

PRIORITY FOCUS



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ANTI-LOCAL GOVERNMENT BORROWING MESSAGE TAKES HOLD **Now is the Time to Keep the Pressure Up**

The Senate Republican budget plan released Aug. 30 is the fourth budget proposal in the last three months and the sixth since January that does not rely on "borrowing" practices that would rob local government of critical public safety and transportation funding and deepen the state's structural deficit. The previous budget proposals introduced that do not rely on borrowing local government revenues (Proposition 1A) or transportation revenues (Prop. 42) are: Gov. Arnold Schwarzenegger's January, May revise and August revise budgets, the Conference Committee budget and the Senate Democrat's compromise budget. *For more, see Page 2.*



CITIES URGED TO CONTACT THE GOVERNOR TO SIGN/VETO BILLS

The following is a list of bills that the League of California Cities has requested that Gov. Arnold Schwarzenegger sign or veto. *For more, see Page 2.*



On-Camera Media Training Available For City Officials at the Annual Conference

Do you need to deliver your city's message more effectively during media interviews? If so, take advantage of this opportunity for professional on-camera media training at the League's Annual Conference on Sept. 24-27, in Long Beach. *For more, see Page 6.*

'Budget' Continued from Page 1...

Although the alternative proposal introduced by Senate Republicans on Saturday does not include borrowing of local funds, it does propose to take an additional \$349 million in redevelopment funds—this time from housing set-asides. This proposal also includes the Governor's proposed take of \$225 million of redevelopment tax increment funds for three years (\$675 million total). Other aspects of the Republican plan swap out the Governor's proposed tax increase for deeper cuts to education and social services and a borrowing proposal that would securitize lottery revenues to fund additional one-time revenue for education.

City officials are extremely concerned about proposals which take redevelopment funds to balance the state budget. These funds not only provide jobs and economic stimulus locally, but also annually generate 310,000 good-paying jobs, \$32 billion in total economic activity and \$1.6 billion in state and local taxes.

According to the California Building Industry Association, each newly built home produces an average of \$16,000 in state tax revenues and \$3,500 in local tax revenues. A take of \$349 million of redevelopment housing funds this year would translate into 5000-7000 units of housing that won't be built. Aside from the economic impacts, redevelopment projects are good for the environment, funding infill development that gets Californians out of their cars.

Budget Activities This Week

The Senate has held daily sessions at 4 p.m. to work on the budget. The Assembly Budget Committee met Wednesday, Sept. 3, for a hearing on the Senate Republican proposal. The League testified at this hearing, conveying appreciation that the Republican proposal did not rely on borrowing and expressing opposition to the proposed redevelopment takes. Senate and Assembly leaders and the Governor's "the Big Five" also met Wednesday. Several press conferences on the budget were held by both the Governor and legislators. The Senate Republicans are expected to formally present their proposal for a vote on Friday.

What Can City Officials Do

City officials are urged to continue talking with legislators and the Governor about the budget. Encourage them to oppose any effort to borrow local government or transportation funds and oppose a take of redevelopment funds.

Here are a number of resources you can use in your communication with legislators about the proposed redevelopment take:

- Talking points on the \$675 million take
([http://www.cacities.org/resource_files/27180.Budget Cuts-Talking Points 9-2008.doc](http://www.cacities.org/resource_files/27180.Budget%20Cuts-Talking%20Points%209-2008.doc))
- California Redevelopment Association's database of city-by-city hits of a \$675 million
(<http://www.calredevelop.org/AM/Template.cfm?Section=Home&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=4613>)
- Talking points on proposed \$349 million take
([http://www.cacities.org/resource_files/27179.Redevel Talking Points9-5-08.pdf](http://www.cacities.org/resource_files/27179.Redevel%20Talking%20Points9-5-08.pdf))

'Sign/Veto Bills' Continued from Page 1...

This year, the bill signing process has an added complication with the recent statement by the Governor that he will not sign any bills until a budget has been adopted. Thus, this list of bills is longer than in year's past, because typically the delivery of bills to the Governor's desk is spread out over the last month or more of the legislative session. The Governor has until Sept. 30 to sign or veto legislation, however, he did make one recent exception to his edict by signing AB 3034 (Galgiani) which contains changes to the High Speed Rail Bond on the November Ballot.

Since a resolution on the budget could occur at any time, cities are encouraged to contact the Governor's office immediately with sign and veto requests. ***(While there is much to choose***

from in this document, the League's lobbying team especially encourages letters on the following bills marked with an asterisk)*

The League's request and sample letters for cities can be found by looking up the bills on the League's Web site at www.cacities.org/billsearch.

Employee Relations

***AB 2754 (Bass). VETO.** Provides a rebuttable presumption under the workers' compensation system for public safety employees who claim a methicillin-resistant *Staphylococcus aureus* (MRSA/staph)-related injury.

***AB 2918 (Lieber). VETO.** Prohibits the use of a consumer credit report for employment purposes, with some exceptions.

***AB 3063 (Committee on Labor & Employment). VETO.** Prohibits employers from requesting that an applicant disclose information or use for employment related decisions information concerning a criminal conviction that was expunged or judicially ordered sealed.

***SB 1115 (Midgen). VETO.** Weakens the apportionment statute (defining the portion of injury related to the workplace, as opposed to pre-existing conditions) implemented by SB 899 (Poochigian; 2004), the landmark legislation that implemented much needed workers' compensation reforms, and allow the courts to overrule apportionment even when based on findings of actual previous disability.

***SB 1296 (Corbett). VETO.** Provides superior courts exclusive jurisdiction over actions involving interest arbitration where the action involves representatives of firefighters.

Environmental Quality

AB 31 (De Leon). SIGN. Requires the California Department of Parks and Recreation (DPR) to establish a local assistance program to distribute grants to the most park needy communities across the state, with funding derived from the \$400 million that was designated for this purpose in Proposition 84.

AB 2270 (Laird). SIGN. Allows cities and water agencies to restrict usage of specific types of water softeners only if the State Water Resources Control Board or the regional water quality control board made a finding that control of residential salinity will contribute to the achievement of water quality objectives in the region.

AB 2347 (Ruskin). SIGN. Requires a manufacturer that owns or owned a name brand of mercury-added thermostats sold in this state before January 1, 2006, to establish and maintain a collection and recycling program for out-of-service mercury-added thermostats.

***AB 2939 (Hancock). SIGN.** AB 2939 will allow those local governments who wish to enact stronger green building standards to do so without the existing restrictions of climatic, geological or topographical conditions.

***SB 1016 (Wiggins). SIGN.** Re-calculates the way solid waste diversion efforts are imposed upon local governments, and also revises the timelines that local jurisdictions must adhere to when reporting to the Integrated Waste Management Board.

SB 1357 (Padilla). SIGN. Authorizes the Department of Conservation to expend up to \$20 million from July 1, 2009, to January 1, 2012, for recycling and litter reduction grants and programs, and requires a grant recipient to submit a report to the department and would require the department to publish an evaluation of grants made pursuant to these provisions, including a summary of those reports.

SB 1548 (Florez). SIGN. Creates a local city selection committee (Existing law requires five members to be appointed by cities within the territory of the district, based on region and population) within the San Joaquin Valley Unified Air Pollution Control District Board of Directors.

Public Utilities: Energy

AB 2466 (Laird). **SIGN**. Establishes the Renewable Energy Self-Generation Program to allow a city, county, city and county, special district, school district, or other public agency to benefit from the excess electricity produced at the local entity's facility. The bill authorizes a local governmental entity to receive a credit on the bill of a benefiting account, equal to the amount of the electricity it exported to the electrical grid and from an eligible renewable generating facility.

SB 980 (Padilla). **VETO**. Requires the California Energy Commission to evaluate the adequacy of the electric distribution system of local publicly owned electric utilities as a part of their 2009 Integrated Policy Report.

Land Use/Housing

AB 749 (Wolk). **SIGN**. Requires, as of March 1, 2009, residential care facilities for the elderly to have an emergency plan that includes specified provisions and is available, upon request, to both residents onsite as well as to local emergency responders.

***AB 842 (Jones)**. **VETO**. Requires the Department of Housing and Community Development to rank applicants for the award of capital improvement project grants based upon a reduction of vehicle miles traveled as a result of a qualifying infill project, as specified.

***AB 2000 (Mendoza)**. **SIGN**. Provides additional flexibility to a local government in the regional housing need assessment (RHNA) process, by allowing a local government that exceeds its regional housing need during a planning period to count the excess units toward meeting its share in the next planning period.

AB 2280 (Saldana). **SIGN**. Makes several technical fixes to the Density Bonus Law and addresses an absurd interpretation of the law relating to the bonus awarded to affordable senior projects within larger scale developments.

***AB 2494 (Caballero)**. **SIGN**. Establishes the Housing-Related Parks Program to govern the allocation of \$200 million under the administration of HCD. Requires the department to use funds allocated from the account, to provide grants for the creation, development, or rehabilitation of park and recreation facilities, to cities and counties that meet certain criteria, including adoption of a HCD approved housing element, and issue housing starts, for newly constructed units that are affordable to very low or low-income households.

***SB 375 (Steinberg)** **SIGN**. Aligns transportation, housing, and greenhouse gas (GHG) emissions regional planning processes, provides incentives through CEQA streamlining for infill projects, and provides additional certainty for local governments that engage in planning processes that will result in reductions in GHG emissions.

SB 992 (Wiggins). **SIGN**. Requires the Department of Alcohol and Drug Programs (ADP) to administer the licensure and regulation of adult recovery maintenance facilities, and requires the department to adopt emergency regulations, implement the fee process for initial licensure, the provisions for the extension of licensure, follow up compliance visits, and civil penalties.

Public Safety

AB 38 (Nava). **SIGN**. Consolidates the roles and responsibilities of the Governor's Office of Emergency Services and Office of Homeland Security into a new state agency, the California Emergency Management Agency, for a more efficient state-wide disaster preparedness and response system.

AB 759 (Karnette). **SIGN**. Requires local fire enforcing agencies to inspect elderly care facilities with six or fewer residents, applying standards established by the State Fire Marshal and Department of Social Services, to ensure the fire safety of the facility. This bill also permits the fire enforcing agencies to collect reasonable fees from the facility owner to cover the expense of inspections.

AB 844 (Berryhill). **SIGN.** Creates additional requirements on scrap metal recyclers and traders to prevent scrap metal thefts by requiring identification of those presenting scrap metal to the recycler and a three-day delay in payment to those individuals. This bill also allows local government to enact stronger ordinances to prevent scrap metal thefts if local public safety needs warrant greater regulation.

AB 1724 (Jones). **SIGN.** Permits local government agencies to enact and enforce vehicle impoundment ordinances for nuisance vehicles repeatedly involved with illegal dumping activity.

AB 1751 (Fuentes). **SIGN.** Permits local government agencies to enact and enforce vehicle impoundment ordinances for nuisance vehicles repeatedly involved with prostitution-related activity.

AB 1859 (Adams). **SIGN.** Creates an additional \$3,000 penalty for stolen scrap metal sales or purchase charges that involve fire hydrant and fire department connection parts.

AB 2151 (Jones). **SIGN.** Authorizes the Alcoholic Beverage Control Department to deny the transfer or issuance of a liquor retail license if it would contribute to blight, based on the findings of the local government agency. AB 2151 also authorizes a local redevelopment agency to deny the issuance or transfer of a liquor retail license within the redevelopment agency.

***AB 2262 (Torrico)**. **SIGN.** Expands the "Safe-Surrender" program to allow children seven-days old or younger to be surrendered to a safe-surrender site as designated, which may include fire departments upon approval by the local fire agency or governing body.

SB 1519 (Yee). **SIGN.** Authorizes a local government agency to request the disconnection of telephone service provided to unlicensed taxi cab operations and permits telephone service providers to disconnect or deny the issuance of telephone service if local enforcement efforts have not prevented or stopped the unlawful taxi cab operations.

Revenue and Taxation

AB 697 (Hancock). **SIGN.** Prohibits a city and/or county, including a chartered city or county, on or after October 1, 2008, from entering into any form of agreement that results, directly or indirectly, in the payment, transfer, diversion or rebate of any amount of Bradley-Burns local sales and use tax proceeds to any person for any purpose when both of the following apply: (1) the agreement results in a reduction in the amount of Bradley-Burns tax proceeds received by another local agency from a retailer within the territorial jurisdiction of that other local agency; and (2) the retailer continues to maintain a physical presence within the territorial jurisdiction of that other local agency.

AB 1221 (Ma). **SIGN.** Expands the toolbox of available options for financing infrastructure associated with transit village development by ensuring that these facilities may be financed through the use of existing Infrastructure Financing District Law. This bill also expands the size of a transit village development district from 1/4 to 1/2 mile, and requires that at least 20 percent of all tax increments under the plan be used for affordable housing development.

AB 1451 (Leno). **SIGN.** Extends the sunset date with respect to the existing property tax exclusion from reassessment provided to the construction or addition of active solar energy systems from the 2008-09 fiscal year, to the 2015-16 fiscal year. In addition, this bill allows this exclusion to be transferred to the initial occupant of a new building, if the builder installed the solar energy system during the original construction.

SB 301 (Romero). **SIGN.** Extends existing statute that provides additional financial assistance through the Vehicle License Fees (VLF) allocated to cities for both future incorporations and annexations by cities of inhabited territory.

SB 1064 (Hollingsworth) **SIGN.** Provides income and property tax relief to individuals, businesses, and local governments that suffered losses as a result of five separate disasters during 2007 and 2008.

Transportation/Public Works

***AB 642 (Wolk). SIGN.** Allows cities to use design-build contracting for building construction projects as well as wastewater facilities, solid waste management facilities, or water recycling facilities for more efficient, cost-effective public works projects.

AB 983 (Ma). VETO. Requires cities to provide full, complete, and accurate plans, including cost-estimates on all public works projects, which would reduce incentives for contractors to report errors in plans during bidding because additional expenses could be recouped through change-order claims against the public agency.

***AB 2295 (Arambula). SIGN.** Includes local street and road rehabilitation projects on the list of eligible types of projects that may receive State Transportation Improvement Funds.

Miscellaneous

AB 2537 (Furutani). SIGN. Helps to ensure that city public works projects can be completed with volunteers by continuing provisions that establish volunteers do not have to be paid prevailing wages for their work, as it is being done on voluntary basis.

SB 1124 (Local Government Committee). SIGN. Enacts the Local Government Omnibus Act of 2008 and proposes various technical, but important, changes to the law affecting local agencies' powers and duties.

***AB 2427 (Eng). VETO.** Prohibits a city or county from incidentally regulating a local healing arts business that is licensed or certified by the State Department of Consumer Affairs.

***AB 2610 (Davis). VETO.** Unnecessarily mandates local governments that want to address unattended collection boxes in their community and must follow a new permit program outlined in the bill.

'On-Camera Media Training' Continued from Page 1...

The 45-minute training will feature a short interview focused on a vital issue to your city, a video playback/critique, and a follow-up interview. You will receive a DVD copy of your session.

The trainers are public information and media experts from cities throughout California. After this brief session, you'll feel more comfortable delivering your city's important messages on-camera and improve your newspaper and radio interview skills.

There is a high demand for these one-on-one sessions, and we're limited to three sessions on Wednesday, and six sessions per day on Thursday and Friday. (Open time spots are listed below). The training will be held in the League Press Room at the Long Beach Convention Center.

To take advantage of this outstanding opportunity, which typically costs thousands of dollars, call Adrienne Sprenger at (916) 658-8278 to reserve a training session or fax the attached form to (916) 658-8240. Please tell Adrienne in some detail about an important issue facing your city so that we can prepare interview questions that are tailored to your community. Reservations are on a first-come, first-served basis, so call today!

Reservations will be accepted on a **paid** first-come, first-served basis. Please note that there is a \$20 charge, refundable as a \$20 CityBooks coupon for those who attend the training. No refunds or coupons will be issued for "no shows."

On-Camera Interview Training Session Times

Thursday, Sept. 25 and Friday, Sept. 26

9 – 9:45 a.m. (available Friday only)

10 –10:45 a.m. (available Friday only)

11– 11:45 a.m.
1 – 1:45 p.m.
2 – 2:45 p.m.
3 – 3:45 p.m.

*If you get voicemail when making a reservation please:

- Leave a message with your two preferred time slots.
- Tell in some detail about an important issue facing your city so that we can prepare interview questions that are tailored to your community.
- Leave your complete contact info including cell phone.

In Memoriam: Fairfield City Council Member Matt Garcia

By Eva Spiegel

Fairfield City Council Member Matt Garcia was shot on Sept. 1, 2008, and declared brain-dead at John Muir Medical Center in Walnut Creek after the shooting. He died Sept. 3, after being taken off life support. Elected in November 2007 at just 21 years of age, Garcia was among the state's youngest council members. The Fairfield leader set his course years ago when he decided in the sixth grade that he wanted to be mayor someday.



I had the opportunity to interview Garcia in June for an article titled "Challenges for the Next Generation of Leaders," which appeared in the September 2008 issue of *Western City*. During our conversation, Garcia spoke passionately about public service and how he was inspired by his grandfather, who ran for city council in Richmond but did not win.

In addition to serving the public as a council member, Garcia attended Solano Community College, where he studied political science, and worked for HRA Engineering and Energy Services.

Garcia was born and raised in Fairfield, and his biological father was a gang member. Garcia said he could have easily gone that direction but instead chose to focus his energies on improving his community. He managed Little League teams, served as senior class president in high school and ran for city council in 2007 with a vision to combat Fairfield's high level of youth-related crime.

Committed to making Fairfield a better place to live for everyone, especially younger residents, Garcia campaigned on a platform that included creating more resources for youth. He believed that by bringing more economic development and better paying jobs to his city, young people would have positive opportunities and be less likely to turn to crime.

When interviewed for *Western City's* April 2008 "On the Record" column about community services that have a major impact on improving the quality of life for residents, he responded, "Youth programs are our main focus. We work with youth organizations to provide mentors, and our after-school programs give young people something fun and constructive to do."

Garcia believed it was time for his generation to acknowledge its responsibilities. "In the next five to 10 years we have to step up to the plate. We are the future leaders. If you have a passion to do what is right for your community, really use your voice and energy to do wonderful things," he said.

On Sept. 2, Fairfield Mayor Harry Price posthumously named Garcia the city's honorary mayor in recognition of his accomplishments.

Losing a colleague is never easy. In Matt Garcia's case, the loss is particularly poignant because his youthful energy, cheerful determination and the tremendous promise he showed as a leader in his community were tragically cut short. He will be greatly missed.

Federal Byrne/JAG Local Law Enforcement Grant Legislation Signed

President Bush signed Senate Bill 231 [Sen. Dianne Feinstein (D-CA)] into law on July 30 to reauthorize the Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG) program through 2012. Grants from the Byrne/JAG program and its predecessors have funded local crime control programs including state and local drug task forces, community crime prevention programs, substance abuse treatment programs, and prosecution initiatives.

The grants will continue to be administered by the U.S. Justice Department, with 60 percent of the funds going to state agencies and 40 percent set aside for distribution to local governments. The Byrne/JAG program provides one of the only sources of federal funds for sheriffs and police chiefs in many smaller and rural cities and counties.

While the program itself has been approved, funding is still waiting approval by the House and Senate Appropriations Committees. *Priority Focus* will provide an update on the approval of the funding. More information on S. 231 can be found online at www.thomas.gov.

New Partnership Brings Cities the Greenest Products at the Lowest Prices

U.S. Communities and the Responsible Purchasing Network (RPN) are joining forces to combine the purchasing power of 87,000 public agencies with the nation's foremost green purchasing authority. U.S. Communities is partnering with RPN to identify and promote products offered through U.S. Communities contracts that meet independent, third-party green standards such as those certified by GreenSeal, EcoLogo or EPEAT.

The first initiative of the partnership will address green cleaning supplies by identifying the GreenSeal certified cleaning products available through U.S. Communities with Zep Superior Solutions. RPN members will ultimately be able to search green products through RPN's database and quickly identify which cleaning products are available on the Zep contract, download the contract, and request contact from a sales rep to set up an account. As part of this partnership, RPN will expand its Responsible Purchasing Guide for Cleaners.

Background

By pooling the purchasing power of more than 87,000 public agencies, U.S. Communities serves as a national purchasing forum for local and state government agencies, school districts, higher education and nonprofits nationwide. Cities can take advantage of 17 different contracts for thousands of products facilitated by U.S. Communities and solicited by a lead public agency. U.S. Communities established its Going Green program in 2006 to assist local agencies with their responsible purchasing goals. The League is a sponsor of U.S. Communities.

Additional Information

Visit www.gogreencommunities.org to find out more about the sustainability solutions offered by U.S. Communities. Connie Kuranko with the Going Green Program can answer questions. She can be contacted by e-mail at ckuranko@uscommunities.org.

Visit RPN's Web site at www.responsiblepurchasing.org for more information about the organization.

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.
