CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 18, 2008

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Adoption of City Of Santa Barbara 2008 Legislative Platform

RECOMMENDATION: That Council:

A. Adopt the proposed City of Santa Barbara 2008 Legislative Platform; and
B. Authorize the Mayor, her designee in her absence, and staff, acting on behalf of the City of Santa Barbara, to contact state and federal representatives and send letters to advocate positions consistent with the goals of the City's Legislative Platform.

DISCUSSION:

The City's Legislative Platform outlines the City's position on policy and legislative matters. It serves as the foundation for the City to state its support, neutral or oppose position on State and Federal legislative actions.

This year the Committee on Legislation dedicated two meetings to review and discuss proposed updates to the Legislative Platform. On March 5, 2008, at the committee's second meeting, the Committee on Legislation reviewed and approved an updated Legislative Platform for 2008. Attached is the updated platform recommended for adoption by the City Council.

Changes to the platform fell under three principal categories:

- Added statements to cover new Council initiatives or increased emphasis on certain topics – for example, sustainability and environmental quality (pages 5, 8, 9 and 19)
- Deleted obsolete sections – for example: deleted references to supporting amendment to a section of the California Code under public safety/fire because the matter is no longer current (page 2)

REVIEWED BY: _____Finance _____Attorney _____Name of Additional Department(s) That Need to Review CAR

Agenda Item No._____

- General clarification and corrections – for example: where applicable, added references to federal and state funding for children and youth initiatives (pages 23 and 24)
- General text corrections

Final format changes will be made, and a table of contents will be added when the Legislative Platform is finalized. The Legislative Platform will also be added to our website for the public to access.

On March 5, 2008, the Committee also recommended that the City Council consider supporting legislation that would allow cities to regulate the sale of beer and wine products in City Council-designated alcohol import areas. As part of this recommendation, staff was requested to provide the City Council with initial information regarding comparable programs and definition of impact zones in other cities. Staff will return to the City Council at a later date to address this matter.

Legislative Platform

The platform has been updated to incorporate legislative policy positions adopted by Council over time. The proposed Legislative Platform is structured under the following issue areas:

- Revenue and Taxation
- Public Safety
- Transportation, Communications and Public Works
- Environmental Quality
- Housing, Community and Economic Development
- Airport
- Waterfront
- Community Services
- Employee Relations
- City Administration

The platform outlines legislative issues of interest to the City. In cases where a matter is not addressed in the platform, staff will return to the Committee on Legislation/City Council for final direction as may be necessary.

<u>Guidelines for Advocacy</u>

We will continue to use previously established guidelines for legislative advocacy. The guidelines are designed to produce timely and effective communication with legislators. Advocacy efforts will generally occur in one or more of the following ways:

1. Advocacy Letters

- The platform is organized by topic with a lead department assigned to each topic. With coordination from the City Administrator's Office, designated departments are responsible for handling the process for taking positions on legislation as assigned.

- Upon referral from the Mayor and Council, City Administrator's Office, League of California Cities or other sources, designated department staff will compare legislative proposals against the City's Legislative Platform. If the proposed bill raises legal issues, department staff will consult with the City Attorney's Office.

- If the matter is covered in our legislative platform and correspondence is determined to be appropriate, a letter will be drafted and forwarded electronically to the City Administrator's Office and the Mayor's Office for review and action. In cases where proposed legislation is not addressed in the platform, staff will return to the City Council for final direction as may be necessary.

- As necessary, the Mayor and/or staff will contact legislators, or their staff, via telephone, e-mail or in person to reinforce the City's position or to provide additional information.

2. Committee on Legislation

- During the legislative session, Staff may consult with and enlist the Council's Committee on Legislation and/or the Mayor if efforts beyond the standard position letter are required. The Mayor and Committee on Legislation may undertake direct contact with legislators or recommend to the City Council that more extensive actions be taken. The Mayor and Committee members may also communicate with other parties who may have an interest in proposed bills.

- The Committee on Legislation has scheduled meetings on the fourth Monday of every month but will meet only as necessary. Technical support for the Committee on Legislation is provided by the Director of Administrative Services and the City Attorney.

3. Meetings with State and Federal Representatives, legislative advocates and coordination with others

- Recently the Committee on Legislation held a Special Council meeting that featured Del Smith, a legislative advocate who represents the City in Washington, DC. Mr. Smith provided an update on priority projects and the challenges and opportunities at the Federal level.

- On various occasions, Dave Mullinax, Regional Public Affairs Manager with the League of California Cites Channel Counties Division has appeared before the Committee on Legislation to update the City on State legislation and issues.
- City staff and staff and elected officials from the cities of Goleta and Carpinteria routinely attend the meetings of the Committee on Legislation when there are issues that interest or impact their cities. We're pleased to have the south coast cities at our meetings and to share our Legislative Platform with them.
- As part of the legislative action process, the Committee on Legislation may invite members of our State Assembly, State Senate and Congress, or legislative advocates, to committee meetings to discuss legislative positions and interests. The Mayor and Councilmembers will be invited when such meetings are scheduled; City Staff will participate as appropriate.

NOTE: The City of Santa Barbara 2008 Legislative Platform is available for public review online and in the Office of the City Clerk

PREPARED BY: Marcelo A. López, Administrative Services Director

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office

Legislative Platform 2008

City of Santa Barbara

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III. *CITY OF SANTA BARBARA 2008 LEGISLATIVE PLATFORM*

Proposed: February 27, 2008

REVENUE AND TAXATION		
SCOPE		Issues and recommendations related to finance administration, taxation reform, and revenue needs, and revenue sources at the federal, state and local levels.
EFFECTIVE FINANCING	**Finance**	**Support** meaningful fiscal reform that allows each level of government to adequately finance its service responsibilities.
BEST USE OF FUNDS	**Finance**	**Support** the emphasis on efficiency and effectiveness, encouraging governments to achieve the best possible use of public resources.
ALLIANCES **STATEWIDE INITIATIVE** • Fiscal independence • Property tax • Local revenues • Unfunded mandates	**Finance**	**Support** alliances with counties, schools, other cities, employee organizations, other local agencies, and business and professional organizations to support cooperation, sound financial policies and joint action.
ECONOMIC STIMULUS	**Finance**	**Support** an economic stimulus package that creates a balance between investments and tax incentives.
LOCAL CONTROL • Sales tax • Right of way • Local revenues • Preservation • Property tax • Fees • VLF • Simple Majority	**Finance**	**Support** state and local authority to collect legally due sales tax on remote transactions; and **Support** continued local control over public rights-of-way. **Support** local, political authority and accountability for revenues raised and services provided. **Support** the preservation of local authority and accountability for cities, and state policies that: • Ensure the protection of existing city revenue sources for all cities, including the local share of property tax, sales tax, and vehicle license fees, Redevelopment Agency revenues, among others. • Allow every level of government to enjoy budgetary independence from programs and costs imposed by other levels of government. • Authorize a simple majority of the voters in a city or county to establish local priorities, including the right to increase taxes or issue general obligation bonds.

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STATE MANDATES REIMBURSEMENT	**Finance**	**Support** full and prompt reimbursement to all local agencies for all state-mandated programs and/or infractions and losses associated with local revenue shifts and reforms to accomplish such objectives.
ADDITIONAL REVENUE FOR LOCAL NEEDS	**Finance**	**Support** efforts to bring additional revenue to the state/local revenue structure to meet the needs of a growing population and deteriorating services and facilities.
SITUS-BASED SALES TAX – BRADLEY BURNS	**Finance**	**Support** efforts to preserve and protect the existing situs-based sales tax under the Bradley Burns 1% baseline
REGIONAL REVENUES	**Finance**	**Support** the identification and implementation of multi-jurisdictional revenues in cases where regional issues, programs, and services are identified.

PUBLIC SAFETY		
SCOPE		Federal and state legislation and issues related to law enforcement, fire and life safety policies including emergency communications and emergency services including ambulance and disaster preparedness.
FIRE AND EMERGENCY MEDICAL SERVICES • Mission • Local control • Title 19 • Staffing • Transport	**Fire**	**Support** the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc., as well as cities authority and discretion to provide all emergency services in their communities. **Support** local control of emergency medical services and authorize cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including ambulance transport services, provided within local boundaries to improve pre-hospital emergency medical service. **Oppose** legislation, regulations and standards that impose minimum staffing and response time standards for city fire and emergency medical services since such determinations should reflect the conditions and priorities of individual cities.
FEDERAL FUNDING	**Police**	**Support** federal funding for the Local Law Enforcement Block Grant, Homeland Security Block Grant, the COPS program and other law enforcement programs.
FEDERAL HOMELAND PROTECTION • Matching funds • Communication • Standards	**Police**	**Support** direct federal funding to cities, without any match requirements to support local protection efforts with incentives for regional collaboration; without any match requirements; **Support** direct communication between federal agencies and local authorities on critical homeland issues; **Support** federal standards, guidelines, and protocols to ensure reliable, consistent, timely, and

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FEDERAL HOMELAND PROTECTION CONT'D • Local control		redundant preparedness on the front lines; and **Support** local control over front line responses.

LAW ENFORCEMENT • Penalties • Violent offenders • Cost reimbursement • Booking fees • Data collection • Predators • Racial profiling • Deportable criminals	**Police**	**Support** the promotion of public safety through: • Stiffer penalties for violent offenders; and • Additional funding for local agencies to recoup the costs of crime and increase community safety. **Oppose** booking fees and seek their repeal, while encouraging localities to pursue resolution of the issues with their respective counties. **Support** data collection on hate crimes based on race, national origin, religion, gender, or sexual orientation and improved federal-local communication and coordination on hate crimes. **Support** federal action to identify predatory lending practices and increase federal enforcement action against lenders who target the elderly, low-income families, and racial minorities. **Support** federal anti-racial profiling legislation that provides financial support to state and local law enforcement agencies for training, equipment, and data collection. **Support** reimbursement by the federal government to local agencies, specifically cities, for the costs associated with incarcerating deportable criminals.
NUISANCE CONTROL • Adult entertainment • Alcohol • Drugs	**Police**	**Support** enhanced local control over public nuisances including, but not limited to: • Adult entertainment facilities; • Problem alcohol establishments; and • Properties where illegal drugs are sold.
VIOLENT CRIMES	**Police**	**Support** the reduction of violence through strategies that address domestic violence, youth access to tools of violence, including but not limited to firearms, knives, etc., and those outlined in the California Police Chiefs Policy Paper endorsed by the League of California Cities' Board of Directors.
GRAFFITI	**Police**	**Support** the "Tag You Lose" anti-graffiti campaign. **Support** increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.

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CHILDREN/YOUTH	**Police** **Parks and Recreation,** **Community Development, and Library**	See page 19 for the following issues in this category: • Job Training • Prenatal Care • Youth Program • Federal Grants • Natural Policy • After School • Equal Access • Educational Programs • Parks and Recreation Facilities • Library funding • Universal Health Care

TRANSPORTATION, PUBLIC WORKS and COMMUNICATIONS		
SCOPE		Review both state and federal legislation as it relates to issues of transportation funding, construction, public works, telecommunications, and other related areas.
TRANSPORTATION • Funding • TEA 21 • Unmet infrastructure • Direct funding • Gas tax • Streets and roads • Local autonomy • Bicycle/Pedestrians • Commuter Rail	**Public Works**	**Support** continued funding for surface transportation programs authorized in the Transportation Equity Act for the 21st Century (TEA 21); **Support** additional funding for local transportation and other critical unmet infrastructure needs. **Support** funding projects on their merit in accordance with identified criteria. **Support** the adoption and implementation of a long-term capital investment plan and budget to upgrade and repair vital infrastructure. **Support** a continuous appropriation of new funds directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system. **Support** maximizing investments in infrastructure and reinforce local land use practices to accomplish strategic local growth objectives such as compact land development patterns, revitalizing urban cores, transit-oriented development and preservation of open space. **Support** leveraging state investments to fund affordable housing and critical local and regional infrastructure projects to accomplish regional priorities. **Support** a permanent shift of the sales tax on gasoline for transportation purposes and an allocation formula equivalent to a 40/40/20 split with 40 percent to cities and counties, 40 percent to STIP and 20 percent to transit. **Support** enhanced autonomy for local transportation decision-making and pursue transportation policy changes that move more funding and decision-making to local policy leaders or fund urban infrastructure needs. **Support** bicycle and pedestrian access with maximum local flexibility to prioritize this transportation need, as long as funding is available directly for it and other transportation priorities are not affected. **Support** legislation that would provide funding to explore the feasibility of establishing commuter-

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TRANSPORTATION CONT'D		rail service within the region. **Support** legislation and policies that promote the goals, objectives, and continuation of Measure D programs.
PUBLIC WORKS PROJECTS • Flexibility • Partnerships • Innovations	Public Works	**Support** retaining maximum flexibility for timely and cost-effective completion of public works projects. **Support** innovative strategies including public-private partnerships at the state and local levels to enhance public works funding. **Support** changes to law that allow cities options to use design-build contracting and other innovations designed to enhance efficiency with public contracting.
VEHICLES • Road damage • Local control • Safety	**Public Works**	**Oppose** all efforts that allow vehicles that will jeopardize the integrity of the public infrastructure or the health and safety of the motoring public on the road. **Support** retention of maximum City control of the local street and road system. **Support** traffic safety enhancements such as motorcycle helmets, child restraints, seat belt and speed limit laws.
CABLE TELEVISION – ACCESS AND REVENUES	**Finance**	**Support** the ability of cities to retain public, educational and government access channels, institutional networks and franchise revenues from cable television and other video providers.
TELECOMMUNICATIONS • Local control • Taxes • Infrastructure • Right of Way	**Public Works**	**Oppose** any state or federal efforts to erode the ability of local governments to maintain existing taxes on telecommunication services. **Support** the authority of cities to zone and plan for the deployment of telecommunications infrastructure. **Support** the ability of cities to maintain and manage the public right-of-way and receive compensation for its use.

ENVIRONMENTAL QUALITY	
SCOPE	Issues related to air and water quality, CEQA, integrated waste management, hazardous materials, coastal issues, energy, water conservation, and utilities.

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Air Quality • Improvements • Regulations • Standards • Land Use • Local Control • Fund Diversion • Governance • Health/Safety Code	**Public Works/ Community Development**	**Support** regulatory changes and infrastructure improvements that will reduce air pollution. **Oppose** legislation that will reduce air quality standards or restrict a cities permitting authority for land uses that may negatively affect air quality. **Support** inclusion of city officials on the governing boards of air districts. **Support** cities having the authority to establish local air quality standards and programs that are stricter than state and federal standards and oppose efforts to restrict such authority. **Oppose** legislation redirecting the funds authorized by Health and Safety Code Section 44223, which currently are used by local governments for locally based air quality programs.
WATER QUALITY • Infrastructure investment • Local Control • Standards • Liability • Streamlining reform • "Bounty Hunters" • Water Softeners • Watershed Management • Treatment • Reuse • Reclaimed Water • Numeric Limits • Diversion • Frivolous lawsuits • Remedies • Fees/Penalty revenues • NPDES • State/regional discretion	**Public Works/ Community Development**	**Support** a renewed federal financial commitment to water infrastructure investment. **Support** the ability of cities to enact discharge and water quality requirements or standards that are stricter than state or federal standards. **Support** legislation to protect public agencies that provide wastewater treatment services, from liability for pollution or contamination to groundwater from chemicals unlawfully discharged into the collection system. **Support** efforts to streamline and reform the Federal Safe Drinking Water Act and the Federal Clean Water Act. **Oppose** legislation to enact "bounty-hunter" rewards for individuals who identify water quality or water pollution violators. **Support** the right of cities to enact ordinances that restrict the use of water softeners. **Support** regulations and legislation that promote watershed management as a water quality tool that appropriately spreads the responsibility for clean water beyond the requirements that apply to point source dischargers and publicly owned treatment works. **Support** legislation that encourages the treatment of municipal wastewater for non-potable reuse and maximizes the responsible use of reclaimed water as an alternative to California's fresh water supply. **Oppose** legislation that requires the use of numeric limits in waste discharge permits and storm water permits. **Support** efforts to set clear goals as occurred with solid waste diversion legislation. **Support** as appropriate, state and federal legislative and administrative remedies that would: • Limit frivolous citizen lawsuits for personal financial gain but continue to allow injunctive relief for documented violations of the Clean Water Act if the violations are not the subject of enforcement proceedings by state agencies or by local water quality control boards; • Ensure that the majority of funds collected from a city as fees, penalties, or judgments are

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WATER QUALITY, CONT'D	**Public Works/ Community Development**	directed toward correcting the cause of past, current and projected violations of a city's National Pollution Discharge Elimination System permit; • Return limited discretion to state and regional water quality control boards in setting penalties to allow fairness based on severity and circumstances of the violation; and Encouraging the state and regional water quality control boards to use their existing discretionary authority, in keeping with the requirements of the Clean Water Act, to issue permits that are reasonably achievable.
HAZARDOUS MATERIALS • Local control/standards • Streamlining • Administrating agencies • Lead agency • Building permits • Land use	**Public Works/ Community Development and Fire**	**Support** the ability of local governments to enact local standards or regulations that are stronger than those enacted by the state and federal governments. **Support** efforts to streamline and coordinate hazardous materials regulation among various levels of government, including city fire departments and county environmental health departments. **Support** the ability of city fire departments to be administrating agencies for any of the major hazardous materials laws or to be the lead agency (the Certified Unified Program Agency) under the SB 1082 program. **Oppose** legislation or regulations to restrict such authority. **Oppose** efforts to restrict the ability of cities to issue building or other permits it is now authorized to issue, relative to hazardous materials laws, as long as such facilities comply with established health and safety standards. **Oppose** any proposals that would preempt the ability of a city to deny a land use permit or restrict its ability to issue a conditional use permit for the siting of a hazardous waste facility.
REVITALIZATION OF BROWNFIELDS • Local control • Additional funding • Land use • Remediation • Restrictions • State involvement • Owner responsibility	**Community Development**	**Support** protecting cities' ultimate say on whether a proposed brownfield remediation project is consistent with local land use policy. **Support** additional fiscal resources and options to restore and develop urban and industrial brownfields contaminated by hazardous materials. **Support** the clean up level of a project being based on its proposed use (i.e., parking garage, as opposed to residential development); **Support** placing and keeping mechanisms, such as restrictive covenants or deed restrictions, in place to ensure that a future use for the property is appropriate given the level of remediation.**Support** state agencies having the responsibility to do the technical evaluation for site assessment and remediation plans; and **Support** a property owner being required to do the necessary site assessment and clean up if the owner plans to develop the site.

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INTEGRATED WASTE MANAGEMENT • Local control • AB 939 • Streamline • Green Waste • CIWWB • Diversion • Measurement • Requirements • Non-burn transformation • Market development • Staffing • Variable can rates • E-waste • Curbside recycling • AB 2020 • Packaging • Local LEA • Authority • Landfills • Land use • Landfill certification	**Public Works/ Community Development**	**Support** retention of local authority for decisions on how to achieve the recycling and diversion requirements of the Integrated Waste Management Act of 1989 (AB 939). **Support** continued efforts to streamline provisions of AB 939 and to assist in its compliance. **Oppose** efforts to dismantle the California Integrated Waste Management Board (CIWMB) and transfer its functions to an administrative department. Support inclusion of a designated local government representative on the CIWMB. **Support** legislation to provide changes to AB 939 that will: • Place more emphasis on implementation of waste diversion programs and less strict mathematical accounting; • Require the California Integrated Waste Management Board to evaluate the level of accuracy of the existing system to measure jurisdictions' achievement of the waste diversion requirements; • Require the board to expand its market development activities, including providing more funding for research and development of markets for recyclable materials; and • Require the California Integrated Waste Management Board to staff its existing regional offices with personnel that can assist jurisdictions in carrying out the requirements of the act. **Support** legislation and other efforts to increase the markets for recycled materials, including advance disposal fees, minimum content laws, and recycling market development zones. **Oppose** legislation that requires local governments to adopt refuse fees based upon variable can rates. **Support** legislation implementing the concept of manufacturer responsibility for electronic waste. **Support** efforts to strengthen curbside recycling programs. **Support** legislation to expand the container types included in the AB 2020-bottle bill program. **Support** legislation that promotes reduced packaging and Extended Producer Responsibility (EPR). **Support** legislation to develop a permit process for solid waste conversion technologies that are capable of minimizing the amount of solid waste landfilled and do not impede or impair existing and planned recycling and waste reduction programs. **Support** legislation that requires the reduction and/or take-back of supply-side and consumer packaging materials by their manufacturer through Extended Producer Responsibility (EPR) guidelines.

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INTEGRATED WASTE MANAGEMENT, CONT'D	**Public Works/ Community Development**	**Support** the ability of jurisdictions to impose a fee or tax on single use plastic bags. **Support** the right of cities under existing law to be designated as Local Enforcement Agencies for solid waste facility permitting, inspection and enforcement. **Oppose** legislation that would preempt local land use authority over solid waste facilities, restrict the ability of a city to issue a land use permit for a solid waste facility or restrict the ability of a city to condition such facilities through the conditional use permit process. **Oppose** legislation that would authorize the Waste Board to consider landfill capacity as a reason for denying concurrence of a solid waste facility permit. **Oppose** legislation that would prohibit a public agency from being certified as a Local Enforcement Agency if the public agency is also an operator of a solid waste facility.
UTILITIES • Local control • PUC • Generating sources • Rate setting	**Public Works**	**Support** the constitutional right of municipal utilities to operate outside the jurisdiction of the California Public Utilities Commission (PUC) and oppose any legislation that would erode the ability of municipal utilities to operate, or place them under PUC control. **Oppose** any legislation that interferes with local utility rate setting authority and oppose any legislation that restricts the ability of a city to transfer revenue from a utility (or other enterprise activity) to a city's general fund.
CLIMATE PROTECTION	**Public Works**	**Support** grants, loans, tax credits and other incentives to assist local governments, businesses, and the public invest in energy efficient equipment and renewable energy technology. **Support** incentives for local governments to complete an inventory of local government facility greenhouse gas emissions. **Support** incentives for local governments to use alternative fuels and purchase fuel efficient vehicles for municipal fleets. **Support** grants, loans, tax credits and other incentives to assist the public in using alternative fuels and purchasing fuel efficient vehicles.

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) • Fair Argument Test • Master EIR Funding • Notification • Duty to Respond • Timelines for CEQA Contract • Arbitration • Bounty Hunter • Re-circulation • Notices • Effect on Environment • Significant Thresholds • Consideration of Socio-Economic Factors • Indirect and Cumulative Effects • Alternative Site Requirement • No Project Alternative • Coastal Commission Authority • Local control • Frivolous appeals • Offshore development • Authority	**Community Development**	**<u>Procedures and Notices</u>** **Oppose** the elimination of the fair argument test as the threshold for determining whether to prepare an Environmental Impact Report (EIR). **Support** the development of a funding source for Master EIRs as proposed in the Little Hoover Commission report. **Oppose** shifting the responsibility to notify Responsible Agencies from the Lead Agency to the State Clearing House. **Oppose** shielding Lead Agencies from responding to comments received more than 30 days after a Notice of Preparation (NOP) or received verbally. **Support** eliminating subdivision (b) of Public Resources Code Section 21151.5, which mandates the timeline for entering into CEQA contracts. **Support** adding a "CEQA arbitrator" option to the requirement that each county over 200,000 designate a "CEQA judge." **Support** voluntary efforts and encouragement of arbitration/mediation in CEQA disputes but not mandatory arbitration. **Support** limitations on lawsuits that have little merit by eliminating the availability of provisions for fee recovery by petitioners or by authorizing cities to collect their fees and costs in cases where they are the prevailing party. **Support** raising the threshold for re-circulation of EIRs so that only new "significant unavoidable impacts" would necessitate re-circulation. **Support** requiring that all projects proposed by any state or local public agencies comply with the identical local public notice requirements that would be applicable to projects sponsored by private developers in the jurisdiction where the project is located. **<u>Definition of a Project</u>** **Support** narrowing the definition of "project" to discourage CEQA lawsuits on non-environmental matters. **<u>Significant Environmental Effects</u>** **Oppose** the creation of a new mandate requiring each city to develop boilerplate significance thresholds. **Oppose** a single statewide set of standards for determining significance at the local level. **Oppose** adding social, economic, recreational or other factors to be considered when analyzing the significance of environmental impacts. **Oppose** amending the definition of effects to eliminate the analysis of indirect and cumulative environmental effects.

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CONT'D • Lead agency • Restrictions/Mandates • Local standards • Habitat plans • Environmental review	**Community Development**	**Oppose** exempting projects that are subject to their own subsequent environmental review from consideration as a reasonably foreseeable future project when analyzing cumulative impacts. **<u>Alternatives</u>** **Support** eliminating the alternative site requirement for all private projects. **Oppose** the elimination of the "no project alternative." **<u>Coastal Issues</u>** **Oppose** legislation that would permit the state to impose conditions on Local Coastal Plans developed by cities and counties. **Support** efforts to curb frivolous appeals to local coastal decisions. **Support** extension of the Federal Coastal Protection Act prohibition of additional offshore development based, in part, on concern about the impacts to on-shore support facilities and services by offshore development activities. **Oppose** legislation that grants authority to the Coastal Commission that is inconsistent, duplicative and overlapping with the authority of other regulatory agencies, such as regional water quality control boards or other agencies or that grants the Coastal Commission authority outside the coastal zone. **<u>Miscellaneous</u>** **Support** the right of cities to serve as Lead Agencies for the purposes of the Surface Mining and Reclamation Act (SMARA).**Oppose** any federal or state regulation, statute or constitutional amendment which would place restrictions on federal, state and local government actions regulating private property or requiring additional compensation beyond the continually evolving judicial interpretation of the Fifth Amendment of the U.S. Constitution. **Support** flexibility for state and local governments to enact environmental and other standards or mandates that are stronger than the federal standards, reserving the right to question or oppose stronger standards on the merits. **Oppose** legislation that prohibits state and local governments from enacting stricter standards. **Support** the ability of local governments to voluntarily develop and approve species habitat plans for their communities, in conjunction with willing property owners. **Support** legislation that would consolidate environmental review studies and processes, and encourage other forms of inter-agency cooperation, for proposed development projects that require permits from multiple jurisdictions (local, state and federal). Oppose legislation, proposed administrative procedures or other initiatives that would add redundant environmental review

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		processes or new levels of permitting from state or federal agencies.

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT		
SCOPE		Policies that foster local control of community planning decisions as they relate to land use, affordable housing, cultural arts, human and neighborhood services, redevelopment and the community's economic health.
AIR QUALITY	**Community Development /Public Works**	See page 5 for the following issues under this category: • Improvements • Regulations • Standards • Land Use • Local Control • Fund Diversion • Governance • Health/Safety Code.
WATER QUALITY	**Community Development/ Public Works**	See page 5 for the following issues under this category: • Infrastructure investment • Local Control • Standards • Liability • Streamlining reform • "Bounty Hunters" • Water Softeners • Watershed Management • Treatment • Reuse • Reclaimed Water • Numeric Limits • Diversion • Frivolous lawsuits • Remedies • Fees/Penalty revenues • NPDES • State/regional discretion.
HAZARDOUS MATERIALS	**Community Development /Public Works**	See page 6 for the following issues under this category: • Local control/standards • Streamlining • Administrating agencies • Lead agency • Building permits • Land use
INTEGRATED WASTE MANAGEMENT	**Community Development /Public Works**	See page 7 for the following issues under this category: • Local control • AB 939 • Streamline • Green Waste • CIWWB • Diversion • Measurement • Requirements • Non-burn transformation • Market development • Staffing • Variable can rates • E-waste • Curbside recycling • AB 2020 • Packaging • Local LEA • Authority • Landfills • Land use • Landfill certification.
TOURISM • Identity/funds	**Community Development**	**Support** federal and state efforts to foster tourism policy development and coordination, and raise awareness of the economic impact of travel and tourism.**Support** funding to create a national identity for the U.S. as a premier travel destination with funds to be allocated directly to local governments. **Support** federal and state assistance to the travel and tourism industry.

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ARTS • National support • Funding • Museums, humanities, education	**Community Development**	**Support** the National Endowment for the Arts, National Endowment for the Humanities, and the Office of Museum Services within the Institute of Museum and Library Services. **Support** funding for these agencies at levels to sustain the nation's cultural infrastructure. **Support** funding for Arts in Education in the U.S. Department of Education's Fund for Improvement of Education to encourage high quality arts instruction in schools.
PLANNING AND ZONING • General Plans • Water Supply/land use • Zoning	**Community Development**	**Support** the use of the general plan as a guide to meeting community planning needs. A city's general plan should not be subject to mandatory review by regional or state agencies. **Support** having the best information available on the reliability of water supplies when land use decisions are made by local agencies, while protecting and retaining local land use decision-making authority. **Support** protection of local zoning as a primary function of cities and an essential component of home rule. State agency siting of facilities, including campuses and office buildings, should be subject to local notice and hearing requirements in order to meet concerns of the local community.
AFFORDABLE HOUSING • Financing • CDBG/Home • Federal funding • Legal protections • HOPE VI • Section 202 • Elderly housing • Non-profits • Section 8 • Section 811 funding	**Community Development**	**Support** legislation and state and federal programs that assist in providing financing for affordable housing, including the development of fiscal tools and incentives to assist local governments in their efforts to encourage housing and finance the infrastructure to support housing. **Support** federal funding for the Community Development Block Grant Program and the HOME Investment Partnerships Program. **Support** federal funding of: 1) HOPE VI for an additional ten years; 2) Section 202 for new construction and rental assistance; modernization of units of elderly housing; 3) efforts to preserve elderly housing, permitting nonprofit organizations to purchase elderly housing projects with expiring Section 8 contracts; 4) Section 811 funding for the disabled; and 5) McKinney Act homeless assistance grants. **Support** and encourage legislation that establishes additional legal protections to local agencies that approve affordable housing and that establish local pro-active affordable housing policies. **Support** the preservation of Section 8 Program Funding.
AFFORDABLE HOUSING • McKinney Act • Fair market rents	**Community Development**	**Support** at the federal level, the calculation of Section 8 "fair market rents" and "area median income" on a sub-regional basis, rather than on a countywide basis.

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HOUSING • General plan • Housing element • Growth • Allocation of • Accountability • Performance Standard • Incentives • Streamlining • Reforms • Growth • RHNA units • Disputes • Consistency • Flexibility	**Community Development**	**Support** the following housing principles: Housing issues should be addressed in the general plan as other planning issues are. The housing element should be prepared for the benefit of local governments and should have equal status with the other elements of the general plan. The projections of regional and local growth and the allocations of housing units should account for state and local planning factors and should be subject to a formal hearing and appeal process to ensure that they are realistic. Cities should be allowed to work together to allocate housing units among themselves within a sub-region. Politically accountable officials at the state and regional levels should hear appeals. Local government efforts should be subject to realistic performance standards not to arbitrary state agency review of the housing element. Local government housing efforts should be rewarded by incentives. These incentives should include streamlining by not being subject to HCD review, priority ranking for discretionary funds, and new discretionary funds available for general fund purposes. **Support** and encourage legislation that implements comprehensive reforms to the housing element process to: • Address conflicts between local growth projections and state regional housing need numbers; • Resolve the problems associated with the distribution of RHNA units within a council of governments; • Achieve improvements to the housing element review process; and • Develop a neutral dispute resolution process and fair enforcement alternatives to deal with disputes over questions of compliance. **Support** and encourage legislation that requires state laws and policies, which affect housing and land use, to be internally consistent.
REDEVELOPMENT • Flexibility • Liability • Project area • Housing	**Community Development**	**Support** legislation that increases the flexibility in the use of redevelopment authority. **Oppose** limiting authority or increasing the liability of redevelopment agencies. **Support** legislation that provides for the appropriate extension of existing redevelopment project areas that face statutory expiration. **Support** the ability of redevelopment agencies to extend project area activities to support affordable housing production.
RENT CONTROL • Ordinances	**Community Development**	**Oppose** any legislation that restricts the ability of cities to enact rent control ordinances for mobile homes and stick-built housing that are tailored to meet local conditions and circumstances.

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RENT CONTROL CONT'D • Mobile homes	**Community Development**	**Oppose** any legislation that would require a city to adopt a mobile home rent control ordinance.
SUBDIVISION MAP ACT • Local control	**Community Development**	**Support** maximizing local control over subdivisions and public improvement financing. Discretion over the conditions and length of subdivision and parcel maps should be retained by cities.
RESIDENTIAL CARE FACILITIES • Permitting • Regulating • Licensing • Restrictions	**Community Development**	**Support** permitting cities to exercise review and land use regulation of group home facilities and residential care facilities in residential neighborhoods including the application of zoning, building and safety standards. State and county licensing agencies should be required to confer with a city's planning agency in determining whether to grant a license to a community care facility. Better review and regulation of residential care facilities will protect both the community surrounding a facility and the residents within a facility from a poorly managed facility or the absence of state oversight.
DEVELOPMENT FEES • Local authority • Infrastructure • Mitigation • Condition and deny authority	**Community Development**	**Support** providing local discretion in the assessment, collection and usage of development fees. Support the state provision of infrastructure funding to help local communities meet California's growth demands and to increase housing affordability. **Oppose** limiting the ability of cities to levy fees to provide for infrastructure or services. **Support** maintaining city discretion over the extent to which legislative authority should be exercised to fully mitigate impacts from development to the adequacy of school facilities. **Support** the maintenance of cities' ability to condition and deny projects that they determine inadequately mitigate impacts to community schools.
ANNEXATION AND INCORPORATION	**Community Development**	**Support** strengthening city control over urban boundaries. Sphere of Influence law should be modified to limit urban development in unincorporated areas of a county and to facilitate the annexation of urban areas to cities. The Revenue and Taxation Code should not allow counties to block annexations in exchange for unreasonable property tax sharing agreements. In addition, cities should have expanded authority over adjacent lands outside their sphere of influence regardless of jurisdictional lines so long as the land is not within another city's sphere.
DEVELOPMENT AGREEMENTS	**Community Development**	**Support** voluntary development agreements as one tool for providing flexibility in development approvals.
BUILDING STANDARDS • Health and safety • Occupancy	**Community Development**	**Support** flexibility in the adoption and implementation of health and safety standards contained in the building codes. **Support** authorizing cities to adopt independent occupancy standards to prevent overcrowding and associated health and safety hazards, including fire-related fatalities.

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MILITARY BASE CLOSURE AND REUSE • Local involvement • Reuse	**Community Development**	**Support** local decision-making over military base closure and reuse. **Support** incentives for the reuse of closed military facilities to meet local community needs as determined by local governments.
MOBILE HOME REGULATION AUTHORITY	**Community Development**	**Support** initiatives that maintain cities as the enforcement authority for mobile home park regulation.
SIGN REGULATION	**Community Development**	**Support** the authority of cities to regulate billboards and other signage.
ARTS, CULTURAL RESOURCES, HISTORIC PRESERVATION AND ACTIVITIES	**Community Development, Parks and Recreation**	**Support** the continued state funding for local arts activities and historic preservation.
CHILDREN/YOUTH	**Community Development, Parks and Recreation, Police, and Library**	See page 19 for the following issues in this category: • Job Training • Prenatal Care • Youth Program • Federal Grants • Natural Policy • After School • Equal Access • Educational Programs • Parks and Recreation Facilities • Library funding • Universal Health Care

AIRPORT		
SCOPE		Issues related to federal and state legislation affecting airport operations, funding regulation, and implementation of the Aviation Facilities Plan.
FUNDING • AIP • Security • Bankruptcy • Bonds • PFC • Jet fuel tax • DBE	**Airport**	**Support** legislation reauthorizing FAA and the Airport Improvement Program (AIP), including support of the following provisions: o Increase AIP funding and maintain the 5% AIP match requirement for small airports. o Strengthen or maintain budget protections for AIP funding. o Eliminate the competition plan requirement for AIP. o Eliminate unnecessary AIP grant assurances. o Maintain or expand revenue sources that contribute to AIP. **Support** federal legislative efforts to maintain or increase appropriations to the AIP for infrastructure projects relating to safety, security, aviation operations and capacity, and noise abatement. **Support** dedicated aviation security operations and infrastructure funding sources separate from

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FUNDING CONT'D	**Airport**	the AIP. **Support** efforts to reimburse airports for operational and infrastructure costs associated with implementation of federal security and other mandates. **Support** bankruptcy reform legislation that helps protect airports from the impact of airline bankruptcies. **Support** reclassification of all airport bonds as 'governmental' instead of 'private activity.' **Support** efforts to provide airports with greater flexibility in the use of AIP and Passenger Facility Charge (PFC) funds, including elimination of the mandated loss of entitlement funds from imposing a higher PFC. **Support** an increase or elimination of the cap on PFC charges. **Support** efforts to streamline the airport PFC application and reporting process. **Support** equitable distribution of jet fuel tax revenues. **Support** and advocate efforts to restructure the Airport Disadvantaged Business Enterprise (DBE) program.
SAFETY AND SECURITY • Streamlining • Cargo screening • Staffing • TSA	**Airport**	**Support** streamlining the airport security screening process to reduce passenger inconvenience and improve customer service, while maintaining security and safety. **Support** a threat based (risk-based) system of air cargo inspection and screening. **Support** local primacy in granting access to airport restricted areas. **Support** efforts to preserve current staffing levels for Aircraft Rescue and Fire Fighting (ARFF) crews. **Support** an adequately funded Transportation Security Administration (TSA).
ENVIRONMENT • Noise standards • Greenhouse gases ▪ Alternative energy	**Airport**	**Support** measures to alleviate noise impacts on communities surrounding airports that benefit both the community and the airport such as the implementation of a phased Stage 3 requirement for lighter jet aircraft and the phase-out of noisy Stage 1 and Stage 2 jet aircraft weighing less than 75,000 lbs. **Support** efforts to reduce potential greenhouse gas emissions resulting from aircraft operations and airport ground service equipment. **Support** initiatives to encourage development of alternative energy sources. **Support** remuneration for alternative energy producers that contribute excess energy to the electrical grid. **Oppose** efforts to expand state Airport noise standard variance requirements. **Support** additional steps to expedite the airport environmental review and approval process while preserving environmental protections.

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SANTA BARBARA AIR SERVICE	**Airport**	**Support** legislation that stimulates the airline industry's ability to provide air service to Santa Barbara. **Support** legislation that recognizes or encourages aviation's contributions to the economy that result from air travel, commerce, freight transport and manufacturing.
INFRASTRUCTURE	**Airport**	**Support** legislation funding connectivity between air and ground transportation through improved infrastructure and enhancement of alternative transportation options.
PLANNING	**Airport**	**Support** efforts to insure that development around airports is consistent with land use planning guidelines and compatible with airport operations. **Support** development of a clear methodology for preparing CEQA analysis of potential global warming impacts of proposed projects. **Support** coordination between FAA and sponsor airports on NEPA compliance issues and preparation of joint NEPA/CEQA documents.
RENTAL CAR CONCESSIONS	**Airport**	**Support** airport interests in proposed legislation that may impact the terms under which rental car concessions operate at the Airport.
EDUCATION	**Airport**	**Support** aviation education that informs students about career opportunities in aviation and encourages interest in a math and science curriculum.

WATERFRONT		
SCOPE		Issues related to federal and state legislation affecting harbor, operations, funding and regulation.
PUBLIC ACCESS	**Waterfront**	**Support** continued public access to marinas, state tidelands, waterfront facilities and marine resources.
ECONOMIC CONTRIBUTIONS	**Waterfront**	**Support** legislation that recognizes economic contributions of ports and harbors to state and federal economies, through maritime trade, maritime industries and commercial fishing.
CONGRESSIONAL OVERSIGHT	**Waterfront**	**Support** Congressional oversight of Executive Agencies to ensure timely permitting of statutorily mandated Civil Works projects, and contain regulatory demands that inflate project costs.
LOST AT SEA MEMORIALS	**Waterfront**	**Support** government agency funding for the establishment of "Lost at Sea" memorials.
SEARCH AND RESCUE OPERATIONS	**Waterfront**	**Support** the U.S. Coast Guard's services mission to conduct search-and-rescue operations as an agency priority.

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ENVIRONMENTAL • Local authority • Disposition of crafts • Non-native eradication • Waste • Seabirds • Fuel tank • NPDES • Oil spills	**Waterfront**	**General.** **Support** enhanced local authority over disposition of wrecked, derelict, abandoned, non-operable or non-seaworthy craft. **Support** legislation that encourages and/or funds eradication or control of non-native marine species in ports and harbors. **Support** physical alternatives or grant funds for disposal of marina-generated household wastes, dredge materials or treated building materials. **Support** efforts to ensure seabird protection while allowing ports and harbors to control or abate nuisance fowl. **Water Pollution.** **Support** funding for retrofits or rehabilitation of underground marine-fuel tanks or systems. **Support** funding of mitigation or remediation of non-point source pollution that affects harbor water quality. **Support** and advance programs and funding aimed at reducing or eliminating point-source pollution in California ports and harbors. **Support** efforts to fund oil-spill prevention and/or recovery in ports and harbors. **Support** efforts to fund recycling and/or disposal options for waste oil and other byproducts of maritime activities or vessel maintenance. **Support** efforts to research and test alternatives to copper-based anti-fouling paints for boat bottoms.
FISHERIES	**Waterfront**	**Support** environmentally compliant commercial and recreational fishing, as essential to the fabric of working ports and harbors. **Support** legislative efforts to sustain the ecological health of aquatic biological systems, including fish and shellfish.
LOCAL CONTROL • Revenues • Use • Preservation • Environment	**Waterfront**	**Support** compliance with the California Constitution as it relates to preservation of tideland revenues, as well as the return of local user fees, locally collected property taxes and similar funds to the California ports and harbors of origin. **Support** legislation allowing ports and harbors to establish or designate local control over special-use areas for vessels or related recreational equipment of a specific type or use. **Support** the preservation of ocean resources through established marine sanctuaries, while reserving the ability to comment on potential sanctuary expansion in to the Harbor District that could affect activities including but not limited to dredging, vessel traffic, wastewater disposal,

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LOCAL CONTROL CONT'D	**Waterfront**	general construction and maintenance and repair. **Support** local jurisdictional control and environmental/regulatory oversight of cruise ship visits near ports and harbors.
DREDGING • Funding • Material • Corps of Engineers • Federal Initiatives • Obligation	**Waterfront**	**Support** policies and funding for dredging small-craft ports and harbors, including the use of dredged materials for beach nourishment. **Support** opportunities, when environmentally feasible, for the removal and disposition of dredged materials. **Support** full execution by the Corps of Engineers of its basic navigation, shore and flood protection mission, as well as environmental restoration and recreation authorized by Congress. **Support** Federal initiatives that benefit Congressionally authorized marine infrastructure needs including: Maritime Infrastructure Banks; Marine Transportation System Vision 2020; expanded ocean dredge disposal sites; and development of new upland dredge disposal and reuse sites with provisions of federal ownership and cost sharing for such sites. **Oppose** any action that would prohibit US Army Corps of Engineers from realizing its mission obligation to dredge Santa Barbara Harbor.
FACILITIES • Funding • Utilities • Boat launching • Repair and • Maintain harbor facilities	**Waterfront**	**Support** legislation granting funds (or low-interest, no-interest loans) for development of harbor infrastructure facilities. **Oppose** legislation or administrative efforts to eliminate the state Department of Boating and Waterways or reduce/reallocate its budget. **Support** legislation expanding and/or increasing the budget of the state's Abandoned Watercraft Abatement Fund. **Support** legislation providing harbor managers a financially feasible means of supplying utilities, such as electricity to berths and marinas. **Support** legislation that funds construction and/or maintenance of boat-launching facilities. **Oppose** legislation that seasonally restricts ability to repair and maintain harbor facilities.
BOATING SAFETY • Education • Enforcement	**Waterfront**	**Support** boating safety, including education and enforcement or regulation of boating practices, vessel types and vessel equipment. **Support** legislation implementing a boater-safety certification program. **Support** public safety and enforcement efforts through funding of equipment utilized by Harbor Patrol Officers.

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ENFORCEMENT • Public safety • Homeland security	**Waterfront**	**Support** legislation that promotes public safety and law-enforcement efforts in or near California ports and harbors through funding resources. **Support** Homeland Security legislation, programs and/or grants that benefit and protect small ports and harbors; and
EDUCATION	**Waterfront**	**Support** programs that utilize the California Department of Boating and Waterways as an educational vehicle for non-regulatory boating and harbor-management programs.

COMMUNITY SERVICES		
SCOPE		Issues related to childcare, parks and recreation, libraries, cultural arts and community and human services programs.
FEDERAL PARKS FUNDING • Programs • Partnerships • Coastal access	**Parks and Recreation**	**Support** full federal funding for the Forest Service's Urban and Community Forestry Program, the Land and Water Conservation Fund, and the Urban Parks and Recreation Recovery Program. **Support** regional multi-agency open space acquisition initiatives. **Support** the continuation of funding for Coastal Access Projects.
ARTS, CULTURAL RESOURCES, HISTORIC PRESERVATION AND ACTIVITIES	**Parks and Recreation and Community Development**	**Support** the continued state funding for local arts activities and historic preservation.
CHILD CARE	**Parks and Recreation**	**Support** the creation of more affordable, innovative and quality local child care options for parents and concurrently encourage adherence to strict regulations and guidelines. Support federal efforts to provide high quality, safe, and affordable childcare for all who need it.
CHILDREN/YOUTH • Job Training • Prenatal Care • Youth Program • Federal Grants • Natural Policy • After School • Equal Access	**Parks and Recreation** **Police, Community Development and Library**	**Support** state and federal funding for school-based job training programs in order to produce more job placement opportunities and collaborations with municipal services. **Support** increased state and federal funding for prenatal care, early health care, preschool, and childcare programs to ensure healthy children and school readiness. **Support** creation of permanent state and/or federal funding sources for children and youth programs. **Support** federal reauthorization and full funding of the Individuals with Disabilities Education Act (IDEA), the Child Care and Development Block Grant, and the Temporary Assistance to Needy Families (TANF) block grant, including after-school recreation and tutoring programs.

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CHILDREN/YOUTH CONT'D • Educational ProgramsParks and Recreation Facilities • Library funding • Universal Health Care	**Parks and Recreation** **Police, Community Development and Library**	**Support** formation of a President's national youth cabinet to create a comprehensive national policy for children. **Support** increased state and federal funding for affordable after-school programs. **Support** legislation that would provide state and federal funding for increased access for children with disabilities to after-school and other recreation programs, including required staff support related to medications, mobility, and activity integration. **Support** legislation that would provide state and federal funding for the development and operation of park and recreation facilities that serve underprivileged children and families. **Support** legislation providing state and federal funding for improving pre-school reading readiness, for supporting public library services assisting elementary and secondary school students with information, research, and curriculum materials, for adult literacy and computer literacy instruction, and for acquisition of learning materials. **Support** the concept of universal health care for all Californians.

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PARK BOND FUNDS • Eligibility • Release	**Parks and Recreation**	**Oppose** tying local eligibility for park bond grant funds to non-park related issues, such as rent control or housing element status. Statewide park bond measures should include a component that provides per capita grants to cities and counties. **Monitor** quarterly State actions regarding distribution or hold-up of allocated bond funds and other State funding sources related to Creeks Program and park capital projects. **Work** with League of California Cities to assure bond funds are not held for other State funding needs.
PUBLIC LIBRARIES • Funding • Computers • Privacy Rights	**Library**	**Support** full funding of the State Public Library Foundation so that the state's full share of funding is provided to the program, understanding how libraries play an integral role in building and sustaining our communities. **Support** legislation providing federal funding for improving pre-school reading readiness, for supporting public library services assisting elementary and secondary school students with information, research, and curriculum materials, for adult literacy and computer literacy instruction, and for acquisition of learning materials. **Support** federal funding for telecommunications equipment and services in public libraries in order to provide equal access to information to all residents; oppose requirements on use of federal funds for Internet access services for adults that mandate installation of filtering software. **Support** efforts to maintain and restore the State Public Library Foundation and, **Oppose** any further reduction of the State Public Library Foundation. **Oppose** legislation that requires public libraries to install and maintain computer-filtering software for use on computers in the library that, in an attempt to block obscene materials, also prevents access to material protected by the First Amendment. **Oppose** legislation, regulations, and guidelines that erode privacy, information access and Constitutional rights, and oppose the use of governmental authority to suppress the free and open exchange of information and ideas.
SENIORS • Programs • Care facilities • Wellness	**Parks and Recreation**	**Support** efforts to develop and improve intergenerational programs and activities that include seniors. **Support** legislation that would provide funding for side-by-side day care facilities for California's youth, adults and seniors. **Support** funding for wellness, physical activity and recreational programs for seniors on low or fixed incomes. **Support** funding for senior daycare facilities and programs.

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NATURAL RESOURCE PROTECTION	**Parks and Recreation**	**Support** legislation that fosters protection and restoration of natural resources, including streams, stream and riparian habitat, wetlands, estuaries, rural and urban open space, etc. **Support** legislation that provides local agencies with matching grants and/or technical support from California Resources Agency or other state agencies to revise and implement new resource protection policies and programs.
PARKS AND YOUTH EDUCATION	**Parks and Recreation**	**Support** legislation that establishes new grants or expands scope of existing grants (currently limited to urbanized areas with populations over 100,000) for which the City would be eligible for park development, park improvement and youth recreation programs.
PROPOSITION 40/50 • Distribution • Limits	**Parks and Recreation**	**Support** legislation that distributes bond funds as competitive monies to a range of State agencies and does not limit funds based on geographic location or scope of need. **Support** legislation that allows grantee opportunity to receive grant funds for project design and permitting, in addition to construction and also provides a mechanism to extend completion schedules.

EMPLOYEE RELATIONS	
SCOPE	Issues related to the field of labor relations and human resource management.

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LABOR RELATIONS • Local authority • Improve exemptions • Strikes • Arbitration • MOU • State board • Mutual agreement • Imposition	**City Administrator**	**Support** efforts to promote, initiate and improve both public and private sector labor-management relations. **Oppose** interference with management rights or the ability of cities and their employees to bargain on matters within the scope of representation. **Support** legislation that specifically exempts local public agencies from the requirement to negotiate with any labor or special interest group about matters submitted to the voters of that jurisdiction as initiatives or Charter amendments. **Support** the long-held position of California courts that public employees cannot engage in strikes. **Oppose** any system of compulsory and binding interest arbitration, including state-mandates and the imposition of binding arbitration through the initiative process. **Oppose** any legislative action that requires the continuation of the terms of any Memorandum of Understanding (MOU) between a public agency and an employee organization until a successor MOU is agreed upon. **Oppose** any extension of the State Public Employment Relations Board jurisdiction over local public agency labor relation disputes and charges of unfair labor practices, and to any interference or intervention in local collective bargaining by any labor-management relations councils or boards. **Oppose** state-mandated compulsory mediation or fact-finding processes that are not mutually agreed upon by the local public agency and its employee organizations, except as provided by local law.
EQUAL EMPLOYMENT OPPORTUNITY • Civil Rights/EEO • Sexual Harassment • Standards • CFCL/FMLA • Sexual Orientation	**City Administrator**	**Support** legislation furthering the purpose and clarifying the application of state and federal civil rights and equal employment opportunity laws. **Support** a consistent standard for hostile sexual harassment cases by adopting the federal "reasonable victim" standards in matters before the FEHC. Support changing the standard from the “viewpoint of a reasonable victim” to a standard utilizing the “perception of reasonable persons of the same gender as the claimant,” in order to shift from a gender-based sexual harassment standard to a plaintiff-based standard. **Support** efforts to conform the California Family Care Leave Laws to the federal Family and Medical Leave Act (FMLA). **Support** the amendment of federal civil rights legislation to prohibit employment discrimination on the basis of sexual orientation.

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PUBLIC EMPLOYEES' RETIREMENT SYSTEM • Coalition • Exemptions • Limitations • Fraud • PERS Credit • Disability • Airport Patrol • Employer Rate • Part-Time work • Mandates • Benefits • CalPERS Board	**Administrative Services**	**Support** the PERS Coalition (PERS/PAC) and its efforts to maintain or further the interests of contracting agencies. **Support** an exemption for retired PERS employees, allowing them to work for a PERS agency under contract or appointment by the local agency. **Support** certain limitations upon recoveries under judgments against public retirement systems. **Support** a requirement that the PERS Board adjust or cancel the retirement allowance of any person convicted of making fraudulent benefit claims. **Support** extending the period for which employees may purchase PERS service credit for periods of lay off to 5 years. **Support:** (a) reducing all disability retirement payments for employees hired after a certain date; (b) imposing an earnings test for persons receiving industrial disability retirement; (c) requiring state departments to identify annual unemployment and disability payments in separate budget items; (d) requiring persons receiving disability retirement payments to obtain an annual medical examination; (e) prescribing a 60% cap on payments for either job-related or non-job-related disabilities; (f) eliminating the tax-exempt status of disability retirement payments; (g) requiring mandatory reinstatement for employees certified able to work by medical exam; and (h) discontinuing disability retirement payments if the employee rejects reinstatement. **Support** legislation to allow a PERS contracting agency to voluntarily elect to amend its PERS contract to provide safety retirement benefits to CA peace officers serving as armed Airport Patrol Officers. **Oppose** a requirement that all plan assets of an employer plan, including "excess assets" be used in the determination of the employer rate. Support allowing local agencies to make an exclusive determination of whether to utilize excess assets to offset costs of plan amendments. **Oppose** declaring eligible for PERS benefits those part-time employees who have satisfied a minimum requirement of service, thereby defeating the intent and value of part-time employment. **Oppose** legislation that mandates large increases in compensation during the final year of employment, which have the effect of increasing retirement benefits. **Oppose** requiring an employer to continue to pay the salary of a member while PERS makes its decision on the member's application for involuntary disability retirement. **Support** expansion of the membership of the CalPERS Board of Administration to include one new member appointed by the League of California Cities.

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WORKERS' COMPENSATION • Injuries • Workers' Compensation • Claim • Medical • Presumptive injury • Legal process	**Finance**	**Support** the principles of narrow causation and definition of injury. **Support** requiring the employee to prove by clear and convincing evidence that sudden or extraordinary employment conditions were the predominant causes for the injury. **Support** existing workers' compensation laws to be liberally construed only after an injury is deemed "specific" and consists of serious physical or bodily harm. **Support** the cost containment of medical expenses for workers' compensation claims. **Oppose** regulations or legislation that would require increased employer medical costs for workers' compensation. **Oppose** regulations or legislation that would expand the definition of a "presumptive" injury, or create new "presumptive" injury categories that lack a basis in current proven medical science. **Oppose** legislation that would permit an employee to use more than one legal process in regard to disability claims (i.e., ADA, workers' compensation, DFEH), or any other erosion of the "exclusive remedy" principle as it relates to disability claims covered under workers' compensation.
FEDERAL FAIR LABOR STANDARDS ACT (FLSA)	**Administrative Services**	**Support** federal legislation to modify inappropriate sections of the FLSA as it relates to local governments, including, but not limited to, the administrative and professional exemptions, salary tests and the definition of hours worked. **Support** the position that the FLSA was inappropriately applied to state and local governments through court decisions and was never designed to regulate public sector employment.
DOMESTIC PARTNERSHIP	**Administrative Services**	**Support** legislation that would delete the current state criteria that persons in a Domestic Partnership must be members of the same sex or be over 62 years of age.

CITY ADMINISTRATION		
SCOPE		Issues regarding election law and administration, insurance and tort reform, open meeting law, (the Brown Act), the Public Records Act, the Political Reform Act and other conflict of interest laws, and regulation of smoking and tobacco products.
OPEN MEETING LAW (THE BROWN ACT) • Open meetings • Restrictions • Closed session	**Administrative Services**	**Support** legislation that recognizes the need to conduct the public's business in public. To this end, the City supports the regulation of the state and other public agencies to ensure conformance to the principles of the open meetings provision in the Ralph M. Brown Act. **Support** legislation that extends application of the Brown Act to the State.

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OPEN MEETING LAW (THE BROWN ACT) CONT'D • Privacy rights • Personnel issues • Property acquisitions • Attorney/client privilege	**Administrative Services**	**Oppose** legislation claiming to enhance open and public meetings that in practice unnecessarily complicates the ability of a city to properly communicate with the public and that discourages communications among governing body members through unproductive restrictions and inappropriate activities. **Oppose** legislation that would impose further unnecessary restrictions on the action that a governing body can take in closed sessions. **Support** legislation that recognizes the realities of other constraints under which a local governing body must operate that necessitates judicious use of closed sessions, including: • The privacy rights granted to individuals under the U.S. and California constitutions; • The personnel issues that have a potential impact on an individual's career and potential earning capacity and that raise serious liability questions for a local jurisdiction; • The protection of the taxpayer's interests over property and other acquisitions by a public agency; and • The proper maintenance of the same attorney-client privilege enjoyed by the private sector.
ELECTIONS • Costs/procedures • Mail ballots • Ballot measures • Challenges	**Administrative Services** **Administrative Services**	**Support** legislation that reduces any unnecessary and costly procedures for conducting a municipal election. Oppose legislation that mandates costly and unnecessary procedures related to the local election process. **Support** municipal mail ballot elections. **Support** the requirement that the intent and text of a local ballot measure is to be filed with the City Clerk and published in a newspaper of general circulation; and a filing fee. With regard to any land use measure, support allowing the City Council to refer it to the planning agency for a report on the measure's effects. **Oppose** any legislation or regulation that would prohibit legal action from being filed by any person(s) challenging the validity of the local initiative petition or ordinance after the date of the election.
RECALL ELECTIONS	**Administrative Services**	**Support** legislation that maintains the integrity of the municipal recall process. **Support** legislation that reduces the amount of local recall abuse while improving, streamlining and ensuring that the public has full knowledge of the issues.

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INSURANCE • Proof • Penalties • Earthquake	**City Administrator**	**Support** the statewide administrative program that requires a motorist to have proof of insurance to register a vehicle with the Department of Motor Vehicles. **Support** uninsured vehicles being subject to impoundment, and redeemed only with proof of insurance, with unredeemed vehicles being sold to pay for the cost of the program. **Support** the creation of a state non-profit corporation to issue earthquake insurance policies to cover the cost of replacement or repairs to structures damaged by earthquake. The primary concern of the City in this issue should be maintaining an affordable housing market in local communities.
POLITICAL REFORM ACT • Practices • Local authority • Prop 208 • Reproduction costs	**Administrative Services**	**Support** legislation and regulations that establish sound practices and principles related to municipal political campaigns. **Oppose** regulations and legislation that would restrict or preempt local authority. **Support** appropriate efforts to improve and streamline the Political Reform Act and its implementation through regulations. (If Proposition 208 is upheld), **Support** a legislative amendment to Proposition 208 that permits a candidate with excess campaign funds to give those excess funds to a charity of his or her choice in addition to all of the options provided in Proposition 208. **Support** an increase in the fee for the reproduction of statements required under the Political Reform Act from ten cents ($0.10) per page to twenty-five cents ($0.25) per page.
SMOKING AND TOBACCO CONTROL • Statewide • Minors • Settlement Funds	**City Administrator**	**Support** legislation that establishes a statewide smoking and tobacco control standard, as long as such legislation does not preempt the ability of cities and counties to enact local laws that are stronger than the statewide standard or to regulate in areas not covered in the statewide standard. Oppose legislation that would restrict such local authority. **Support** legislation that limits the ability of minors to obtain tobacco products. **Support** legislation providing that all 477 California cities be equitably included in the distribution of moneys that the state receives from the Tobacco Settlement Memorandum of Understanding.

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TORT REFORM • Local exposure • Liability • Business climate	**City Attorney**	**Support** legislation that limits the exposure of local governments to lawsuits related to liability, including but not limited to such areas as unimproved natural conditions, design immunity, hazardous recreational activities, and injuries due to wild animals in public places. **Support** modifications to the joint and several liability laws that require the responsible parties in a civil action to pay only their fair share of judgment based on their relative responsibility. **Support** civil justice reform measures designed to improve the business climate in California. The City Attorney will evaluate these measures on a case-by-case basis.

END OF LEGISLATIVE PLATFORM

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