

FOCUS

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

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PROP. 90 UPDATE: MERCED SUN-STAR CALLS MEASURE 'A BUNCH OF BALONEY'

Editorials and Coalition Against 90 Continue to Build

The number of editorials written against Proposition 90, the "taxpayer trap" measure on the November ballot, continues to increase. Seven editorials were published since last Friday's edition of *Priority Focus*, bringing the total to 57. Of particular note was the *Merced Sun-Star's* take on Prop. 90, which called the measure "a bunch of baloney." *For more, see Page 6.*

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AB 2987 IMPLEMENTATION UPDATE

AB 2987, the Digital Infrastructure and Video Competition Act of 2006, will take effect on January 1, 2007. Earlier this month, the Public Utilities Commission (PUC) opened a rulemaking proceeding to adopt rules for issuing state franchises. PUC will need to be ready to issue state franchises no later than April 1, 2007, and has set an aggressive comment and hearing schedule. It is possible that the rules will be in place by the end of the year, so that state franchises may be issued as early as January or February.

For more, see Page 5.

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LOCAL SALES TAX MEASURES FOR TRANSPORTATION A PRIORITY ON NOVEMBER BALLOT

The California Infrastructure Coalition (CIC) has issued "Eye on Infrastructure Special Report," which highlights the sales tax measures on the November ballot that are designed to help improve regional transportation in California.

For more, see Page 4.

**WANT MORE DETAILS
ON BILLS?**

Visit the League of
California Cities
website at
[www.cacities.org/
billsearch](http://www.cacities.org/billsearch).

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CARB HOSTS TRAINING ON THE NEW DIESEL RETROFIT RULE

The California Air Resources Board (CARB) is providing training seminars for the Fleet Rule for Public Agencies and Utilities, which is anticipated to go into effect in December.

These training seminars are designed to help provide an understanding of the compliance requirements. For a copy of the notice on the seminars, visit CARB's website at www.arb.ca.gov.

Below is the remaining seminar schedule:

October 31 - 9 a.m. to 5 p.m.

Sacramento, Cal EPA Sierra Hearing Room
1001 I Street, Sacramento

November 14 - 9 a.m. to 5 p.m.

Shell Beach, The Cliffs Hotel
2757 Shell Beach Road, Shell Beach

November 29 - 9 a.m. to 5 p.m.

Oakland, Joseph P. Bort Metro Center,
Auditorium
101 Eighth Street, Oakland

For more information, please contact Warren Hopkins at (916) 324-6771, or via e-mail at whawkins@arb.ca.gov.

2006 LEAGUE FIRE CHIEFS LEADERSHIP SEMINAR COMING UP!

The 2006 League Fire Chiefs Seminar will be held from November 29 through December 1 in La Jolla (San Diego) at the Hilton Torrey Pines. Ruben Grijalva, director, California Department of Forestry and Fire Protection and Kate Dargan, assistant state fire marshal, will be the seminar's opening speakers.

A sample of this year's seminar topics include:

- An Update of the California Fire Assistance Program
- Urbanization and Disasters: Living in a Dangerous World
- Emerging Labor Management Trends
- Flu Pandemic and First Responders
- Personal Health and Wellness
- Ethical Leadership and Values

In addition to the informative sessions, this is also a great opportunity for new and experienced fire chiefs to network and learn about vendors and programs.

The cost of the 2006 League Fire Chiefs Leadership Seminar is \$430 for city officials, \$550 for others, and \$125 for guest/spouse. Please note that the **housing and registration deadline is October 30**. Those registering online will also receive a \$20 CityBooks coupon! Registration may be completed at www.cacities.org/events.

2006 CITY HALL DIRECTORY!

Don't miss this opportunity to get the League's most useful reference tool. This comprehensive California directory provides important contact information for mayors, council members and city department heads. The directory also features the League's staff directory, League partners, affiliate organizations and a wide variety of advertisers.

INFORMATION YOU NEED, RIGHT AT YOUR FINGERTIPS!

Purchase this publication online at www.cacities.org/store or call (916) 658-8257 for an order form. City officials price \$30, non-city officials price \$65, plus shipping & handling.

LEAGUE FINANCIAL MANAGEMENT SEMINAR: ONLINE REGISTRATION CLOSES MONDAY!

The League of California Cities Fiscal Officers Department is hosting the Financial Management Seminar and Mini Expo in La Jolla on November 29 through December 1. Online registration for this event closes on Monday, October 30, so reserve your spot now!

Sessions will cover a wide range of financial topics, including the future of the state's economy and a legislative and ballot election update by League staff. To be held at the Hilton Torrey Pines hotel, the seminar's schedule will also include "Growing Your Own Successors," led by Frank Benest and "Managing GASB 45 Liabilities" from a panel of speakers that includes Donald Field from Orrick, Herrington and Sutcliffe, Robert Hornaday from Keenan & Associates, and Kenneth Marzion from the California Public Employees Retirement System (CalPERS).

Concurrent session topics will cover the following:

- The Proposition 218 "Squeeze"
- Trends in Housing & Redevelopment
- A Road Map to Improving Your Infrastructure
- UUT Jeopardy – a session about current and future threats to the Utility Users Tax
- Mandate This! – a session about the mandates process, reforms and what it could mean to your city pocketbook
- Explorations in Financial Ethics
- The Fair Labor Standards Act: Is it Fair or Standard?

The closing general session speaker will be the always hilarious Colin McKechnie, who will leave seminar attendees with ideas on how to pursue the "Stress-Less Path to Success." Colin is an internationally recognized training consultant and known for his interesting sessions that offer insight into life using humor. His sessions are praised by the likes of Queen Elizabeth II of England and the Prime Minister of Malaysia.

To register, please visit www.cacities.org/events. Cost for this event is \$430 for city officials, \$550 for other attendees and \$125 for guest/spouse. Registration must be received no later than 5 p.m. on Monday, October 30. If you register online, you'll also receive a coupon for \$20 for CityBooks! Otherwise, registration must be done on-site.

Aside from the great education you'll receive, the Financial Management Seminar is the perfect place to network during the two evening receptions. There are lots of opportunities for you to meet new colleagues and catch up with old friends in beautiful La Jolla! We look forward to seeing you there!

..... FPPC LAUNCHES ONLINE AB 1234 TRAINING COURSE

The California Fair Political Practices Commission (FPPC) has launched an online AB 1234 ethics training course. The course is available to local officials for free and can be accessed at any time at <http://localethics.fppc.ca.gov>.

The FPPC, the attorney general, and the Institute for Local Government (ILG) collaborated on the effort to make sure that local officials have a variety of options available to them to satisfy AB 1234's requirements. This online course supplements ILG's other AB 1234-related training options, including the more old-fashioned self-study materials published earlier this year as a two-part series in *Western City* magazine (also available at www.ca-ilg.org/ab1234compliance for those who want to print out and distribute the materials to their officials) as well as various in-person trainings being offered throughout the state.

ILG is grateful to the AT&T Foundation for funding ILG's contributions to this effort. The Institute for Local Government is the nonprofit research arm for both the League of California Cities and the California State Association of Counties.

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Ten counties have these measures on the November ballot, which translates into an estimated \$20.5 billion for transportation over a 20-40 year period, should all 10 measures pass.

Below is a summary of these various measures:

Fresno County – Measure C

Measure C is a renewal of a measure approved in 1986, which is set to expire in 2007. If passed, the 20-year, half-cent sales tax renewal plan would fund various regional transportation programs and projects, including street and highway improvements and capacity enhancement for the Fresno Airport.

More information about Measure C is available at www.measurec.com.

Santa Barbara County – Measure D

Measure D was originally approved in 1989 and is scheduled to expire in 2010. If the renewal plan passes this November, it will lead to approximately \$1.6 billion for transportation-related projects in Santa Barbara County. In addition to continuing the half-cent sales tax for transportation, Measure D would also provide for a one-quarter cent increase in sales tax for specific projects including an expansion of U.S. 101 South.

Further details regarding Measure D are available at www.sbcag.org/measured.html.

Merced County – Measure G

Measure G is a 30-year, half-cent sales tax measure for local road maintenance and repair. If passed, the estimated \$446 million the measure would raise would go towards projects such as Interstate 99 widening, and reconstruction of Routes 152 and 52.

For more information on Measure G, visit www.mcag.cog.ca.us.

Kern County – Measure I

If passed in November, Measure I in Kern County would raise an estimated \$1 billion for new road construction and highway maintenance. The measure is a 20-year, half-cent sales tax. Specific projects include improvements to Interstates 5 and 99.

Additional information on Measure I is available at www.saferoadskern.org.

San Joaquin County – Measure K

San Joaquin County's Measure K was originally approved in 1990, and will expire next year unless renewed this November. The renewal is for a 30-year half-cent sales tax, that over the life of the measure, would raise \$2.5 billion for local street repair and safety, congestion relief and transit.

Information on Measure K is available at www.sjcog.org.

Stanislaus County – Measure K

If passed in November, Stanislaus County's Measure K would provide \$1.02 billion over 30 years via a half-cent sales tax. If passed, the measure would provide funding for major highway corridor improvements.

For additional details on the measure, visit www.stancog.org.

Amador County – Measure K

Twenty years in the making, Measure K in Amador County is a 40-year plan that would fund street and road repair and maintenance.

Information on Measure K is available at www.safeamadorroads.com.

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Orange County – Measure M

Originally approved in 1990, Orange County's Measure M is set to expire in 2010 unless renewed by voters. The renewal would extend the half-cent sales tax for another 30 years, and provide \$11.8 billion for various transportation projects.

Further information on the measure is available at www.octa.net/measure%20m.asp.

Tulare County – Measure R

Measure R is a 30-year half-cent sales tax in Tulare County that would provide approximately \$653 million for regional road improvements and transportation programs.

Details on Measure R are available at www.tularecog.org.

Madera County – Measure T

If passed in November, Measure T would provide \$213 million for transportation improvements throughout Madera County, including the extension of Routes 41, 223, and 99. The measure is a half-cent sales tax over 20 years.

More information on Measure T is located at www.maderactc.org.

For a copy of CIC's *Eye on Infrastructure* newsletter and information on infrastructure issues statewide, visit www.calinfrastructure.org.

Statewide Infrastructure Ballot Measures

There are a number of statewide infrastructure measures on the November ballot this year. The League supports Propositions 1A-1E, the package of bond measures that will help fund infrastructure, transportation, housing, and flood protection projects throughout California.

For more information on these propositions and other ballot measures, see "**League Board Acts on November 2006 Ballot Measures**," located at www.cacities.org/ballotmeasures.

Opening comments on the proposed rules were due on October 25. The League elected not to file separate comments, but instead signed on to the comments submitted by the States of California and Nevada Chapter National Association of Telecommunications Officers and Advisors (SCAN NATOA). In addition, League staff has been meeting with PUC staff to discuss the rulemaking proceeding, and PUC has indicated an interest in working cooperatively with the League with respect to implementing AB 2987.

The League is also meeting with representatives from AT&T and Verizon to discuss issues related to implementing AB 2987. We expect that this process will result in a form that will assist cities in providing new video services entrants with the information that cities are required to provide under AB 2987, such as the amount of the existing franchise fee, the number of activated PEG channels, the amount of existing PEG fees, etc.

If you are interested in more information on AB 2987, you may want to visit the SCAN NATOA website at www.scannatoa.org/info_docs.html, which has the materials for the AB 2987 seminar it held earlier this month.

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.

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"[The] initiative isn't about fixing eminent domain abuses like proponents would have you believe ... The real agenda is an aggressive and radical campaign to halt virtually all new government regulation 'unrelated to public health and safety' that owners might perceive as damaging their private property ... Expect a last-minute ad barrage asserting ominously government is after your home, farm, small business or church. It's a bunch of baloney." *Merced Sun-Star* (10/21/06)

Here is a listing of new editorials written against Proposition 90 since Friday, October 20:

- *Tracy Press*, (10/26/06)
- *Antelope Valley Press*, (10/26/06)
- *Silicon Valley Metro*, (10/25/06)
- *Palo Alto Weekly*, (10/25/06)
- *La Opinión*, (10/24/06)
- *San Luis Obispo Tribune*, (10/24/06)
- *Salinas Californian*, (10/24/06)
- *Chico Enterprise Record*, (10/22/06)
- *Monterey County Herald*, (10/22/06)
- *Merced Sun-Star*, (10/21/06)

A complete list of all 57 editorials is located at www.noprop90.com.

In addition, an October 18 story by the *Los Angeles Times* looked into the impact Prop. 90 would have on infrastructure improvements in California, specifically, Propositions 1B-1E on the November ballot. The article, entitled "**Initiative Could Undermine State Bond Issues**," included the following passages:

- *"Even plans to shore up the state's aging levees could be affected. The California chapter of the American Society of Civil Engineers passed a resolution warning that the measure would delay and could even prevent the construction of many planned infrastructure projects, including flood control efforts."*
- *'It will impact our new school construction and modernization program enormously,' said Michelle Meghrouni, an attorney with the Los*

Angeles Unified School District, which hopes to use the bond money to help build about 85 schools in coming years. 'Our program could be derailed indefinitely.'"

To read the article, visit www.noprop90.com.

'No on 90' Coalition Increases Membership

The "No on 90, Californians Against the Taxpayer Trap" coalition now boasts more than 1,300 organizations and individuals in its ranks. Eight new organizations signed-on to the "No on 90" campaign this week.

Those new members are:

Ethnic/Civil Rights:

- Center on Race, Poverty & the Environment

Environmental:

- The Wilderness Society
- Mountain Lion Foundation
- Friends of the Los Angeles River
- Sanctuary Forest

Business:

- Consulting Engineers & Land Surveyors of California (CELSOC)
- Los Angeles Alliance for a New Economy

Infrastructure/Transportation:

- Transportation Agency for Monterey County

A complete list of coalition members can be found at www.noprop90.com.

Sen. Feinstein Opposed to Prop. 90

On Thursday, October 19, Sen. Dianne Feinstein announced her opposition to Prop. 90, the "taxpayer trap" measure on the November ballot. Feinstein, a two-time winner of the League of California Cities' "Legislator of the Year" award (2005 & 2006), joins a diverse group of individuals and organizations opposing Prop. 90.

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"Sen. Feinstein is a trusted leader that Californians know and respect, and her opposition to this initiative adds yet another credible voice among many urging California voters to reject this deceptive and extreme measure," said Tom Adams, co-chair of the "No on 90" Campaign and board president of the California League of Conservation Voters.

Advertising Campaign Continues

The TV advertisement campaign against Prop. 90, the "taxpayer trap" measure on the November ballot, began on Wednesday, October 11. Two commercials - a 30-second spot and a 15-second spot - are airing on major networks throughout California.

The 30-second spot, "*Many Groups, Many Reasons*," includes quotes from diverse organizations like the League of Women Voters of California, California Small Business Association, National Wildlife Federation, League of California Homeowners, and California Taxpayers' Association.

The second ad, entitled "*Scale*," is a 15-second clip that also highlights the diverse coalition opposing Prop. 90 and informs voters that the vast majority of funding to support Prop. 90 has come from large out-of-state developers.

To view both ads, visit www.noprop90.com.

'No on 90' Walk Pieces Now Available

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 has produced 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 the "No on Prop. 90" information desk at the League's

Annual Conference, it outlines 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. Contact your League 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" located at www.cacities.org/ballotmeasures.

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