

Agenda Report

REVISED

February 26, 2001

TO: CITY COUNCIL
THROUGH: LEGISLATIVE POLICY COMMITTEE
FROM: CITY MANAGER
SUBJECT: STATE LEGISLATIVE PRIORTIES

RECOMMENDATION:

It is recommended that the City Council approve the attached list of priority issues for the State 2001-2002 regular legislative session.

BACKGROUND:

In an effort to create a focused, pro-active legislative strategy, the City prepares a list of legislative priorities each year. These priorities are forwarded to the City's legislative advocates in Sacramento and Washington, D.C. and help to inform elected officials of Pasadena's needs, priorities and positions on critical issues. The City's State legislative advocate, Ken Emanuels, has reviewed these priorities and is in agreement. Federal priorities were approved by City Council on January 22, 2001.

In addition to the issues listed in this report, the City will need to take positions on a number of bills proposed during the year unrelated to the issues listed below. As in past years, staff will return to Council with recommendations on new issues that may impact Pasadena.

PRIORITIES:

Deregulation of Power Generation

The City seeks assistance in protecting local control of public power. It is critical that the City monitor and respond to all proposed legislation in this arena. In addition, the City seeks financial assistance for a joint proposal with the cities of Glendale and Burbank to assist in the State's energy supply problems and reduce environmental impacts through the upgrade of generation facilities.

Restoration of CalTrans Housing Along 710 Corridor

In an effort to minimize costs, the California Transportation Commission has approved mothballing the historic homes along the 710 corridor. These vacant and boarded buildings will result in a number of public nuisances that may severely impact the quality of life in adjacent neighborhoods including vandalism, graffiti, loitering, and arson. In addition, vacant buildings often create health hazards through the accumulation of trash and debris, illegal occupation of buildings, and the attraction of vermin. It is in the City's best interest support the appropriation of additional funds to maintain these properties in good repair and occupied until transportation issues are resolved.

Increased Local Control of Recycling Centers

Current state regulations regarding the placement and number of recycling centers have resulted in several nuisance sites within residential neighborhoods. The City seeks amendments to the California Beverage Container Recycling and Litter Reduction Act that would allow greater local control of problem sites and would restructure incentives to attract more appropriate facilities to residential areas.

Funding for Seismic Retrofit of City Hall

A major earthquake could cause significant risk to human lives and severe damage to or destruction of this National Register Landmark building. The City seeks assistance in funding the \$96.6 million seismic retrofit of City Hall.

Funding for Parks and Open Space

Due to loss of revenue from the State, the City has been forced to significantly cut funds budgeted for parks maintenance. As a result, there are 44 partially or completely unfunded park projects in the FY 2001-2006 Capital Improvement Program. Staff recommends that the City support legislation or budget line items to fund park projects included in the CIP and/or master plans.

Code Enforcement Grant Proposal

In December 2000, the City applied for a grant from the California Code Enforcement Incentive Program. Grants were awarded to the top five programs. Unfortunately, Pasadena's application was ranked number six and was not funded. Staff recommends that the City pursue additional allocations for this program that would result in a grant award to Pasadena.

Local Government Finance Reform

Since the State has reduced and/or jeopardized revenue to local government, Pasadena has lost roughly \$3 million per year over the past six to seven years. In addition, with reductions in the State's Vehicle License Fees (albeit currently backfilled with State revenues) the City is at risk for an additional \$3 to \$4 million a year should the State enter a recession and the State backfill cease. Staff recommends that the City support actions to provide a greater share of property tax and other reliable, discretionary revenues to local governments and to provide constitutional protection of these sources in the future.

Traffic Mitigation Funding

The City has a variety of transportation issues related to single auto travel and community livability. Assistance is needed for programs that will reduce the reliance of single auto use, including neighborhood traffic calming, increased local transit and comprehensive transportation planning. In addition, traffic and transportation improvements are necessary to mitigate the impact of regional freeway traffic on the local street systems. Management of this traffic onto appropriate mobility corridors is important to community livability.

SUPPORT:

Fire Service Funding

Assemblyman Rod Pacheco will be carrying a bill, known as the Fire Bill (no bill number yet), that if passed would be one of the most significant and beneficial legislative acts for California's Fire Service in recent times. In short the bill would provide for \$100 million dollars for use by fire departments to enhance training, equipment, personnel, education and prevention programs. Staff recommends that the City support this legislation.

Library Bond Act Grant Regulations

The Library Bond Act Bond Board will be holding hearings through Spring 2001 to finalize the regulations for the issuance of grants for library construction and renovation. These regulations will be important to the City, particularly as they define joint use with school districts and criteria/priorities for funding. Staff recommends that the City support regulations that would provide funding for the possible expansion of the Allendale and La Pintoresca libraries.

Public Library Fund

The State Legislature approved full funding of the Public Library Fund last year, only to have it blue-lined by the Governor. Full funding would have meant an additional \$55,000 to Pasadena for operating costs. Staff recommends that the City support full funding of the Public Library Fund this year.

Funding for Library of California

This State legislation to create multi-type library networks was authorized in 1999 but has limited funding. If adequately funded, the networks would allow Pasadena library patrons to access resources in other public and private institutions that are not readily available today. Without additional funding in this year's budget, there is not much hope that regional services will develop. Staff recommends that the City support action to provide additional funding to the Arroyo Seco Library Network.

Transaction Based Reimbursements (TBR)

The State's Transaction Based Reimbursement (TBR) program provides reimbursement to public libraries for direct and interlibrary loans to other libraries and non-residents. The Pasadena Public Library is a net lender of library materials and receives approximately

\$133,000 under this program. The governor's budget proposes a slight increase to the reimbursement formula, which would increase the amount received by the City of Pasadena. Staff recommends that the City support efforts to increase this allocation.

Redevelopment Law regarding Time Limits

State law currently limits the time that city's have to implement and finance redevelopment. There may be legislation to relax these time limits thereby increasing the financial potential for redevelopment programs. Staff recommends that the City support legislation that is permissive and provide municipalities greater flexibility.

OPPOSE:

Telecommunications Regulations

In recent years, states other than California have enacted a variety of legislation that places severe limits on municipal control in the telecommunications arena. This includes laws that prohibit cities from providing telecommunications services themselves, as well as laws limiting regulation of private-sector telecommunications firms placing infrastructure in public rights-of-way. Staff recommends that the City oppose any California legislation that would diminish the City's ability to make future decisions about offering telecommunications services directly or to control the use of public rights-of-way by the telecommunications industry.

Required Internet Filtering Software for Libraries

HR4577, which includes a rider requiring Internet filtering software in libraries that receive any federal funding, was passed by the House of Representatives in December, 2000. The Senate also passed the bill on a voice vote. Known as the Children Internet Protection Act, the legislation is expected to meet with some legal challenges because of the vague wording and difficult implementation provisions. This type of legislation may be introduced at the State level as well. Staff recommends the City oppose any legislation that would require filtering software in libraries.

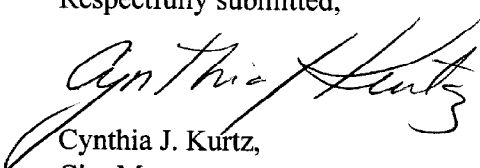
Uniform Computer Information Transactions Act (UCITA)

The Uniform Computer Information Transactions Act (UCITA) has been introduced in Arizona, Georgia, Maine and Texas and may be introduced in California. The emergence of the software industry created a number of situations where it is often unclear which laws may apply in disputes between software publisher and software user. If passed, licensing terms permissible under UCITA would seriously impact a library's ability to conduct inter-library loans, distance learning, archiving and preservation. Staff recommends the City oppose UCITA if proposed in this State.

FISCAL IMPACT:

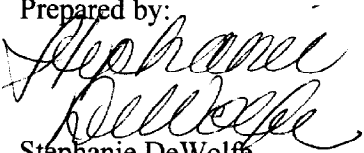
Funds for the federal legislative advocate are included in the City Council operating budget.

Respectfully submitted,



Cynthia J. Kurtz,
City Manager

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