

PRIORITY FOCUS



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SB 303 UPDATE: BILL DOUBLE-REFERRED, WILL BE HEARD ON JULY 3

SB 303 (Ducheny), a bill that would change the housing element process to give more certainty to developers at the expense of local discretion, is set to be heard in the Assembly Committee on Local Government on Tuesday, July 3, at 9 a.m. The League-opposed bill was double-referred and will also be heard in the Assembly Committee on Housing and Community Development at a later date. *For more, see Page 2.*

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STORM WATER FEE CONSTITUTIONAL AMENDMENT PASSES OUT OF SENATE LOCAL GOVERNMENT COMMITTEE

On Wednesday, June 27, Senate Constitutional Amendment (SCA) 12 passed out of the Senate Local Government Committee. If signed into law, this League-supported measure would allow fees for storm water and urban runoff management to work in the same way as fees for garbage collection, sewer treatment, and water. *For more, see Page 2.*

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LOCAL GOVERNMENTS ENCOURAGED TO PARTICIPATE IN 'COMMUNITIES FOR HEALTHY KIDS'

Communities for Healthy Kids (CHK), a new three-year effort to develop innovative strategies for cities and counties to identify and enroll kids who are eligible for no and low-cost health insurance, is inviting cities and counties to take part in its efforts. *For more, see Page 3.*

Why the League Opposes SB 303

SB 303 assumes there is something broken in the planning process at a time when local agency compliance with housing laws are at an all time high—88 percent of Californians live in a community determined by the California Department of Housing and Community Development (HCD) to be “in compliance” with the state housing element law. Nevertheless, SB 303 seeks to require local agencies to zone for their entire Regional Housing Needs Assessment (RHNA) during their first year of the planning period.

This “up front” zoning requirement does not make sense, particularly for infill development and built-out cities where it is difficult to know which parcels may become available during the planning period. As a result, SB 303 is a recipe for sprawl because it is easier to do this kind of advance planning on vacant land and greenfields than it is in urban infill areas. In addition, the bill doesn't take into account other planning issues such as air quality or climate change.

Most ironic, perhaps, is that SB 303 does not actually guarantee that more housing gets built. As the current “down” housing market demonstrates, just because a local agency plans for housing to get built does not mean that an application is actually submitted. Several other market factors, such as interest rates and the economy, have a more significant effect on the market.

A recent amendment of SB 303 attempted to address another criticism of the bill - that it lacks a sufficient plan to pay for the mandate. The amendment taps Proposition 84 planning money for a revolving fund to offset local planning costs. The idea is that the fund would front the money to local government for the zoning costs. Local governments would pay back the fund by imposing fees on developers.

There are at least three problems with this approach, however. First, the voters intended that more be done with the Prop. 84 funds than housing element compliance. Second, because in most cases what actually gets built falls short of what is planned for, the amount collected will always fall short of what it cost to do the planning. Finally, other legislative vehicles—such as AB 1253 (Caballero) and SB 732 (Steinberg)—have made different designations for the Prop. 84 funds.

Take Action!

Cities are encouraged to write Sen. Ducheny opposing this measure, with a "cc" to your Assembly Member, and League Legislative Representative Bill Higgins. A sample letter is available by looking up SB 303 using the League of California Cities Web site's bill search program, located at www.cacities.org/billsearch.

Authored by Sen. Tom Torlakson, SCA 12 was introduced on May 21. The amendment would be helpful for cities, as over the years, cities have grappled with how to fund storm water programs in order to meet the requirements of new National Pollutant Discharge Elimination System (NPDES) permits issued by regional water quality control boards.

Some cities are faced with using scarce general fund money to support these important water quality programs in light of the restrictions placed upon them by Proposition 218. Existing law, established by approval of the voters of Proposition 218, requires local voter approval of certain property related fees. Proposition 218 exempts certain types of fees, such as those for water, sewer and garbage, from the voter approval requirement of Proposition 218.

The League co-sponsored a similar measure in 2002 (ACA 10 [Harman]) and has recently sent a letter of support on SCA 12. To view the League's letter of support, look up SCA 12 at www.cacities.org/billsearch.

What's Next

SCA 12's next stop is a hearing in the Senate Elections, Reapportionment & Constitutional Amendments Committee. At press time, no date was set for the hearing. For more information on SCA 12, contact League Legislative Representative Kyra Ross at kross@cacities.org.

'CHK' Continued from Page 1...

By participating in CHK, cities will be able to be part of something very special – helping to improve the health of the children in their community. The city would not become a health care provider, but instead would use the network of community connections city officials have to link residents with available, affordable health care for children.

Three Levels of Participation

CHK offers three levels of participation to meet different levels of interest and need. CHK will help provide connections to local health insurance providers, including county-based programs.

- **Level 1:** An effort in at least six to 10 communities involving intensive program development and implementation activities. CHK staff will provide program design and implementation assistance. Priority will be given to areas with high concentrations of eligible children, although applications for potentially successful projects with pockets of eligible children are also welcome.
- **Level 2:** A less intensive approach that provides interested cities and counties that are eager to get started sooner with initial organizational and technical assistance.
- **Level 3:** CHK's web-based resource materials are available to any city or county, along with some coaching and assistance from CHK staff.

The Importance of Health Care for Children

Few things are more important to families than the health care of their children. Here are a few reasons why:

- Kids with health insurance are more likely to get the care they need to be healthy and become productive members of the community.
- Healthy kids do better in school – and when they are in school, they are less likely to get into trouble.
- Investment in children's health insurance saves taxpayers money, since kids get preventative health care like vaccinations and check ups, and avoid much more costly emergency or hospital care. Why wait until a child is so sick that he or she needs to go to the emergency room? Why risk having sick, uninsured kids spreading illness to their classmates, teachers or others in the community?
- Helping children get health insurance is a great way to build trust with your residents. Participating in CHK can build bridges with your residents and can underscore that you care about your residents and their children. And it can create a positive image for your local agency.

Further Information

For more information on CHK and the ways your city can get involved (including sample outreach strategies), visit www.ca-ilg.org/chk. Questions can be directed to CHK Program Director Yvonne

Hunter at (916) 658-8242 or yhunter@ca-ilg.org, or CHK Program Coordinator Jennifer Lewis, at (916) 658-8226 or jlewis@ca-ilg.org. CHK is a program of the Institute for Local Government, the non-profit research arm of the League of California Cities and the California State Association of Counties.

SSO Waste Discharge Requirement Collection System Training Coming Up

The State Water Resources Control Board and the California Water Environment Association (CWEA) have scheduled three upcoming training sessions in July. The training is about the general waste discharge requirements for publicly-owned sanitary sewer collection systems that were adopted in 2006.

The three training sessions currently scheduled are:

- Thursday, July 12, Sunnyvale
- Tuesday, July 19, Oakland
- Thursday, July 19, Sacramento

City officials with responsibilities in this area can learn more about the sessions and the requirements at www.cwea.org/ssso. The training will assist attendees with how to develop a Sewer System Management Plan, the 12 components needed in such a plan, and the compliance schedule that is required for the components.

Registration for the training sessions is available online at www.cwea.org.

The requirements will be phased in based on population on the following dates:

- Aug. 2, 2007 - Population of more than 100,000
- Nov. 2, 2007 - Population 10,000 - 100,000
- Feb. 2, 2008 - Population 2,500 - 10,000
- May 2, 2008 - Population of less than 2,500

The League of California Cities and the California Association of Sanitation Agencies are working closely with CWEA on this issue and will provide more information about future training sessions as it becomes available.

Public Employee Post-Employment Benefits Commission Meeting in July

The next meeting of the Public Employee Post-Employment Benefits Commission will take place on Thursday, July 12, from 10 a.m. to 4 p.m. at the California Teachers Association State Headquarters in Burlingame. City officials interested in following the commission's work on post-employment benefits are encouraged to attend.

The commission was established by Gov. Arnold Schwarzenegger's signing of Executive Order S-25-06. Its goal is to propose ways to address unfunded post-employment benefits. By Jan. 1, 2008, the commission must send a report to the Governor and Legislature that will:

- Identify the full amount of post-employment health care and dental benefits for which California governments are liable and which remain unfunded.
- Evaluate and compare various approaches for addressing governments' unfunded retirement health care and pension obligations.
- Propose a plan to address governments' unfunded retirement health care and pension obligations.

The commission includes 12 members. Six, including the chairperson, were appointed by the Governor, three were appointed by the Speaker of the Assembly Fabian Núñez, and three were

appointed by the Senate President Pro Tem Don Perata. A full listing of the commissioners is located at www.pebc.ca.gov/commissioners.html

Annual Conference Resolutions Introduction Deadline Approaching

The deadline to introduce a League of California Cities Annual Conference Resolution is quickly drawing near. The deadline is Friday, July 6, at 5 p.m. for submittals by mail and Saturday, July 7 at midnight for submittals by e-mail or fax.

Policy development is a key part of the League's legislative effectiveness and the League's Annual Conference Resolutions process is one way that city officials can directly participate in the development of League policy. Any elected or appointed city official, individual city, division, department, policy committee, or the board of directors may submit a resolution for consideration at the conference.

Resolutions submitted by the deadline will be distributed to cities in mid-to-late July and considered at the Annual Conference. More information about the resolutions process, including key deadlines and an explanation of the review process at the Annual Conference is available on the League Web site at www.cacities.org/resolutions.

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.
