

PRIORITY FOCUS



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LEAGUE BOARD SUPPORTS *HOMEOWNERS PROTECTION ACT* INITIATIVE Board Strongly Opposes Deceptive 'Son of Prop. 90' Initiative

On Wednesday, Sept. 26, the League board of directors met and unanimously supported gathering signatures for the ***Homeowners and Private Property Protection Act (Homeowners Protection Act)*** and strongly opposed the deceptive "California Property Owners and Farmland Protection Act" (CPOFPA) initiative, also known as "Son of Prop. 90," which would effectively abolish local zoning in California. *For more, see Page 2.*



KEEPING UP: FORMER LEAGUE DIRECTOR RICHARD 'BUD' CARPENTER PASSES AWAY



Richard "Bud" Carpenter, former League of California Cities executive director, passed away on Monday, Oct. 1. He was 94.

Bud began his long career in public service in 1939 when he joined the San Francisco city attorney's office. Later that same year, Bud was hired by the League as assistant legal counsel. He served the League in various capacities over a 51-year period, retiring three separate times from the organization. *For more, see Page 3.*



OES ISSUES CALGRIP FUNDING UPDATE

The Governor's Office of Emergency Services (OES) will be seeking a request-for-application (RFA) and three requests-for-proposals (RFPs) for funding through the Gang Reduction, Intervention and Prevention (GRIP) Program later this month. Eligible cities are encouraged to apply. *For more, see Page 5.*

During the 2006 "No on Prop. 90" campaign, the League made a serious commitment to support meaningful eminent domain reform. This year, the League joined a broad coalition in supporting ACA 8, authored by Assembly Member Hector De La Torre, who worked tirelessly to pass this measure to provide broad eminent domain protections to California property owners.

The League board of directors was deeply disappointed at the Legislature's inaction on the measure, but concluded it meant that the League would have to work with its Coalition partners to get the job done directly by going to the voters with a serious eminent domain reform measure.

Coalition Moves Forward to Qualify Homeowners Protection Act

Aware of the risk of legislative inaction, in May, the League board joined the League of California Homeowners and California League of Conservation Voters in co-sponsoring the **Homeowners Protection Act**, an initiative to amend the constitution to prohibit government from using eminent domain to take an owner-occupied home to transfer to another private person or business.

It is an honest and understandable measure that recent polling confirms will be supported by the vast majority of voters. The coalition is now gathering the signatures needed to qualify it for the June 2008 ballot. To view the initiative, visit www.ag.ca.gov/initiatives, click on "Active Measures," and search for "07-0018."

Deceptive Competing Initiative to End Zoning Also Headed to Ballot

Prop. 90 was defeated last year in part because its sponsors tried to deceive voters by hiding damaging provisions under the eminent domain reform banner. They are doing it again. "Son of Prop. 90" is now in circulation, disingenuously called the "California Property Owners and Farmland Protection Act" (CPOFPA).

Its proponents (funded largely by big apartment and mobile home park owners) want voters to think it is just about eminent domain reform, but that is a smokescreen. CPOFPA contains hidden provisions that would:

- **Prohibit or require compensation for local zoning** and other land use decisions
- **Prohibit** local rent control and affordable housing laws that protect seniors, veterans and others on fixed incomes, and
- **Prohibit** our state and local water agencies from using eminent domain to acquire land for new water storage and delivery systems (visit the Association of California Water Agency Web site at www.acwa.com/mediazone for a copy of their news release).

Moreover, unlike Prop. 90, CPOFPA has **no exception for actions taken by government to protect the public health or safety**, putting communities at significant risk. In short, it would be just as big or a bigger disaster for taxpayers than Prop. 90 would have been. To view the initiative, visit www.ag.ca.gov/initiatives, click on "Active Measures," and search for "07-0015."

Coalition Strategy—Give the Voters A Choice between Real and Phony Reform

With CPOFPA likely headed to the June 2008 ballot, the League board of directors believes the League can't risk legislative inaction again. The **Homeowners Protection Act** initiative is serious and meaningful reform that polling suggests will receive widespread voter support — without all the hidden agendas contained in CPOFPA.

The Coalition's polling also strongly suggests that voters do not support the provisions in CPOFPA that would eliminate rent control, prevent future water projects, and stand in the way of responsible land use planning. Finally, the **Homeowners Protection Act** contains a preemption provision in the unlikely event both measures pass that will ensure it prevails over CPOFPA.

What Cities and City Officials Can Do

Voter approval of the **Homeowners Protection Act** is essential to defeating the fraudulent CPOFPA, but it will take the effort of many in order to do so. State law prohibits the use of city funds or property, including your time on the payroll, to help with the campaign. Your city council can adopt positions on ballot measures and communicate those positions to the community, but city funds and property cannot be used in ballot measure advocacy.

City elected and appointed officials can act in their private capacity, on their own time and with their own resources, to support and oppose ballot measures. The League has published guidelines for what city officials can do to assist in this regard which is available on request or from your Regional Public Affairs Manager.

Here is what you can do on your own time if you agree with the League board's positions on these measures:

- **Spread the Word.** Talk to your city's residents on your own time about this issue and urge them to help pass the **Homeowners Protection Act** and defeat the fraudulent CPOFPA. You can let them know you are taking the lead on eminent domain reform to protect their homes and in working to protect their neighborhoods from the devastation of CPOFPA.
- **Help Build Our Coalition.** Work with your League Regional Public Affairs Manager to reach out to local tenant, environmental, business, civic, labor and other groups to invite them to join our eminent domain coalition to defeat the anti-tenant, anti-water, anti-neighborhood CPOFPA and pass the honest eminent domain reform in **Homeowners Protection Act**.
- **Explain the Threat to Homeowners and Neighborhoods.** CPOFPA would effectively abolish zoning and other land use protections for homeowners and neighborhoods. Explain to residents that the next time a landowner wants to build a high-rise, a liquor store or other incompatible use next to their home, the city won't be able to stop it.
- **Gather Signatures and Raise Funds.** Help the coalition gather signatures and raise funds on your own personal time. You will receive information on this soon.

Use Your Own Time and Resources—Not the City's. Respect the limitations of state law and do not, under any circumstances, use city funds or property, including your time on the payroll, to help with the campaign. Elected officials have wide latitude in this regard. Respect the guidelines from the League. If you are in doubt, please check with your city attorney.

In the near future, the League will be sending a comprehensive analysis of both measures to each city. The League looks forward to assisting you in understanding these proposals and how they could affect your city and its residents.

'Bud Carpenter' Continued from Page 1...

In 1945, Bud became the League's general counsel and took on the title of executive director in 1954, while still serving as general counsel. When he stepped down from his dual position in 1973, new League Executive Director Don Benninghoven asked Bud to stay on as director of legislative affairs. Bud held the position until early 1976, when then Gov. Jerry Brown appointed him to the first Fair Political Practices Commission.

Bud returned to the League in the spring of 1977 to serve as director of employee relations. While director of employee relations, Bud served on the board of Public Services Skills, Inc. (PSS), and as part of his employee relations activities with the League, he served as the executive secretary of PSS.

On March 1, 1990, Bud retired from the League for a third and final time. His retirement and contributions were recognized by former Gov. Pat Brown at the League's 1991 annual conference in San Francisco.

Public Service Continued into Retirement

Following retirement, Bud continued his work in public service. Appointed by former Gov. Pete Wilson to the State Personnel Board, he served for 11 years. In 2001, Bud was recognized by the California State Senate for his extensive public service "exemplified by the highest level of integrity, dedication and professionalism."

Bud's Death Touches League Staff Deeply

Bud's passing is a very sad event for the League of California Cities. He was extremely well liked and respected. His son Christopher Carpenter told those gathered at his father's final retirement party "I hope you people realize how much Bud loved the League and how hard he worked for the cities."

Current League Executive Director Chris McKenzie commented not only on the professional, but the gentleman Bud was in all that he did.

"I didn't have the good fortune to work with Bud directly, but he has shown incredible kindness to me since I came to California in 1999," McKenzie said. "He was the consummate gentleman, advocate for cities, lawyer and human being. I will always remember his kind words of encouragement and support. The cities of California will always be in his debt, and I am deeply grateful for having known him."

League Deputy Executive Director Dwight Stenbakken echoed McKenzie's remarks.

"Bud was the kind of leader that made you want to roll up your sleeves and work for him," Stenbakken explained. "You didn't want to disappoint him. I am sure that Bud's expectations for you weren't nearly as high as the expectations you put on yourself, wanting to do the best job you could for him. That's the essence of leadership to me."

Born on March 13, 1913, in Portland, Ore., Bud largely grew up in San Francisco. He was a graduate of San Francisco's St. Ignatius High School and went on to receive both his undergraduate and law degrees from the University of San Francisco.

Surviving Family

Bud was preceded in death in August of this year by Jane, his wife of almost 68 years. He is survived by his three children, Christopher (Peggy) of Oakland, Mark (Elizabeth) of Petaluma, and Cory Cancila (Joseph) of Chicago, Ill.; his sister-in-law Bernyce Price; and 12 grandchildren, a great granddaughter, and many nieces, nephews, grand nieces and grand nephews.

Celebration of Bud's Life

Bud's life will be celebrated with a Memorial Mass on Saturday, Oct. 13, at 12:30 p.m. at St. Ignatius Catholic Church, with a reception to follow. St. Ignatius is located at 3235 Arden Way in Sacramento.

Memorial contributions may be made to:

St. Ignatius School Fund
3235 Arden Way
Sacramento, CA 95825

CARE
151 Ellis Street, NE
Atlanta, GA 30303

'CalGRIP' Continued from Page 1...

The funding opportunities are a part of Gov. Arnold Schwarzenegger's California Gang Reduction, Intervention and Prevention (CalGRIP) initiative. The program is designed to provide grants to cities and community-based organizations for gang prevention, intervention re-entry, education, job training and skills development, family and community services, and suppression activities.

Details on Funding

The RFA will non-competitively establish a grant with the city of Los Angeles, as specified by the State Budget.

The first RFP will competitively distribute \$963,900 to cities with heavy gang concentrations in the Bay Area, and will competitively distribute \$963,900 to cities with heavy gang concentrations in the Central Valley.

The second RFP will distribute a total of \$4,323,300 to cities throughout California to address gang problems in their communities. No grant shall exceed \$500,000 and at least two grants will be awarded to cities with populations of 200,000 or less.

Preference will be given in both of these RFP processes to applicants that incorporate regional approaches to anti-gang activities. Each city selected for funding through both the RFA and RFP processes must collaborate and coordinate with area jurisdictions and agencies, including the existing county juvenile justice coordination council, with the goal of reducing gang activity in the city and adjacent areas.

Each city grantee must establish a coordinating and advisory council to prioritize the use of the funds. Membership must include:

- City officials;
- Local law enforcement including the county sheriff, chief probation officer, and district attorney;
- Local educational agencies, including school districts and the county office of education; and
- Community-based organizations.

The third RFP will competitively distribute a total of \$2 million to Community-Based Organizations throughout California to test different approaches designed to reduce gang activities in communities and neighborhoods. No grant shall exceed \$200,000.

Application Availability – What Cities Can Do Now

The RFPs and the RFA will be made available electronically as soon as possible on the OES Web site at www.oes.ca.gov, and can be found under the links for Law Enforcement and Victim Services Division/RFP Funding Information. Applicants need not wait for the RFP and RFA in order to begin preparations for their proposals. There are several steps that applicants should take now.

1. Applicants can begin defining the target area to be addressed by the proposal.
2. Applicants can gather important data concerning the target area, such as the geographical description, the population and demographics, the crime rate, the number of gangs, statistics on gang related offenses, and any other data demonstrating the gang problem.

3. Applicants can identify other agencies to be included as partners in the project and lay the foundation for an operational agreement with those partners. This is particularly applicable to city applicants, which are required to collaborate and coordinate with area jurisdictions, and are required to form a coordinating and advisory council to prioritize the use of the funds.
4. Applicants can begin developing ideas for the proposal, and can initiate discussions with partners. Applicants should plan to prepare a proposal that:
 - Demonstrates the needs of the community in addressing the gang problem
 - Presents a plan to address those needs
 - Demonstrates the ability of the applicant to implement that plan
 - Provides support for the plan with the funds requested and applicable match reflected in a line-item budget
5. Applicants can begin reviewing OES grants procedures in the OES 2006 Recipient Handbook available through the OES Web site at www.oes.ca.gov, under the links for the Law Enforcement and Victim Services Division/Recipient Handbook.

An e-mail notification will be distributed announcing the availability of these RFPs and RFA once they have been posted to the OES Web site. The city of Los Angeles will be contacted separately concerning the RFA.

Questions regarding CalGRIP can be directed to Kirby Everhart, chief, Gangs and Crime Suppression Branch at (916) 327-3687, or via e-mail to kirby.everhart@oes.ca.gov.

If you have any questions concerning the availability of the RFP or RFA, or are interested in receiving the email notification, please send an e-mail to Catherine Perkins at catherine.perkins@oes.ca.gov or you can contact Catherine at (916) 324-6724.

Resources Agency Announces Environmental Enhancement and Mitigation Grant Program

California Secretary for Resources Mike Chrisman announced on Monday, Oct. 1, that applications are being accepted for the 2007/08 grant cycle of the Environmental Enhancement and Mitigation (EEM) Program.

The program offers grants to local, state, and federal governmental agencies and nonprofit organizations for projects to mitigate environmental impacts caused by new or modified state transportation facilities.

Grants will be given in three categories:

Highway Landscape and Urban Forestry - Projects designed to improve air quality through the planting of trees and other suitable plants

Resource Lands - Projects for the acquisition, restoration, or enhancement of watersheds, wildlife habitat, wetlands, forests, or other significant natural areas

Roadside Recreational - Projects for the acquisition and/or development of roadside recreational opportunities

EEM program application packets, which include minimum requirements, project evaluation criteria, typical questions and answers, and a sample California Department of Transportation (Caltrans) project agreement, are available by contacting EEM Program Coordinator Charles Chung at (916) 654-9923 or charles.chung@resources.ca.gov.

Applications for the 2007/08 grant cycle must be received by the Resources Agency no later than 4 p.m. Friday, Nov. 30.

The Resources Agency will submit a list of recommended projects to the California Transportation Commission (CTC) for funding consideration and for public notice at its Feb. 2008 meeting. CTC is expected to adopt the list of projects to be funded in March 2008.

Call for Entries – 2008 Excellence in Transportation Awards Program

The California Department of Transportation is seeking entries for its 2008 Excellence in Transportation Awards Program. Now in its 22nd year, the awards program honors the best of California's transportation projects from across the state.

The Excellence in Transportation Awards Program is open to California Department of Transportation (Caltrans) districts, local and public transportation agencies, and private engineering and consultant firms. Public transportation improvements or projects currently in use and completed since Jan. 1, 2005, are eligible. The deadline has been extended to Thursday, Dec. 6.

Please give consideration to the projects in your jurisdiction eligible to compete in this year's competition. Guidelines and all forms necessary to apply are available on the Department's Web site at www.dot.ca.gov/awards. For electronic or hard copies of guidelines and an application, please contact Caroline Moreno at (916) 653-8879.

League Legislative Briefings Scheduled for November

The League of California Cities is hosting two briefing sessions in November. Scheduled for Wednesday, Nov. 28, in Pasadena and Thursday, Nov. 29, in San Jose, these identical briefings will focus on bills of note to city officials that passed in the previous legislative session.

Tentative session topics will include:

- Implementation of the State Infrastructure Bond Package
- The fate of ACA 8 and pending initiatives—What's next on eminent domain and regulatory takings
- Climate Change: ARB Regulations, SB 375 (Steinberg), the attorney general's lawsuits, California Environmental Quality Act (CEQA) Guidelines: Are you ready for this kind of "green heat?"
- Growing Pains: Legislation affecting redevelopment, flood control, environmental issues, housing and land use
- Employee relations and workers compensation
- Sex offender management, gang abatement, and prison overcrowding: local implications

The cost of attendance is \$140, which includes a luncheon. Registration and further information is available at www.cacities.org/events.

Call for Education Session Ideas: 2008 Mayors & Council Members Academy, Executive Forum

Do you have a great idea for a session or speaker for the 2008 Mayors & Council Members Academy Executive Forum in Squaw Valley next year? If so, we want to know about it!

The League's 2008 Mayors and Council Members Executive Forum Planning Committee will be considering session ideas for any topic area. To submit your ideas, a fully-completed proposal form packet is due on or before noon on Monday, Oct. 15.

This packet is available at www.cacities.org/events. Any individual, group, business or organization may submit a proposal suggestion.

Who are the thought leaders that understand municipal government and the issues our cities face on a daily basis? What are the vital issues our membership must learn to succeed beyond 2008? This is an exciting opportunity to share your ideas, knowledge and expertise with local government staff, elected officials and decision makers.

The 2008 Mayors & Council Members Academy Executive Forum will be held at the Squaw Creek Resort in Squaw Valley on June 4-6, 2008.

Find a Bill, Legislators, Leg Committee, or Ask League Leg Staff

Visit (and bookmark!) the League's [Legislative Resources](http://www.cacities.org/legresources) Web page (www.cacities.org/legresources). You'll find a roster and contact information for the League's legislative staff; the online Bill Search program, background materials on lobbying your legislators, and more.
