

FOCUS

Analysis, Commentary and Updates on Legislative and Policy Issues that Affect California Cities

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Issue #38-2006

PROP. 90 UPDATE: NEW STUDY FINDS PROPOSITION 90 WOULD COST TAXPAYERS 'BILLIONS' ANNUALLY

Opposition to Proposition 90, the "taxpayer trap" measure on the November ballot, continued to pick up steam this week. A new independent study released September 27 by a team of economists at LECG Consulting, led by former legislative analyst Dr. William Hamm, has concluded that "the costs imposed on the taxpayers by Proposition 90 would amount to billions of dollars annually." *For more, see Page 15.*

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LEGISLATIVE UPDATE: ALL EYES ON THE GOVERNOR

The League is closely monitoring the status of a number of bills that have been sent to Gov. Schwarzenegger for consideration (signature or veto). Below is an update on the Governor's actions on League priority bills.

For more, see Page 13.

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CALTRANS TO HOST 2006 CALIFORNIA RESPONSE & RECOVERY CONFERENCES

The California Department of Transportation (Caltrans) is hosting two workshops – one in Diamond Bar on October 11-12, and one in Rancho Cordova on October 16-17, covering the essentials of emergency response and recovery.

For more, see Page 17.

WANT MORE DETAILS ON BILLS?

Visit the League of California Cities website at www.cacities.org/billsearch.

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SRTS FUNDING AVAILABLE FOR INFRASTRUCTURE AND EDUCATION PROJECTS

More than \$68 million is expected to be available for infrastructure (capital) or non-infrastructure (education and encouragement) projects in California over the next five years through the federal Safe Routes to School (SRTS) program. California state, local, and regional agencies; school districts; and non-profit organizations with these projects are eligible and cities are encouraged to apply for the funding.

The SRTS program is authorized in Section 1404 in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA-LU authorizes the federal surface transportation programs for highways, highway safety, and transit for the five-year period 2005-2009.

The SRTS program provides \$612 million nationwide to (1) "enable and encourage children, including those with disabilities, to walk and bicycle to school; (2) make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and (3) facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools."

Of the \$68 million expected for California, 70 percent of the funds will go toward infrastructure projects; 10 percent will go to a single statewide consultant to develop standardized training, promotional materials, and other resources to the schools statewide, and the remaining 20 percent will go toward non-infrastructure projects.

For more information and to apply, visit www.dot.ca.gov/hg/LocalPrograms and select "Program Information." You can also contact SRTS Coordinator Joyce Parks at (916) 653-6920 or joyce_parks@dot.ca.gov.

Thanks to the Cities, Counties & Schools (CCS) Partnership for providing the information in this story.

SCHELL RECEIVES 2006 AWARD FOR EXCELLENCE IN ECONOMIC DEVELOPMENT

Wayne Schell, president and chief executive officer of the California Association of Local Economic Development (CALED), was honored with the 2006 Chairman's Award for Excellence in Economic Development by the International Economic Development Council (IEDC).

The award was presented at IEDC's annual conference in New York City on September 17-20. Schell, unaware he was being honored, was recognized for his dedication to the furtherance of economic growth throughout his 37-year career.

"The 2006 Chairman's Award for Excellence in Economic Development honors an individual who has consistently exemplified the highest standards of professional excellence throughout his or her career in the economic development field," said IEDC Chairman Joseph A. Marinucci. "There is no more prestigious honor in our industry, and Mr. Schell is undeniably deserving of this acknowledgement."

Schell has been president and CEO of CALED since 1990. Prior to that, he spent more than 10 years as director of the California State Office of Local Economic Development, and in 1983 he served as interim director of the State Department of Economic and Business Development. He was also Director of the Economic Development Division in the Department of Housing and Community Development and special consultant to the Department of Commerce.

Additionally, he held the roles of assistant executive officer of the Governor's Office on Intergovernmental Management, and special assistant to the Governors Assistant for Local Government. A dedicated practitioner, Mr. Schell was a founder and past board member of the California Association for Local Economic Development, and a past member of the Board of Directors of CUED and the National Association of State Development Agencies.

ASSEMBLY LEGISLATIVE CHANGES ANNOUNCED

With the 2005-06 legislative session coming to a close (officially concludes on November 30), Assembly Speaker Fabian Núñez is moving quickly to put his 2007-08 leadership teams in place.

Speaker Núñez has named the following legislators to his Assembly Democratic Leadership Team:

- **Speaker pro Tem** – Assemblymember Sally Lieber (Mountain View)
- **Majority Floor Leader** – Assemblymember Karen Bass (Los Angeles)
- **Democratic Caucus Chair** – Assemblymember Noreen Evans (Santa Rosa)
- **Director of Majority Affairs** – Assemblymember Alberto Torrico (Newark)

Additionally, Speaker Núñez has announced the following appointments to committee chairs, effective immediately. Some chairs are reappointments, others are new appointments. New chairs are denoted by an asterisk (*).

- **Aging and Long-Term Care** – Assemblymember Patty Berg (Eureka)*
- **Agriculture** – Assemblymember Nicole Parra (Hanford)*
- **Appropriations** – Assemblymember Mark Leno (San Francisco)*
- **Arts, Entertainment, Sports, Tourism and Internet Media** – Assemblymember Betty Karnette (Long Beach)*
- **Banking and Finance** – Assemblymember Ted Lieu (Torrance)*
- **Budget** – Assemblymember John Laird (Santa Cruz)
 - **Subcommittee No. 1 on Health and Human Services** – Assemblymember Patty Berg (Eureka)*
 - **Subcommittee No. 3 on Resources** – Assemblymember Ira Ruskin (Redwood City)*

- **Subcommittee No. 4 on State Administration** – Assemblymember Juan Arambula (Fresno)*
- **Education** – Assemblymember Gene Mullin (San Francisco)*
- **Governmental Organization** – Assemblymember Alberto Torrico (Newark)*
- **Health** – Assemblymember Mervyn Dymally (Compton)*
- **Housing and Community Development** – Assemblymember Lori Saldana (San Diego)*
- **Insurance** – Assemblymember Joe Coto (San Jose)*
- **Jobs, Economic Development and the Economy** – Assemblymember Juan Arambula (Fresno)
- **Judiciary** – Assemblymember Dave Jones (Sacramento)
- **Natural Resources** – Assemblymember Loni Hancock (Berkeley)
- **Rules** – Assemblymember Hector De La Torre (South Gate)*
- **Transportation** – Assemblymember Pedro Nava (Santa Barbara)*
- **Utilities and Commerce** – Assemblymember Lloyd Levine (Van Nuys)
- **Water, Parks and Wildlife** – Assemblymember Lois Wolk (Davis)

Chairs for committees not listed will be announced at a later date. These include: Budget Subcommittees on Education Finance (2) and Information Technology/Transportation (5); Business and Professions; Elections and Redistricting; Environmental Safety and Toxic Materials; Higher Education; Human Services; Labor and Employment; Local Government; Public Employees, Retirement and Social Security; Public Safety; Revenue and Taxation; Veterans Affairs.

Senate Changes Still to Come. Sen. Perata has thus far made only one announcement, appointing Sen. Christine Kehoe (San Diego) to chair the Senate Energy, Utilities and Communications Committee.

2006 HELEN PUTNAM AWARD WINNERS

The 2006 Helen Putnam Award of Excellence winners were announced at the League of California Cities' 108th annual conference in San Diego earlier this month. Below is a summary of those cities that were honored:

Community Services and Economic Development

Livermore GRAND PRIZE

Program Title: Childrens Health Access Partnership (CHAP)

CHAP was created to develop and implement innovative programs in Livermore schools and throughout the community that help low-income and immigrant families to meet the challenges of access to medical care and to help children overcome the barriers to being successful in school.

Contact: Jean Prasher, Human Services Coordinator
Phone: (925) 960-4586

Long Beach

Program Title: Miller Family Health Education Center

The City of Long Beach Department of Health and Human Services established the Miller Family Health Education Center in 2004 with the mission to "provide a vital learning environment dedicated to promoting a healthy city through health education, leadership development, and collaboration with our diverse community."

Contact: Ronald Arias, Director, Dept. Health and Human Services
Phone: (562) 570-4014

Porterville

Program Title: Orange Avenue Area Revitalization

The city began evaluating options to eradicate the problems created by outdated infrastructure, dilapidated housing and a lack of public facilities. Forging partnerships with the Porterville Unified School District and affordable housing developers, and pulling together funding from 13 different local, state, federal and private sources, the area realized a new elementary school, community center, reconstruction of Orange Avenue, completion of a once-failed subdivision, and new affordable housing choices.

Contact: Linda Wammack, Development Associate
Phone: (559) 782-7460

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Effective Advocacy, Intergovernmental Relations and Regional Cooperation

NOTE: Grand Prize not awarded in this category

Eureka

Program Title: Eureka Fire Department Mobile Live-Fire Simulation Program

Inspired by the need to adequately prepare its new workforce and assist in the same development of the region's first responders, Eureka's Fire Department obtained funding to develop a regional "Live-Fire" training program. Using a regionalized, multi-agency approach, the program delivers critical live-fire training to more than 500 firefighters in the region, and at the same time develops future fire service trainers.

Contact: Lisa Pulver, Fire Services Officer, Eureka Fire Dept.
Phone: (707) 441-4000

Glendale, Beverly Hills, Burbank, Culver City, Pomona, and Montebello

Program Title: Interagency Communications Interoperability System (ICIS)

ICIS JPA is a group of cities that collaborated to build, manage and maintain a communications infrastructure system. Service is currently provided to over 2,000 radios, with reception covering more than one-third of the Los Angeles region. At system completion in 2006, 7,000 radios will be operational, providing enhanced security to 1.5 million residents.

Contact: Don Wright, Battalion Chief, Interim Ex. Director
Phone: (818) 548-6415

Westminster

Program Title: Westminster Transitions Public Property Into Innovative Multi-Government Center

With the addition of the multi-cultural performing arts center and community college campus this year, Westminster's Civic Center serves as the center of this municipality's urban reality. The Civic Center models successful partnerships between various levels of government. A PayParking System improves services to City Hall patrons, while not eliminating the parking needs of the other agency's clientele.

Contact: Tami Piscotty, Asst. to the City Manager
Phone: (714) 898-3311

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Enhancing Public Trust, Ethics and Community Involvement

Carlsbad GRAND PRIZE

Program Title: Teaching Respect, Unity, and Sportsmanship through Teamwork (TRUST)

The TRUST program provides quality activities that are safe, fair and enriching for participants, spectators and administrators. Based on a Code of Conduct and formalized training program for recreation staff, coaches, parents and participants, and enjoying strong city council and city management support, TRUST broadened a national sports model in scope and scale, extending the spirit of sportsmanship to all recreation activities and participants.

Contact: Sue Spickard, Recreation Services Manager
Phone: (760) 602-46751

Los Gatos

Program Title: Community Unity

Facilitated by the town, the community responded to the 2005 State of Town address by attending Community Unity meetings to identify and organize a variety of projects, and by joining forces to undertake over 50 projects. Volunteer groups and individuals continue to maintain and improve their community, build community partnerships, foster civic pride, and "unite Los Gatans under a banner of service."

Contact: Susan Buxton, Volunteer Services Coordinator
Phone: (408) 354-6824

Santa Clarita

Program Title: Santa Clarita's Youth Grove

Santa Clarita's Youth Grove is a memorial that represents each young life lost in traffic accidents. It provides a peaceful, yet powerful place to remember and teach teens and others that in Santa Clarita there will be no more teen deaths as a result of reckless driving. The memorial was envisioned, paid for, and built by youth, parents, city and businesses of Santa Clarita.

Contact: Gail Ortiz, Public Information Officer
Phone: (661) 255-4314

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Housing Programs and Innovations

Eureka

Program Title: Eureka Multiple Assistance Center

A new and innovative program which offers housing, training, health care and supportive services in one facility, the Multiple Assistance Center combines on-site specialized care with on-site transitional housing and multiple-step programs. The project has successfully transitioned program participants toward stable employment, permanent housing and self-sufficiency.

Contact: Gary Bird, Special Projects Manager
Phone: (707) 441-4165

Signal Hill GRAND PRIZE

Program Title: Las Brisas Revitalization

A revitalized complex was created that includes not only rehabilitated residential units, but a community park with after-school programs, an on-site police substation, and a large community center with child care, a computer lab, adult education and other community services. Las Brisas is now an integrated neighborhood where residents feel safe and receive services they need to improve their lives and practice the skills to become self-supporting and productive.

Contact: Debbie Rich, Deputy City Manager
Phone: (562) 989-7375

Internal Administration

Livermore GRAND PRIZE

Program Title: Street-Level Imagery

The city of Livermore implemented a browser-based software application which links multiple photo images captured from vehicle-mounted cameras with digital map files from the city's GIS system. The resulting product allows the user to virtually "drive" the city streets from any computer on the city's network. In many cases, this application can be used in lieu of actual field visits, resulting in a savings in staff time, vehicle wear, fuel consumption and emissions.

Contact: Melinda Sunnarborg, GIS Specialist
Phone: (925) 960-4535

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Santa Clarita

Program Title: The City of Santa Clarita Mentoring Program

Local government management is in the midst of a quiet crisis. Today's managers are nearing retirement, and fewer young professionals are in line and prepared to fill their shoes. (ICMA). In an effort to proactively address this emerging predicament and to prepare the next generation of public service employees, the city pioneered a mentoring program to develop future leaders from within the organization, strengthen the mentoring skills

Contact: Gail Ortiz, Public Information Officer
Phone: (661) 255-4314

League Partners Award for Excellence in City Government

NOTE: Grand Prize not awarded in this category

Fairfield

Program Title: Community Heros/Fun on the Run

In order to overcome budget cutbacks and deliver critical services to the residents who need them most, the City of Fairfield Community Services Dept. created its Community Heroes Program. This program fostered the development of partnerships with local businesses and community organizations. This resulted in 51 community partners donating over \$100,000 so the department could deliver services to the most underserved neighborhoods and residents in town. One of the new services created was the award-winning mobile recreation program known as Fun on the Run.

Contact: John De Lorenzo, Community Services Director
Phone: (707) 428-7470

La Mesa

Program Title: The PARKS Project

The PARKS Project is a creative approach to enhancing and funding facilities and ongoing maintenance costs in a built out community. The resources of private, public, business and volunteer partners were leveraged to build tournament-quality athletic fields and specially designed facilities to improve community health through organized and individual sports, fitness and recreation. The long-term strategy is to fund programs and facilities outside of the general fund and find funding sources for ongoing maintenance as well.

Contact: Yvonne Garrett, Dir. Of Community Services
Phone: (619) 667-1311

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Sonoma

Program Title: City of Sonoma/Sonoma Valley Chamber of Commerce Economic Development Partnership

Two years ago, the city of Sonoma and the Sonoma Valley Chamber of Commerce formed a partnership to promote economic development in the city, something neither could afford on their own. Successes include: providing marketing and expansion services to existing businesses; counseling and start-up advice to new businesses; a monthly database of vacant space; brochures on business financing, redevelopment loans, workforce training and green business practices. The program also provides translations services for Spanish language entrepreneurs, and an ombudsman for city applicants. Cost of the program has been less than budgeted in each of the two years.

Contact: Pamela Gibson, Economic Dev. Project Manager
Phone: (707) 933-3681

Planning and Environmental Quality

NOTE: Grand Prize not awarded in this category

Glendale

Program Title: City of Glendale Trash Exclusion Program

The City of Glendale Trash Exclusion Program is a combination of public education and community outreach programs, and innovative trash exclusion mechanism that combines efficient and effective technology designed by city staff to prohibit any debris greater than 5mm from entering the city storm drains.

Contact: Maurice Oillataguerre, Sr. Environmental Program Specialist
Phone: (818) 548-3900

Irvine

Program Title: Community Energy Partnership Program

Through the Community Energy Partnership Program, Irvine is changing the energy consumption habits of residents and businesses in a effort to protect the environment, save money, and conserve resources for today and the future. Using cost-effective and convenient methods, Irvine has made exceptional strides in effecting behavioral changes.

Contact: Michele Lovenduski, Sr. Management Analyst
Phone: (949) 724-7558

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Roseville

Program Title: Smart Choices for Roseville's Future - Implementation Strategies To Achieve Blueprint Project Objectives

The purpose of this program is to outline a menu of options to implement the Blueprint Growth Principles. Benefits of the strategies include more compact mixed use development that will accommodate projected growth demand, but also reduce the conversion of open space, reduce traffic congestion and air quality impacts, and provide a balanced land use plan with jobs proximate to housing.

Contact: Kathy Pease, Senior Planner
Phone: (916) 774-5434

Public Safety

Cathedral City GRAND PRIZE

Program Title: Stop Identity Theft Program

The Stop Identity Theft Program consists of two main components: document shredding events and the distribution of identity theft educational materials. Twice annually, residents can witness the shredding of their confidential information by ShredForce at assigned locations. To further assist seniors, once annually, trucks are sent directly to 10 senior communities to shred documents onsite. At each event, participants are given a Stop Identity Theft brochure that instructs them on how to safeguard personal information and protect themselves from identity theft. A main goal of the program is to prevent crime through everyday diligence and education.

Contact: Deanna Pressgrove, Environmental Conservation Mgr.
Phone: (760) 770-0369

Colton

Program Title: E-Key Emergency Electronic Gate Access System

Public safety nationwide has been challenged with gaining immediate access in emergency situations to secured or gated complexes, such as apartments, condos, and private homeowners associations/ communities. E-Key eliminates bypass keys by utilizing a universal remote system attached to existing remote control gates. Thus, this system allows public safety (law enforcement/fire) immediate and simplistic access to gated locations.

Contact: Kenneth Rulo, Chief of Police
Phone: (909) 370-5010

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Monterey Park

Program Title: Driver and Pedestrian Safety Trailer

The Monterey Park Police Department continues to develop our Traffic Safety Education Programs. Last year they implemented a driver and pedestrian safety trailer program that allows for an interactive traffic education experience by the use of high quality driving simulators.

Contact: David Elliott, Traffic Bureau Commander
Phone: (626) 307-1481

Public Works, Infrastructure and Transportation

Elk Grove

Program Title: Creation of e-tran

E-tran was created to provide Elk Grove residents with an environmentally friendly, enhanced level of public transportation. This service allows residents and visitors the opportunity to travel locally, commute to downtown Sacramento and travel regionally with connections to several of the region's transit operators.

Contact: John Andon, Assistant to the Transit Manager
Phone: (916) 687-3031

Lincoln

Program Title: Neighborhood Electric Vehicle (NEV) Transportation Plan

The city of Lincoln, in their efforts to provide a better quality of life for its aging community, and the necessary infrastructure to accommodate the rapid growth and the city's urban changing lifestyle, coordinated with other agencies, businesses, and the community to develop a Neighborhood Electric Vehicle (NEV) Transportation Plan. Innovative research, planning and public outreach made the NEV Plan a successful planning project that will improve public service, benefiting all Lincoln residents for years to come.

Contact: John Pedri, City Engineer/Public Work Director
Phone: (916) 645-4070 x230

Santa Barbara GRAND PRIZE

Program Title: City of Santa Barbara Fuel Cell Cogeneration Project

The city of Santa Barbara has installed a fuel cell cogeneration system at the city's El Estero Wastewater Treatment Plant that uses anaerobic digester gas as the primary fuel.

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The system significantly reduces air pollution, provides sufficient electricity to meet about half of the treatment plant's needs and represents the largest application of molten carbonate fuel cell technology fueled by digester gas at an unmanned facility in the United States.

Contact: Rebecca Bjork, Wastewater System Manager
Phone: (805) 897-1914

Ruth Vreeland Award for Engaging Youth in City Government

Carlsbad

Program Title: City Stuff

Carlsbad, Junior Achievement, the business community and the three school districts with elementary schools located in Carlsbad, have joined together, under city auspices and guidance, to introduce local government to third-graders. CityStuff shows how local government functions and demonstrates how students and their families can participate in their community by getting informed about and involved in city programs, services and activities.

Contact: Denise Vedder, Communications Manager
Phone: (760) 434-2957

Long Beach GRAND PRIZE

Program Title: Youth Services Program

Through effective partnerships with other youth serving agencies, the city provides numerous educational and recreational resources that help youth connect to the community and develop good citizenship. The program includes the Commission on Youth and Children, a network of service providers, and three other youth councils and advisory boards.

Contact: Jane Grobaty, Supt. Of Community Information
Phone: (562) 570-3233

Ridgecrest

Program Title: Youth Advisory Committee

Youth Advisory Committee is a youth organized and run committee that acts as a legal branch of the City Council in order to represent youth needs, issues and concerns. The committee establishes subcommittees, spanning into areas of community entertainment and betterment, working hand-in-hand with city officials to achieve decided goals.

Contact: Justin O'Neill, President, Youth Advisory Committee
Phone: (760) 446-7259

Administrative Services

SB 1818 (Alarcon). Attorney Fees. Big Box Lawsuits. SB 1818 would permit cities to recover attorney fees under certain circumstances when they are sued by big box retailers. **Staff: Yvonne Hunter, Position: Support. Status: PENDING**

Employee Relations

AB 1368 (Karnette). AB 1368 would exempt public safety employee presumptive injury claims from the Governor's 2004 workers' compensation reforms, which included requiring physicians who prepare reports on claimed industrial disability to address the issue of causation. The bill would eliminate the most valuable and objective tool available to employers to evaluate presumptive injury claims, leaving public agencies defenseless to evaluate claims, even if the claim totally lacks merit. **Staff: P. Anthony Thomas, Position: Veto Requested. Status: PENDING**

Environmental

AB 573 (Wolk). Indemnification. Design Professionals. AB 573 would restrict the types of indemnification clauses that may be included in a public agency contract with a design or engineering firm and would instead specify the types of indemnity clauses that may be included. **Staff: Yvonne Hunter, Position: Veto Requested. Status: SIGNED BY THE GOVERNOR**

AB 2951 (Goldberg). Capital Facilities Fees. This bill clarifies existing law regarding the obligation of schools and other public agencies to pay their fair share of capital facilities fees for municipal utilities such as water and waste water service. **Staff: Yvonne Hunter, Position: Support. Status: PENDING**

SB 1733 (Aanestad). Mandatory Minimum Penalties. Water Quality. Small Cities. This bill provides more flexibility to small cities so that they may request directing penalties for waste water violations to fixing the problem that caused the

violation. It re-defines the definition of a small community and "financial hardship" so that more cities can request to take advantage of this option. **Staff: Yvonne Hunter, Position: Support. Status: SIGNED BY THE GOVERNOR**

Land Use

SB 1322 (Cedillo) – Housing. SB 1322 limits agency discretion on "special needs facilities" serving seven or more people by limiting the authority to condition or deny a project on factors in current law.

SB 1322 would extend the attorney fee provisions to allow awards to anyone who could occupy a special need facility, social rehabilitation facility, adult day program facility, or community care facility.

The cost of SB 1322 would exceed \$10,000 per agency—and be much more in larger cities.

Under the housing element, cities get an initial opportunity to plan for their share of any housing type. If their plan fails to meet the need, the city must then approve housing "by-right" at pre-set densities. SB 1322 requires cities to designate where emergency shelters must be approved "by-right" at the outset. Then, the bill redundantly requires those agencies that have not identified adequate sites by-right to again identify adequate sites to be zoned by-right. **Staff: Bill Higgins, Position: Veto Requested. Status: PENDING**

Public Safety

AB 1015 (Chu) Sex Offender Management Board. AB 1015 would create the Sex Offender Management Board (SOMB). The SOMB will represent a collaboration of local, state, and non-governmental entities working to address issues, concerns and problems related to the community management of adult sex offenders.

The creation of the SOMB will enhance public safety throughout California's communities by

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producing a much needed assessment of the current issues that complicate the management of adult sex offenders, while including the input of various stakeholders and the general public.

Staff: Liisa Lawson Stark, Position: Support.

Status: SIGNED BY THE GOVERNOR

AB 1873 (Torrico). Child Protection. Safe Surrender. AB 1873 will allow a local fire agency, upon approval of the appropriate governing board, to designate safe-surrender sites for accepting physical custody of a minor child 30 days old or younger.

City fire departments have an established history of operating safe-surrender sites in coordination with the county. Allowing local fire agencies to designate safe-surrender sites will likely expand the program based on circumstances and conditions specific to the community. Cities will continue to work with the counties as outlined in current law.

Fire agencies provide integral public safety services, even to the youngest members of our communities. It is imperative they, too, have the authority to designate safe surrender locations to protect the most innocent members of our society. **Staff: Liisa Lawson Stark, Position: Support. Status: PENDING**

SB 1404 (Machado). Vehicles. Parking Violations. Street Cleaning. SB 1404 would amend the Vehicle Code to specify that a person is not in violation of a local ordinance if they park in an area with posted restrictions for street cleaning or sweeping, unless street cleaning occurs during the posted time period. **Staff: Liisa Lawson Stark, Position: Veto Requested. Status: VETOED BY THE GOVERNOR**

The Governor's veto message on SB 1404 included a very strong statement regarding local control:

"This bill is an unnecessary intrusion by state government into the domain of local agencies. Cities and counties are well situated to respond to

the needs of their communities. Where citizens have concerns about local ordinances dealing with parking and street sweeping, I encourage them to communicate with their local officials to address those concerns."

Revenue & Taxation

SB 1432 (Lowenthal). This measure would expand the authorized use of Mello-Roos districts to include lighting maintenance, street and road maintenance, plowing and removal of snow and graffiti management and removal. The bill also expands Mello-Roos districts to include programs to create incentives or to subsidize construction, rehabilitation or acquisition of housing for lower income households. **Staff: Dan Carrigg; Position: Support. Status: PENDING**

AB 1602 (Laird). Allows cities that annex inhabited territory and new incorporations prior to January 1, 2009, to get a special allocation of an additional \$50 per capita in vehicle license fee (VLF) revenues. This bill is intended to address fiscal inequities that may have occurred with annexations and incorporations that were planned at the time of the VLF-Property tax swap in 2004. **Staff: Dan Carrigg; Position: Support. Status: SIGNED BY GOVERNOR**

SB 1374 (Cedillo). This measure will extend the sunset date of 2008 on existing law that allows cities to continue in their tax discovery efforts by allowing the Franchise Tax Board (FTB) to share taxpayer information. The State and Local Government Tax Sharing Program has helped many cities to identify businesses that are not paying local taxes – resulting in millions of dollars recouped. More than 95 cities are currently participating in the program. SB 1374 will extend the program until December 31, 2011. **Staff: Dan Carrigg; Position: Support. Status: SIGNED BY THE GOVERNOR**

SB 1317 (Torlakson). This measure would allocate new property tax revenue related to newly constructed generation, substation facilities and

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transmission lines by a location-based method. SB 1317 would not change the allocation of property taxes for existing electric generation and transmission line facilities. The League has standing policy that supports direct, or situs-based allocation of sales and property taxes based on the fact that situs-based allocation targets revenues to where the impact occurs. **Staff: Dan Carrigg; Position: Support. Status: PENDING**

Telecommunications

AB 2987 (Núñez/Levine). This bill will establish a state franchise for provisions of telecommunications services, issued by the California Public Utilities Commission. While the League and cities oppose this measure, we achieved some important improvements in the bill that will heighten protections for cities and Californians. **Staff: P. Anthony Thomas, Position: Veto Requested. Status: SIGNED BY GOVERNOR**

Editor's Note: For the latest updates to this story, please visit the League website at www.cacities.org.

FIND A BILL, LEGISLATORS, LEG COMMITTEE - OR ASK LEG STAFF

Visit (and bookmark!) the League's Legislative Resources 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.

The report, "The Fiscal Impact of Proposition 90," reached these key findings:

- Proposition 90 would increase the annual cost of state and local government in California by billions of dollars.
- By increasing the cost of public works, like schools, roads, water systems, flood protection and utility services, Prop. 90 would curtail infrastructure development. For example, Caltrans is projecting that Proposition 90 will lead to more than \$180 million in project schedule delay costs over the next seven years, and another \$43 million per year in added litigation-related expenses — without even considering the higher property acquisition costs that the measure will require the agency to pay for highway improvements.
- By increasing the cost of regulation, Prop. 90 would reduce government's ability to regulate land use, protect consumers and workers, and safeguard the environment.

The new report also includes an in-depth analysis of the measure and its provisions, and the likely impact on state and local government actions in California.

According to LECG, two features of Prop. 90 are mainly responsible for the measure's multi-billion-dollar price tag:

- The measure would require government (and the taxpayers) to pay businesses and individuals whenever it passes laws or adopts regulations intended to protect the public's interest (other than health- and safety-related) that substantially affect property values.
- Prop. 90 also would significantly increase the amount that government and state-regulated, investor-owned utilities are required to pay owners when their property is acquired through eminent domain for public uses such as roads, schools, hospitals, airports, utility transmission lines, and power plants.

Under current law, government must compensate owners by paying them the fair market value

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of their property, taking into consideration existing limitations on how the property can be used (e.g., zoning restrictions). In some cases, Prop. 90 would require government to pay owners *more than the fair market value* of their property by directing courts to ignore these use limitations.

For a copy of the full report, visit www.noprop90.com.

“No on Prop. 90” Editorials

The *Pasadena Star News*, *Whittier Daily News*, *San Gabriel Valley Tribune* and *Riverside Press-Enterprise* published editorials against the measure, bringing to 10 the total number of “oppose” editorials:

- *Pasadena Star News*, (9/27/06)
- *Whittier Daily News*, (9/27/06)
- *San Gabriel Valley Tribune*, (9/27/06)
- *Riverside Press-Enterprise*, (9/25/06)
- *Sacramento Bee*, (9/16/06)
- *Napa Valley Register*, (9/14/06)
- *Mountain View Voice*, (9/08/06)
- *Santa Rosa Press Democrat*, (9/11/06)
- *Torrance Daily Breeze*, (8/23/06)
- *San Diego Union-Tribune*, (8/22/06)

Key editorial quotes this week:

“PROPOSITION 90 backers want voters to think the far-reaching measure simply protects home ownership. In reality, it would change the way government operates and limit the right of residents to decide land-use in their communities.” – ***Pasadena Star News (9/27/06)***

“Such laws encourage frivolous lawsuits against cities, counties and the state that will have to be defended with public money.” – ***Whittier Daily News (9/27/06)***

Additionally, *Ventura County Star* Political Columnist Timm Herdt had this to say about Prop. 90 in his column on September 27:

“The problem for Proposition 90 advocates is that their initiative is a manifesto that addresses far more than the grievance that they hoped would spark a revolution.”

To read the editorials and columns, visit www.noprop90.com.

“No on Prop. 90” Coalition Continues to Grow. More and more organizations and individuals are joining the “No on Prop. 90” coalition, as they become more familiar with the cynical “taxpayer trap” provisions in this measure. Here is a list of ***those individuals and organizations that have joined this week***. For a complete list, visit www.noprop.90.com.

Business:

- San Gabriel Valley Economic Partnership
- Sunnyvale Chamber of Commerce
- Long Beach Area Chamber of Commerce
- Sacramento Convention & Visitors Bureau
- Napa Chamber of Commerce
- Orange County Business Council

Taxpayers:

- California Taxpayers' Association

Housing Advocates/Providers:

- Non-Profit Housing Association of Northern California
- EAH Housing (Ecumenical Association for Housing)
- Community Housing Partnership
- San Diego County Mobilehome Positive Action Committee

Agriculture:

- Kings County Farm Bureau

Transportation:

- California Transit Association
- Metropolitan Transportation Commission

Water:

- Friends of Locally Owned Water

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Environmental:

- Ventura Citizens for Hillside Preservation

'No on 90' Walk Pieces Available Soon

Planning to walk precincts in the next few weeks?

If so, please consider carrying a "No on 90" message with you when you do. The campaign is producing a two-sided color piece that you can use to help educate voters about this harmful measure.

Similar to the piece that was available at "No on Prop. 90" information desk at the League's Annual Conference, it will outline the impacts of Prop. 90 to taxpayers, the environment, public safety, infrastructure and our communities on the front, and the back will feature a partial list of the diverse groups who are opposed. Walk pieces should be available the first week of October. Contact your Regional Representative to reserve yours today.

Know the Rules for Ballot Measure Advocacy. City officials can participate in ballot measure advocacy if they do so **on their own time**, and without using any public resources. To make sure you understand the "do's and don'ts" of ballot measure advocacy, please review "Working on a Ballot Measure Campaign: Some Rules for City Officials" at www.cacities.org/ballotmeasures.

The conferences will be held at the Diamond Bar Center, and Sacramento Marriott Rancho Cordova, respectively. Both are designed specifically for transit managers, port authorities and rail systems, city and county emergency managers, first responders, and federal agencies with critical incident responsibilities.

Morning sessions at the workshops will focus on lessons learned from recent emergency events in California and elsewhere. The afternoon sessions will include tabletop exercises using possible California disaster scenarios, followed by workshop analysis of response plans and capabilities.

The outcome of these workshops will be the creation of a standardized Emergency Operations Plan (EOP) for all transit systems in the state, providing a unified all-hazards approach to transportation across jurisdictions throughout California.

The Federal Highway Administration is funding this initiative. In addition to Caltrans, the initiative is being sponsored by the California Transit Association (CTA), the California Association for Coordinated Transportation (CalACT), the California Office of Emergency Services, the California Highway Patrol, the California Utilities Emergency Association, the Southern California Association of Governments, and the Sacramento Association of Governments.

For more information, visit the 2006 Caltrans Response & Recovery website at: www.DisasterPrep.info/Caltrans

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