

PRIORITY FOCUS



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CALIFORNIA'S CLIMATE CHANGE REGULATORY PROCESS MOVES FORWARD

Multiple state agencies are working to produce plans to reduce green house gas (GHG) emissions to 1990 levels by 2020. This reduction was mandated by AB 32, the Green House Reduction Act of 2006. Although the work is happening at the state level, city officials will want to understand the status of the law's implementation as it stands in 2008. *For more, see Page 2.*

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STATUS OF EMPLOYEE RELATIONS BILLS

The League of California Cities produced a series of "The Worst of the Worst" employee relations bills at the close of last year's legislative session. Most of the bills were either two-year bills or bills that the League needed to oppose and eventually kill. The following is a status of some of those bills and others that are currently on the League's radar. *For more, see Page 2.*

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THE LEAGUE WELCOMES CALIFORNIA'S NEWEST CITY—WILDOMAR

With Tuesday's election in Riverside County, California will soon have 479 cities. Wildomar, a community of about 29,000 residents, will be the first city to incorporate in the county since Murrieta in 1991. It will officially become a city July 1.

In 2007, the California Air Resources Board (ARB) adopted nine discrete early action items to be executed by significant GHG emitters by Jan. 1, 2010. City officials will be most interested in the landfill methane capture item which requires gas collection and control measures on landfills where these systems are not currently required. Methane is a potent GHG which can come from landfill emissions among other sources.

ARB also adopted 35 early action items. These measures are currently underway or will be initiated by ARB between 2007 and 2012. A list and description of these items can be found at www.arb.ca.gov/climatechange.

Late last year, ARB quantified the 1990 emissions level at 427 million metric tons of carbon dioxide equivalent (MMTCO₂e). This is the level the state must reduce its emissions by 2020.

In early 2008, subgroups of Gov. Arnold Schwarzenegger's Climate Action Team (CAT) began meeting regularly to develop plans that will feed into the Scoping Plan required by AB 32. This plan will go to ARB in November 2008. The Scoping Plan will be a document that describes how California will reduce emissions to 1990 levels by 2020 as well as provide a low carbon view for the state between 2020 and 2050.

League staff is actively involved with two of the 11 subgroups: land use and local government and waste management. Draft plans from the 11 subgroups should be released to the public by spring 2008. The League will provide updates on this process through *Priority Focus* and the League's Web site (www.cacities.org).

'Employee Relations Bills' Continued from Page 1...

SB 726 (Alquist). This legislation was recently amended and would provide retroactive presumptions for blood borne pathogens to public safety employees in Santa Clara County. This retroactive presumption would require the affected public employers to reopen claims back to April 1, 1995. This is not only a dangerous precedent to be set for other entities across the state, but would result in a tremendous financial burden to cities and counties affected in what promises to be a lean budget year to begin with. **OPPOSE.**

SB 1115 (Migden). This legislation strips key and equitable apportionment provisions from the SB 899 reforms and potentially eliminates the employer's ability to use any non-industrial circumstance in determining permanent disability. **OPPOSE.**

AB 213 (Fuentes). Now dead, this bill would have allowed venue shopping for injured workers. Current law allows cities to object to a "change of venue" in a work comp case and AB 213 would have taken that ability away.

AB 1496 (Swanson). This is the bill that will force cities to move ALL part-time workers into full-time positions within a three month period. The bill is in Senate Local Government Committee, where it is expected to stay due to issues with costs to local government and concerns from the senator who holds the swing vote. If the bill makes it out of committee and is amended, it will have to come back to the Assembly for concurrence, where the League will have another opportunity to kill it. **OPPOSE.**

Positive Results for Local Tax Measures Across California

Along with the presidential primary candidates and state level initiatives on the ballot Tuesday, Feb. 5, nearly 100 local measures appeared on the ballots across the state. Sixty-two of these local measures related to city, county, special district or school bonds or taxes.

The results were positive for most California cities with revenue measures on the ballot this week. Thirteen of the 62 local revenue measures concerned city taxes. All seven majority vote city

taxes passed, including six measures to modernize existing utility user taxes. Four of the six super majority vote city tax proposals also passed.

Two city incorporation proposals also came before voters. While Wildomar in Riverside County will become the state's 479th city, residents of Oakhurst, in Madera County, turned back that effort. See 'Wildomar' on p. 1.

League fiscal consultant Michael Coleman has prepared a preliminary breakdown of the measures. His report can be found online at www.californiacityfinance.com/#VOTES.

Proposition 1C Funds Available for Affordable Housing for Permanent Low-Interest Loans

Gov. Arnold Schwarzenegger announced the availability of \$69.5 million in Prop. 1C funds for affordable housing projects on Thursday, Feb. 7. The funds will be used to provide permanent low-interest loans for the construction and rehabilitation of affordable apartment homes across California.

The funds will go toward 14 affordable housing projects in the following counties: Alameda, Fresno, Imperial, Kern, Lake, Los Angeles, San Diego, Santa Clara, Santa Cruz, Sonoma, and Ventura.

The Governor, when announcing the availability of these funds, also touted the benefits of an investment which would create new jobs and help boost the state's economy.

The Department of Housing and Community Development has more information about Prop. 1C funding online at www.hcd.ca.gov.

Cities Benefit from Affordable Housing Compliance Monitoring Tool

U.S. Communities offers software to help local agencies comply with the complex requirements of affordable housing laws. The incentives that support affordable housing often require the public agency to monitor the property for compliance with federal and state affordable housing laws.

The public agency's monitoring responsibilities are important to ensure that the full public benefit of the affordable housing project is realized in return for the incentives provided to the developer. Proper compliance monitoring also will help to ensure the property remains affordable in the event of an IRS audit.

Compliance monitoring involves reviewing and analyzing regular reports from the owner, as well as periodic site visits to audit tenant files and perform physical inspections. The required monthly reporting can be demanding. The public agency needs a well-organized and dependable system to track, analyze and file the reports.

Compliance Monitoring Solutions—AB 887 Compatible

U.S. Communities developed FOCUS Compliance Software, a web-based compliance monitoring software and reporting system for public agencies and developers with affordable housing compliance monitoring obligations. The software automates a series of complex and time-consuming income and rent calculations that must be performed for every tenant to ensure individual tenants and the overall property are in compliance with federal, state and local income and rent restrictions.

FOCUS is also compliant with the new requirements of AB 887. Effective Jan. 1, redevelopment agencies must now post information about their affordable housing projects online. FOCUS makes this easy to do.

Launched in 2006, FOCUS is now used to monitor over 500 affordable housing properties representing over 55,000 units. The program has proven to significantly reduce the time and cost associated with compliance monitoring while improving reporting compliance, reducing paperwork and increasing accuracy.

U.S. Communities can provide the custom software or additional compliance services (including, but not limited to compliance training and/or consulting support) to assist cities in managing their affordable housing compliance requirements.

Please contact Lorna Henri for further information at lhenri@cacommunities.org. Additional information about compliance issues can be found online at www.housingcompliance.org.

U.S. Communities is a joint powers authority sponsored by the League of California Cities and the California State Association of Counties. Its mission is to create programs that assist local authorities to build better communities, stimulate social and economic growth and save public agencies time and resources.

League 2007 Legislative Report Now Online

City officials interested in information about legislation tracked by the League and signed by Gov. Arnold Schwarzenegger in 2007 can find a copy of the League's Legislative Report online at www.cacities.org/legresources.

Sustainable Cities Feature: Santa Barbara's Integrated Pest Management System

The city of Santa Barbara boasts some of the "greenest" parks and public landscaping in California thanks to its reliance on an integrated pest-management (IPM) system instead of toxic chemicals to control weeds and eliminate pests.

The city's long history of working to enhance and preserve the natural environment formally culminated when Santa Barbara adopted its sustainable city program in 2006 to ensure that all city operations supported this goal. The city formalized its IPM approach to landscaping two years prior.

IPM uses a combination of biological, cultural, physical and chemical tools to minimize the health, environmental and financial risks associated with pest management. In short, pesticides are avoided wherever possible and only used as a last resort. The least toxic option is always the preferred method with IPM.

In the past five years, pesticide use in the city has dropped by 92 percent. In fact, 98 percent of Santa Barbara's parks are now maintained using only nontoxic methods or low hazard pesticides. For example, less than three gallons of glyphosate (Round-Up) was used in management of nearly 1900 acres of parkland in 2007.

The city uses IPM throughout the city including the airport, golf course, street landscaping, creeks, beaches, and the AC Postel Memorial Rose Garden across from Mission Santa Barbara.

Various city departments, including parks and recreation, work with a five-member citizen IPM advisory committee to implement the program. IPM techniques used in Santa Barbara include:

- Hot water/steam and green-flaming in high use parks;
- Mulching;
- Mow strips and planning bed renovations to reduce herbicide need;
- Trapping rodents at high use parks; and
- Cultural modifications to manage clover and associated bee sting hazards around pools.

Looking to expand the integrated pest management system in the city, Santa Barbara is currently investigating how increasing the bat population would reduce the need to use mosquito abatement treatments. The city soon hopes to install bat nesting boxes.

The California Department of Pesticide Regulation honored Santa Barbara for its efforts with its 2007 Integrated Pest Management Innovator Award. The award, given Jan. 17 in Sacramento, was given to eight recipients. Santa Barbara is one of five cities to receive this award since 1994.

Santa Barbara has more information about the city's sustainability activities online at www.santabarbaraca.gov/Government/SustainableSB/.

Department of Homeland Security Announces Availability of \$3 Billion in New Grant Funds

The Department of Homeland Security (DHS) released applications this week for 14 federal grant programs designed to strengthen prevention, protection, response and recovery at all levels of government. Created in 2005, DHS has administered \$22.7 billion in federal grants so far to states, territories, urban areas and transportation authorities.

In conjunction with the grant announcement, DHS also released grant application guidelines to give applicants more time apply for funding to allow for a more efficient process that will expedite the ultimate implementation of grant programs.

Application Deadlines

Infrastructure Protection Program (IPP) applications are due March 17. Homeland Security Grant Program (HSGP) applications are due May 1.

Additional information, including individual fact sheets on each program, is available at www.dhs.gov.

2008 Grant Allocations

The grant program allocations for 2008 are:

- **Homeland Security Grant Program (HSGP)** – \$1.69 billion. HSGP is comprised of four programs:
 - o State Homeland Security Program (SHSP) – \$862.9 million to enhance state, territorial and local capabilities through planning, equipment, training and exercise activities
 - o Urban Areas Security Initiative (UASI) – \$781.6 million to build capabilities in 60 high-threat, high-density urban areas across the country
 - Law Enforcement Terrorism Prevention Activities - In addition, the department is directing that at least 25 percent of funds allocated from both SHSP and UASI build state and local law enforcement terrorism prevention capabilities
 - o Metropolitan Medical Response System Program (MMRS) – \$39.8 million to 124 MMRS jurisdictions to enhance mass casualty preparedness
 - o Citizen Corps Program (CCP) – \$14.5 million to states and territories to engage citizens in community preparedness
- **Infrastructure Protection Program (IPP)** – \$852 million. IPP is comprised of five overall programs:
 - o Transit Security Grant Program (TSGP) – \$388.6 million protect critical transit infrastructure from terrorism, including:
 - TSGP to intracity systems - \$348.6 million to owners and operators of transit systems, which include intracity bus, rail and ferry systems, focused on employee training, infrastructure protection (e.g. intrusion

Early bird registration ends March 1 for a discounted entry fee. Registration will be open until the conference starts at full price. Special group rates for the education program are available for groups of four or more. The keynote speeches and expo floor are free, but you must register to attend.

For questions, please contact Cindy Dangberg at (916) 838-3339.

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.
