state department is best suited to administer the program, an estimation of the amount of funding that would be necessary to conduct the program, and recommendations for qualifications for participation in the program.

Motion to SUPPORT seconded and carried.

- 5. AB 394 (Oberholte) California Environmental Quality Act: exemption: fire safety.** This bill would exempt from CEQA projects or activities recommended by the State Board of Forestry and Fire Protection that improve the fire safety of an existing subdivision if certain conditions are met. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project or activity is exempt. The bill would require the lead agency to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project or activity will be located. Because the bill would impose additional duties on a lead agency, this bill would impose a state-mandated local program.

Motion to SUPPORT seconded and carried.

- 6. AB 478 (Kiley) Legislative: Member training.** This bill expresses the intent of the Legislature to enact legislation requiring each Member of the Legislature to also attend a 2-hour training on the United States and California Constitutions upon being sworn into office.

Motion to SUPPORT seconded and carried.

- 7. AB553 (Melendez) High-speed rail bonds: housing.** This bill would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system.

Motion to SUPPORT seconded and carried.

- 8. SB 128 (Beall) Enhanced infrastructure financing districts: bonds: issuance.** This bill would instead authorize the public financing authority to issue bonds for these purposes without submitting a proposal to voters.

Motion to OPPOSE seconded and carried.

Reports

Featured Speaker-Danielle Coats, EMWD:

Danielle made a presentation on AB 685-Humans right to water. Governor Newsom is proposing a tax on water. Danielle indicated that EMWD has been working on a solution for small water agencies the last two years. There are approximately 300 public water systems in the state with under 10,000 service connections. These small systems need to be absorbed into a larger agency in order to be more efficient in the cost of to water delivery to their consumers.

Senator Stone

Report by John Hunneman: Senator Stone brought back SB 364 Veterans Property Tax Exemption. If you are 100% disabled Veteran, you shouldn't have to be paying property tax. Senator Stone is working on 642 PBM- PBM businesses, the savings realized through volume purchasing of prescription drugs could easily be passed onto California consumers instead of going to the corporate profits of a few multi-billion dollar companies. Senator Stone wants California to be its own PBM. Senator Stone is also working on a Salton Sea and working on a water fix so that people are not getting taxed for drinking water.

Assemblymember Melissa Melendez

Report by : Samantha Stilwell: Asking to complete a letter of support for AB-71in reference to the Dynamex decision, by the end of the week. Emailing the letters is fine, hardcopies are to the back of the room if you would like to fill one out and fax. There are legislative updates that were handed out.

Assemblymember Marie Waldron

Reported by Kristy MacDougal: Republican leader for the Assembly. Working on high speed rail for an immediate halt to expenditures! Increased funding for caregiver's for developmentally disabled youth. Watching the Soda Tax bills, as there is multiple attempting to control sugar consumption!

Lake Elsinore Valley Chamber of Commerce

Reported by Kim Cousins:

- EWDC –A Conversation with the Southwest CA City Managers March 21st @ 11:30AM-1PM at the Pins and Pockets

Murrieta/Wildomar Chamber of Commerce

Reported by Patrick Ellis:

- Vice Chair of County Workforce Development Board

Menifee Valley Chamber of Commerce

Reported by Tony Lopiccolo: City is having several Ribbon Cutting for new businesses this week. Quarterly Economic Impact Breakfast is scheduled for March 29th with Supervisor Jeff Hewitt.

Temecula Valley Chamber of Commerce

Reported by Laura Turnbow:

- Congratulations to all the Award winners and thank you for those who attended.

SWCLC thanked Archibald's for their generous donation of lunch for today's meeting.

Adjournment: 12:58 pm

Next meeting Monday, March 18, 2019

[AB 213, as introduced, Reyes. Local government finance: property tax revenue allocations: vehicle license fee adjustments.](#)

Recommended action: **SUPPORT**

Presentation: **Gene Wunderlich**

(Principal coauthors: Assembly Members Chu, Obernolte, Rodriguez, and **Waldron**)

Summary:

AB 213 would restore funding to approximately 140 cities that had annexed inhabited territory in reliance on previous financial incentives, then suffered significant fiscal harm when those funds were swept away due to the passage of SB 89 (2011). The bill also offers similar incentives to support future annexations of inhabited territory to improve services to affected residents consistent with state Local Agency Formation Commission (LAFCO) policies.

This is the second part of the fix for SB 89 that resulted in the new cities losing funding. It uses the same funding formula that was used to restore finding for our 4 newest cities. Local cities would benefit from AB 213.

Description:

Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined.

Existing property tax law also requires that, for purposes of determining property tax revenue allocations in each county for the 1992–93 and 1993–94 fiscal years, the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. It requires that the revenues not allocated to the county, cities, and special districts as a result of these reductions be transferred to the Educational Revenue Augmentation Fund in that county for allocation to school districts, community college districts, and the county office of education.

Beginning with the 2004–05 fiscal year and for each fiscal year thereafter, **existing law requires** that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Existing law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. Existing law, for the 2006–07 fiscal year, and for each fiscal year thereafter, requires the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year, if specified provisions did not apply, and the product of that sum and the percentage change from the prior fiscal year in the gross taxable valuation within the jurisdiction of the entity.

Existing law establishes a separate vehicle license fee adjustment amount for a city that was incorporated after January 1, 2004, or on or before January 1, 2012.

This bill, for the 2019–20 fiscal year, would instead require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2018–19 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2018–19 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

This bill, for the 2020–21 fiscal year, and for each fiscal year thereafter, would require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year and

the product of the amount as so described and the percentage change from the prior fiscal year in gross taxable assessed valuation within the jurisdiction of the entity.

Support: (Verified 3/18/19)

League of California Cities (Sponsor)

Opposition: (Verified 3/18/19)

None on file

Status: Active – Assembly: Local Government

Senate Floor votes:

Assembly floor votes:

Legislative Item #2	Action
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SB 246, as introduced, Wieckowski. Oil and gas severance tax.

Recommended action: OPPOSE

Presentation: Gene Wunderlich

Summary:

An oil and gas severance tax is hereby imposed upon any operator for the privilege of severing oil or gas from the earth or water in this state at the rate of 10 percent of the average price per barrel of California oil or 10 percent of the average price per unit of gas.

Description:

Existing law imposes various taxes, including taxes on the privilege of engaging in certain activities. The Fee Collection Procedures Law, the violation of which is a crime, provides procedures for the collection of certain fees and surcharges.

This bill would impose an oil and gas severance tax of upon any operator for the privilege of severing oil or gas from the earth or water in this state at specified rates, calculated as provided.

The bill would further require the California Department of Tax and Fee Administration to collect the tax pursuant to the Fee Collection Procedures Law and would require all amounts collected, less refunds and administrative costs, to be deposited into the General Fund.

Because the bill would expand the scope of the Fee Collection Procedures Law, the violation of which is a crime, it would impose a state-mandated local program.

This bill would include a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this ac.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: Pending referral

Senate Floor votes:

Assembly floor votes:

Legislative Item #3	Action
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SB 248, as introduced, Glazer. Taxation: renters' credit.

Recommended action: **SUPPORT**

Presentation: Gene Wunderlich

(Principal coauthors: Assembly Members Gonzalez and Quirk-Silva)

(Coauthors: Senators Allen, Archuleta, Bates, Beall, Bradford, Caballero, Chang, Dodd, Galgiani, Hertzberg, Hill, Hueso, McGuire, Nielsen, Pan, Portantino, Roth, Skinner, Wieckowski, Wiener, and Wilk)

(Coauthors: Assembly Members Choi, Daly, Diep, Grayson, Blanca Rubio, Santiago, and Voepel)

Summary:

SB 248 would increase the renter's tax credit in response to the current escalation and increasingly unaffordable rentals. This bill is similar to last year's SB 1182 (Glazer), SUPPORTED by the SWCLC.

Description:

The **Personal Income Tax Law** authorizes various credits against the taxes imposed by that law, including a credit for qualified renters in the amount of \$120 for spouses filing joint returns, heads of household, and surviving spouses if adjusted gross income is \$50,000, as adjusted, or less, and in the amount of \$60 for other individuals if adjusted gross income is \$25,000, as adjusted, or less. Existing law requires the Franchise Tax Board to annually adjust for inflation these adjusted gross income amounts. For 2018, the adjusted gross income limit is \$83,282 and \$41,641, respectively.

Existing law establishes the continuously appropriated Tax Relief and Refund Account in the General Fund and provides that payments required to be made to taxpayers or other persons from the Personal Income Tax Fund are to be paid from that account, including any amount allowable as an earned income tax credit in excess of any tax liabilities.

This bill, for taxable years beginning on or after January 1, 2019, for spouses filing joint returns, heads of household, and surviving spouses with those adjusted gross incomes, who have no dependents, would allow a credit equal to \$220. The bill, for taxable years beginning on or after January 1, 2019, for other individuals with those adjusted gross incomes, who have no dependents, would allow a credit equal to \$217. The bill, for taxable years beginning on or after January 1, 2019, for spouses filing joint returns, heads of household, surviving spouses, and for other individuals, with those adjusted gross incomes, who have one or more dependents, would allow a credit equal to \$434. The bill would require the Franchise Tax Board to annually recompute for inflation the credit amount for taxable years on or after January 1, 2020.

The bill, for taxable years beginning on or after January 1, 2020, would authorize a suspension of the increased credit amounts for any taxable year if (1) the Governor by proclamation finds and declares that an economic emergency exists in this state or (2) any bill providing for appropriations related to the Budget Bill indicates that the credit factor for this credit is zero for that taxable year, in which case the existing amounts of \$120 and \$60, as described above, respectively, would be the credit amounts for that taxable year. The bill would require,

upon the expiration of any suspension, the credit amounts for the immediately preceding taxable year to be an amount equal to the increased credit amounts, as specified.

(1) For a qualified renter, there shall be allowed a credit against ~~his or her~~ *the* "net tax," as defined in Section 17039. The amount of the credit shall be as follows:

(A) For spouses filing joint returns, heads of household, and surviving spouses, as defined in Section 17046, ~~the credit shall be equal to one hundred twenty dollars (\$120)~~ if adjusted gross income is fifty thousand dollars (\$50,000) or ~~less~~. *less, the credit shall be equal to:*

(i) For taxable years beginning before January 1, 2019, one hundred twenty dollars (\$120).

(ii) For taxable years beginning on or after January 1, 2019:

(I) Two hundred twenty dollars (\$220) if the qualified renter has no dependents as defined in Section 17056.

(II) Four hundred thirty-four dollars (\$434) if the qualified renter has one or more dependents as defined in Section 17056.

For other individuals, ~~the credit shall be equal to sixty dollars (\$60)~~ if adjusted gross income is twenty-five thousand dollars (\$25,000) or ~~less~~. *less, the credit shall be equal to:*

(i) For taxable years beginning before January 1, 2019, sixty dollars (\$60).

(ii) For taxable years beginning on or after January 1, 2019:

(I) Two hundred seventeen dollars (\$217) if the qualified renter has no dependents as defined in Section 17056.

(II) Four hundred thirty-four dollars (\$434) if the qualified renter has one or more dependents as defined in Section 17056.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: **Governance and Finance**

Senate Floor votes:

Assembly floor votes:

Legislative Item #4	Action
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[SB 264, as introduced, Glazer. Wine growers: tasting rooms.](#)

Recommended action: **SUPPORT**

Presentation: Gene Wunderlich

(Principal coauthor: Assembly Member Bauer-Kahan)

(Coauthor: Assembly Member Flora)

Summary:

This bill would **allow a winegrower to have tasting rooms and sales outlets at two licensed locations instead of the current single location.** That means our wineries could now be licensed at their winery and at a second location.

Description:

Existing law, the Alcoholic Beverage Control Act, which is administered by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. Existing law defines a licensed branch office with reference to certain winegrower and brandy manufacturer facilities for which a duplicate license has been issued.

Existing law prohibits a winegrower or brandy manufacturer from selling wine or brandy to consumers, or engaging in winetasting activities, at more than one licensed branch premise. Existing law limits the effect of this prohibition in connection with other premises, as specified. Existing law generally provides that a violation of the Alcoholic Beverage Control Act is a misdemeanor.

This bill would revise the prohibition described above to allow a winegrower or brandy manufacturer to sell wine or brandy to consumers, or to engage in winetasting activities, at up to 2 licensed branch premises. By broadening the definition of a crime, this bill would impose a state-mandated local program.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: **Governmental Organization**

Senate Floor votes:

Assembly floor votes:

Legislative Item #5	Action
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[SB 313, as introduced, Hueso. Wild and exotic animals: prohibition on use in traveling animal acts.](#)

Recommended action: **OPPOSE**

Presentation: **Gene Wunderlich**

Summary:

This chapter shall be known and may be cited as the **Circus Cruelty Prevention Act prohibiting the transport of 'wild' animals** or be liable for a civil penalty of no more than twenty-five thousand dollars (\$25,000) for each violation . **Spells the end for traveling circus performances in California** – but nowhere else.

Description:

Existing law regulates the taking and possession of birds, mammals, fish, reptiles, and amphibians, including the importation, transportation, possession, and live release of wild animals, as defined.

This bill would prohibit a person from using, or allowing to be used, a wild or exotic animal, as defined, in a traveling animal act, as defined. The bill would impose a civil penalty for each violation of its provisions.

For purposes of this chapter, the following terms have the following meanings:

(a) "Mobile or traveling housing facility" means a vehicle, including, but not limited to, a trailer or railway car, used to transport or house an animal used in a performance.

(b) (1) "Performance" means any animal act, carnival, circus, display, exhibition, exposition, fair, parade, petting zoo, photo opportunity, presentation, public showing, race, ride, trade show, or similar undertaking in which animals perform tricks, give rides, or are used as accompaniments for the entertainment, amusement, or benefit of a live audience.

(2) "Performance" **does not include** either of the following:

(A) An exhibition at a nonmobile, permanent institution or facility accredited by the Association of **Zoos** and **Aquariums** or the Global Federation of Animal **Sanctuaries**.

(B) An outreach program devoted to imparting knowledge or information about the exhibited animal's behavior, habitat, life cycle, migratory patterns, feeding habits, or similar pedagogical information conducted by, or affiliated with, a nonmobile, permanent institution or facility described in subparagraph (A).

(c) "Traveling animal act" means **any performance that requires an animal to be transported** to or from the location of the performance in a mobile or traveling housing facility.

(d) "Wild or exotic animal" means **any live animal from any of the following scientific classifications**, as specified parenthetically:

- (1) Artiodactyla (such as hippopotamuses, giraffes, camels, and llamas, but excluding domesticated cattle, swine, sheep, and goats).
- (2) Canidae (such as wolves, but excluding domesticated dogs).
- (3) Crocodylia (such as alligators and crocodiles).
- (4) Elasmobranchii (such as sharks).
- (5) Elephantidae (elephants).
- (6) Felidae (such as lions, tigers, and leopards, but excluding domesticated cats).
- (7) Marsupialia (such as kangaroos).
- (8) Primates (such as apes, monkeys, and lemurs).
- (9) Perissodactyla (such as zebras, tapirs, and rhinoceroses, but excluding domesticated horses, donkeys, and mules).
- (10) Pinnipedia (such as seals, sea lions, and walruses).
- (11) Ratitae (such as ostriches, rheas, cassowaries, and emus).
- (12) Ursidae (bears).
- (13) Xenarthra (such as sloths).

2432.

Notwithstanding any other law, no person shall use, or allow to be used, a wild or exotic animal in a traveling animal act.

2433.

A person who violates this chapter, or any rule or regulation adopted pursuant to this chapter, shall be liable for a civil penalty of no more than twenty-five thousand dollars (\$25,000) for each violation.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: **Natural Resources and Water**

Senate Floor votes:

Assembly floor votes:

[SB 340, as introduced, Stone. High-speed rail bonds.](#)

Recommended action: **SUPPORT**

Presentation: Gene Wunderlich

Summary:

SB 340 would prohibit the further sale of bonds from the initial \$9 billion authorization from 2008. The \$950 million bond sale for rail other than high-speed would not be impacted.

Description:

The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state. The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of general obligation bonds in the amount of \$9 billion for high-speed rail purposes and \$950 million for other related rail purposes. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a $\frac{2}{3}$ vote of each house of the Legislature and a majority of the voters.

This bill would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system.

The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes before the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds. The bill would make no changes to the authorization under the bond act for the issuance of \$950 million in bonds for rail purposes other than high-speed rail.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: **Transportation** and **Governance and Finance**

Senate Floor votes:

Assembly floor votes:

[SB 414, as introduced, Caballero. Small System Water Authority Act of 2019.](#)

Recommended action: **SUPPORT**

Presentation: Gene Wunderlich

Summary:

Instead of implementing a statewide water tax to address the operation of a few non-compliant water systems, SB 414 seeks to establish a framework under which these water systems would be identified, notified, given the opportunity to address deficiencies and, if continuing non-compliance, authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate these water systems.

Description:

Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties. The act authorizes the state board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, as defined, consistently fails to provide an adequate supply of safe drinking water. The act, if consolidation is either not appropriate or not technically and economically feasible, authorizes the state board to contract with an administrator to provide administrative and managerial services to designated public water systems and to order the designated public water system to accept administrative and managerial services, as specified.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified.

This bill would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems.

The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified. The bill would require the state board to provide a copy of the notice, in the case of a water corporation, to the Public Utilities Commission and would require the Public Utilities Commission to be responsible with the state board for ensuring compliance with the provisions of the bill.

The bill would require an entity receiving the notice to respond to the state board, and, if appropriate, the Public Utilities Commission, as to whether the violations of drinking water standards are remedied and the basis for that conclusion, as specified. The bill would require an entity reporting a continuing violation of drinking water standards to have 180 days from the date of a specified response filed with the state board to prepare and submit a plan to the state board to permanently remedy a violation of drinking water standards within a reasonable time that is not later than January 1, 2025. The bill would require the state board to review the plan and accept, accept with reasonable conditions, or reject the plan, as prescribed. The bill would require an entity with an accepted plan to provide quarterly reports to the state board on progress towards a permanent remedy for violations of drinking water standards and would require the state board to annually hold a public hearing to consider whether the progress is satisfactory. The bill would require the state board, if it rejects the plan and after a certain period to allow for a petition for reconsideration, to cause the formation of an authority by the applicable local agency formation commission to serve the customers of the public water system that submitted the plan the state board rejects, if certain findings are made by the state board. If the state board is unable to make those findings, the bill would require the state board to remedy the failure to meet the applicable drinking water standards, as specified.

The bill would require the state board, no later than July 1, 2021, to provide written notice to each county, city, water district, private water company, or mutual water company located within a county where an entity receiving a notice to cure from the state board is located stating that the state board may consider the formation of an authority within that county and inviting other public water suppliers to consider a voluntary dissolution and subsequent inclusion into the authority that may be formed. The bill would require an entity

wishing to consolidate into a proposed authority to provide a written statement opting into an authority to the administrator of the authority on or before December 31, 2021. The bill would authorize an entity wishing to join an authority after the formation of an authority to do so by a proposal or petition to the local agency formation commission and would require an entity to join a proposed authority upon the petition of the entity's customers, as prescribed. The bill would require any county or city receiving a notice to cure from the state board to determine, not later than November 1, 2021, whether any county service areas, county waterworks districts, or other dependent special districts providing water service or water and sewer service located within the county that provide water service or water and sewer service only in the proposed area of the authority should be included within the proposed authority, as prescribed. The bill would authorize an authority to include areas that are not contiguous.

The bill would require the state board, no later than 30 days after the rejection of an entity's plan to permanently remedy a violation of drinking water standards, to notify a local agency formation commission of a county where the public water system that submitted the plan is located, and if appropriate, the Public Utilities Commission, that it has determined that the public water system shall be consolidated into an authority. The bill would require the state board, no later than 60 days after the rejection, to notify the local agency formation commission, and if appropriate, the Public Utilities Commission, of the public water systems that will be consolidated into an authority and to appoint an administrator for each proposed authority. The bill would require an administrator to be responsible for the interim administration and management of the authority and would require the state board to bear the cost of the administrator, as specified. The bill would require the administrator, after consultation with the executive officer of the local agency formation commission, to submit to the state board a conceptual formation plan, with specified components. The bill would require the state board to provide comments on the conceptual formation plan to the administrator and applicable local agency formation commission within 60 days of its receipt.

The bill would require the administrator, within 180 days after the state board provides comments on the draft conceptual formation plan, to submit an application for formation and proposed plan for service to the local agency formation commission for review and would require the commission to hold a hearing on the plan and approve or deny it, as prescribed. The bill would require an authority to file a statement, under penalty of perjury, with the executive office of the local agency formation commission certifying that the authority will take the appropriate actions to comply with an approved plan. By expanding the application of the crime of perjury, this bill would impose a state-mandated local program. The bill would require the executive officer of the commission, within 30 days of the filing of a statement, to issue a notice of completion to the authority and send a copy of that notice to the state board. The bill would authorize the state board, in the event that the authority fails to timely file a statement certifying compliance with the plan, to issue an order to the authority requiring the filing of a statement certifying compliance with the plan or other remedial action as may be appropriate. The bill would require, annually for the first 3 years after the date of an authority's formation by a local agency formation commission, an authority to file a certain report with the local agency formation commission and the state board. The bill would require a local agency formation commission to hold a public hearing within 90 days of receipt of the report to review the authority's performance during the previous year and would authorize the state board to order an authority to remedy any failures to comply with conditions imposed by the state board or the plan for service. The bill would authorize the state board to impose a civil penalty on an authority of up to \$500 per day for each violation if an authority fails to timely comply with a remedial order by the state board, up to a maximum of \$10,000 per year for each particular violation.

The bill would require the Public Utilities Commission to order the dissolution of a public water system and the transfer of all assets of a subject water corporation to an authority formed by the local agency formation commission, as prescribed. The bill would require the state board to petition a court for an order dissolving any mutual water company, water corporation, or private corporation that has been operating a public water system and transferring the assets of that company or corporation to the authority formed by the local agency formation commission. The bill would provide for an owner or shareholder of a dissolved public water system to be compensated, as specified, in accordance with a distressed business valuation issued by the state board. The bill would authorize an authority to receive financing from the state to pay all liabilities assumed from a public water system and would require an authority to issue bonds to repay the state with interest.

The bill would require the Controller, no later than January 1, 2026, to prepare and submit to the Legislature a report regarding the fiscal and operational health of the authorities that includes a recommendation

regarding the need for supplemental state funding, if any, and the potential sources of that funding. The bill would require the state board, no later than January 1, 2026, to prepare and submit to the Legislature a report specifying the number of public water systems that, at any time between July 1, 2018, and January 1, 2025, were out of compliance with one or more state or federal primary drinking water standards, as specified.

The bill would provide for the **appointment** of an initial board of an authority, and the **election of subsequent boards** of an authority. The bill would require a director to be a resident of the area served by the authority and, to the extent practicable, to represent a division with equal population being served by the authority. The bill would require a director to receive compensation in an amount not to exceed \$250 per day, not to exceed a total of 10 days in any calendar month, together with any expenses incurred in the performance of the director's duties required or authorized by the board. The bill would require the board to hold meetings, exercise and perform all powers, privileges, and duties of an authority, designate a depository to have custody of the funds of the authority, appoint officers, and hire employees, as specified. The bill would require the board to file a certain certificate with the Secretary of State within 180 days of its initial meeting after formation. The bill would require a person convicted of an infraction for a violation of any local ordinance or regulation adopted by an authority to be punished upon a first conviction by a fine not exceeding \$50 and for a 2nd conviction within a period of one year by a fine of not exceeding \$100 and for a 3rd or any subsequent conviction within a period of one year by a fine of not exceeding \$250. By creating new crimes, this bill would impose a state-mandated local program.

The bill would **specify the powers of an authority**, including that an authority is authorized to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water, including sewage and stormwater, for the beneficial use of the authority. The bill would authorize the authority to fix a water standby assessment or availability charge, as prescribed. The bill would require a board of supervisors to levy the standby charge in the amounts for the respective parcels fixed by the board of the authority. The bill would require all county officers charged with the duty of collecting taxes to collect authority standby charges with the regular tax payments to the county and would require the charges to be paid to the authority. The bill would authorize an authority to restrict the use of authority water, as specified, and would provide that it is a misdemeanor, punishable as specified, for any person to use or apply water received from the authority contrary to or in violation of any restriction or prohibition specified in the authority's ordinance. By creating a new crime, this bill would impose a state-mandated local program. The bill would authorize an authority to conduct inspections and would authorize an authority to obtain an inspection warrant. Because the willful refusal of an inspection lawfully authorized by an inspection warrant is a misdemeanor, this bill would impose a state-mandated local program by expanding the application of a crime. The bill would require an authority to notify the county or city building inspector, county health inspector, or other affected county or city employee or office, in writing, within a reasonable time if an actual violation of an authority, city, or county ordinance is discovered during the investigation.

The bill would require the administrator to prepare and submit a capital improvement plan to the state board no later than one year after the date upon which an authority is formed. The bill would require the plan to bring the authority into full compliance with drinking water standards within 3 years, which time may be extended by the state board for good cause. The bill would require the state board, upon appropriation by the Legislature from the General Fund, or, to the extent funds are available from bond revenues or other sources, including federal, state, academic, or other public or private entities, to provide funding for the administrator and for formation and startup costs for up to 3 fiscal years after formation of the authority, as specified. The bill would provide for the state board, upon appropriation by the Legislature from the General Fund, or, to the extent funds are available from bond revenues or other sources, including federal, state, academic, or other public or private entities, to receive up to an unspecified amount for the preparation of distressed business valuations to determine the net fair market value of the water corporation or mutual water company. The bill would require, if those moneys are not sufficient to meet the statewide needs of the authorities, funding to be made available upon appropriation from the Safe Drinking Water State Revolving Fund.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: **Environmental Quality** and **Governance and Finance**

Senate Floor votes:

Assembly floor votes:

Legislative Item #8	Action
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[**SB 448, as introduced, Borgeas. Volunteers: small wineries.**](#)

Recommended action: **SUPPORT**

Presentation: **Gene Wunderlich**

Summary:

A person who voluntarily performs part-time labor at a small winery or small microbrewery (defined as those producing no more than 1,000 gallons of product per year) **in return for receiving hands-on training in the process of wine or beer making,** shall not be considered an employee or an apprentice for any purpose under this code. This is another **Dynamex** work-around.

Description:

Existing law prescribes comprehensive requirements relating to minimum wages, overtime compensation, and standards for working conditions for the protection of employees. Existing law makes it unlawful for a person or employer to avoid employee status for an individual by voluntarily and knowingly misclassifying that individual as an independent contractor. Existing law also establishes legal presumptions regarding employment status for certain types of workers performing services, and lists various factors for determining proof of independent contractor status for these workers.

Existing law, as established in the case of **Dynamex Operations W. v. Superior Court (2018) 4 Cal.5th 903,** creates a presumption that a worker who performs services for a hirer is an employee. That case applies a 3-part test, known as the “ABC” test, to establish that a worker is an independent contractor.

Existing law provides for apprenticeship programs within the Division of Apprenticeship Standards within the Department of Industrial Relations, sponsored by specific entities and employers, and requires the Chief of the Division of Apprenticeship Standards to perform various functions with respect to apprenticeship programs and the welfare of apprentices.

This bill would exempt a small winery or small microbrewery, as defined, that utilizes volunteers who perform part-time labor in exchange for hands-on training, from having these volunteers classified as employees or apprentices.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: **Pending referral**

Senate Floor votes:

Assembly floor votes:

Legislative Item #9

Action

SB 449, as introduced, McGuire. Pest control: Pierce's disease.

Recommended action: SUPPORT
Presentation: Gene Wunderlich

Summary:

Many of you will remember when the Temecula Valley Wine Country was threatened by Pierce's Disease and the Glassy Wing Sharpshooter. Successful efforts to combat that threat locally and in vineyards statewide resulted in the establishment of the Pierce's Disease Control Program, Pierce's Disease Management Account and the Pierce's Disease and Glassy-winged Sharpshooter Board, all scheduled to expire, sunset or be repealed in March 2021. SB 449 would extend these through March 2026.

Description:

Existing law establishes the Pierce's Disease Control Program in the Department of Food and Agriculture, and the Pierce's Disease Management Account in the Food and Agriculture Fund. Existing law allows certain money in this account to be expended as specified to combat Pierce's disease and its vectors, including the glassy-winged sharpshooter, and for purposes relating to other designated pests and diseases, as provided. Existing law makes these provisions inoperative on March 1, 2021, and repeals them on January 1, 2022.

This bill would extend to March 1, 2026, the date on which the above provisions become inoperative, and would repeal those provisions on January 1, 2027. By extending the operative date for a partially continuously appropriated fund, this bill would make an appropriation.

Existing law creates in the department the Pierce's Disease and Glassy-winged Sharpshooter Board, which consists of specified members, and prescribes the functions and duties of the board with respect to implementation of the Pierce's disease program. Existing law provides for an annual assessment to be paid by grape processors, as defined, into the Food and Agriculture Fund for the purposes of, among other things, research and other activities related to the Pierce's disease program. Existing law authorizes the Secretary of Food and Agriculture, upon the recommendation of the board, to contract with any nonprofit authoritative scientific body with expertise in agricultural issues in order to expedite research relating to the eradication of Pierce's disease. Existing law repeals these provisions on March 1, 2021.

This bill would extend the repeal date of these provisions to March 1, 2026, and would make related conforming changes. Because assessments collected pursuant to these provisions are deposited into the Food and Agriculture Fund, a continuously appropriated fund, by extending the date until which the assessments are collected, the bill would make an appropriation. The bill would also prohibit the amounts paid to the University of California in an above-described research contract from exceeding the university's actual cost of research.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Senate: Committee on Agriculture

Senate Floor votes:

Assembly floor votes:

[SB 522, as introduced, Hertzberg. Taxation.](#)

Recommended action: OPPOSE

Presentation: Gene Wunderlich

Summary:

Senator Hertzberg's perennial bill to 'balance' the state's revenue mechanism by expanding the sales and use tax to include services. As yet there are few specifics and, if previous bills serve as any indication, specifics may not develop, at least until the bill progresses some. SB 522 is the same as last year's SB 993, 2017's SB 1445 and 2016's SB 8, all OPPOSED by the SWCLC.

Description:

Existing law imposes various taxes, including sales and use taxes and income taxes.

This bill would make legislative findings regarding the need for further efforts to modernize and restructure the state's tax system and would state the intent of the Legislature to enact legislation that would accomplish specified purposes, including realigning the state's outdated tax code with the realities of California's 21st century economy.

This bill would declare that it is to take effect immediately as an urgency statute.

According to the author:

(a) California's tax collections in recent years have been heavily dependent on the income of its top earners. During the 2008 Recession, a 3.6-percent decline in California's economy resulted in a 23-percent plunge in General Fund revenues. To begin to address this, California enacted new constitutional requirements for a rainy day fund and required new levels of budget reserves to be maintained. Further efforts to modernize and restructure the state's tax system are still needed.

(b) An underlying problem is that, while California's economy has evolved, its tax system has failed to keep up with the times. Over the past 60 years, California has moved from an agriculture- and manufacturing-based economy to a service-based economy. As a result, state tax revenues have become less reliant on revenues derived from sales and use taxes on goods and more reliant on revenues derived from personal income taxes. In 1950, sales and use taxes comprised of 61 percent of state General Fund revenues; today, it accounts for about 30 percent. Personal income taxes accounted for 12 percent of the General Fund in 1950; today, it accounts for almost 70 percent.

(c) The service industry is accounting for the largest sector of economic growth and output with 82 percent of the state's private gross domestic product in 2017.

(d) It is the intent of Legislature to enact legislation that would accomplish all of the following:

- (1) Realign the state's outdated tax code with the realities of California's 21st century economy.
- (2) Create steady revenue growth by aligning taxes with economic growth.
- (3) Reduce state budget volatility.
- (4) Maintain California's progressivity in the tax code.
- (5) Ensure that out-of-state corporations that do business in California contribute their fair share to California's economy.

(6) Enact a service tax that would offset a portion of the significant financial benefits provided to businesses under the new federal income tax laws, but allow businesses to deduct from their federal taxes the state sales and use tax imposed on the services they use and, therefore, most businesses would still pay lower taxes than before the federal tax law changes.

(7) Make changes that would more fairly apportion taxes between goods and services and would produce more stable revenues.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

None on file

Status: Active – Assembly: Pending referral

Senate Floor votes:

Assembly floor votes:

Legislative Item #11	Action
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[SB 210, as introduced, Leyva. Heavy-Duty Vehicle Inspections and Maintenance Program.](#)

Recommended action: OPPOSE

Presentation: Gene Wunderlich

Summary:

Increases Transportation Costs. Proposes to create a "smog check" program for heavy duty diesel vehicles, which has the potential to substantially increase the costs of transportation and goods in and from California. Gives the California Air Resources Board unfettered authority to impose uncapped fees on transportation companies and truck owners to support the inspection program.

The ARB gets to develop and implement a new smog check program for trucks. They get to collect fees and penalties based on the program they develop. And they get to keep all that fee and penalty money themselves to fund the program. Nope. Not seeing the potential for problems there.

Description:

Existing law requires the State Air Resources Board, in consultation with the Bureau of Automotive Repair and a specified review committee, to adopt regulations requiring owners or operators of heavy-duty diesel motor vehicles to perform regular inspections of their vehicles for excessive emissions of smoke. Existing law requires the state board, in consultation with the State Energy Resources Conservation and Development Commission, to adopt regulations requiring heavy-duty diesel motor vehicles to use emission control equipment and alternative fuels.

This bill would authorize the state board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty onroad motor vehicles, as specified. The bill would authorize the state board to assess a fee and penalties as part of the program. The bill would create the Truck Emission Check (TEC) Fund, with all the moneys deposited in the fund to be available upon appropriation.

Existing law generally requires the registration of vehicles by the Department of Motor Vehicles. Under existing law, a violation of the Vehicle Code is an infraction, unless otherwise specified.

This bill, no later than one year after the effective date of a regulation implementing the Heavy-Duty Vehicle Inspection and Maintenance Program, would require the department to confirm that a heavy-duty vehicle, as specified, is compliant with, or exempt from, the program prior to the initial registration, the transfer of ownership, or the renewal of registration, except as specified. The bill would require the state board to notify the department of the vehicles allowed to be registered pursuant to these provisions.

This bill would authorize the department to issue a temporary permit, valid for a specified period and subject to certain conditions, to operate a vehicle for which registration may be refused pursuant to the above-described provisions, as specified. The bill would require the payment of a \$50 fee for the temporary permit, to be deposited in the Truck Emission Check (TEC) Fund.

This bill, commencing one year after the effective date of a regulation implementing the Heavy-Duty Vehicle Inspection and Maintenance Program, would require a legal owner or registered owner of the heavy-duty vehicle to maintain a certificate of compliance with the vehicle, with exceptions, and would make a violation of this provision subject to a notice issued by an officer to correct the violation, as specified. The bill would require the driver of the vehicle to present the certificate of compliance for examination upon demand by a peace officer.

This bill would prohibit the operation of a heavy-duty vehicle on a public road in this state if that vehicle has an illuminated malfunction indicator light displaying a specified engine symbol, and would make a violation of this provision subject to a notice issued by an officer to correct the violation on the basis of its designation as a mechanical violation.

This bill would prohibit the operation of a heavy-duty vehicle in a manner resulting in the escape of visible smoke, except during active regeneration.

Arguments in opposition:

According to the CalChamber, SB 210 will significantly increase costs by authorizing a wholly new inspection and regulatory program at the California Air Resources Board (CARB) to require inspection of heavy-duty vehicles and allowing unlimited fee authority.

According to the California Department of Transportation, over 78% of all California communities rely exclusively on trucks to move their goods. The federal Bureau of Labor Statistics estimates that the heavy-duty and tractor-trailer industry employs approximately 138,000 truck drivers, NOT including self-employed drivers. Several of the 10 highest regions for employment are located in California, including:

- 34,800 jobs in the LA/Long Beach/Glendale metropolitan region
- 25,290 jobs in the Riverside/San Bernardino/Ontario region
- 2,560 jobs in the San Francisco/Redwood City/South San Francisco metropolitan region
- 1,540 jobs in Santa Rosa.

In creating the Truck Emission Check Program, **SB 210** has the potential to be cost prohibitive for new drivers entering the market, and may require reductions in fleets for existing businesses that keep California's economy robust and keeps California goods flowing across our state.

Support: (Verified 3/18/19)

None on file

Opposition: (Verified 3/18/19)

CalChamber

Status: Active – Senate: Environmental Quality and Transportation

Senate Floor votes:

Assembly floor votes:



2019 Meeting Schedule

~~1/28 Open~~

~~2/25 Open~~

3/18 Open

4/15 Open

5/20 Open

6/17 Open

7/22 Open

8/19 Open

9/16 Open

10/28 Open

11/18 Closed

12/16 Dark