

OFFICE OF THE CITY MANAGER

April 2, 2007

**TO:** CITY COUNCIL  
**FROM:** CITY MANAGER  
**SUBJECT:** STATE LEGISLATIVE PLATFORM FOR 2007

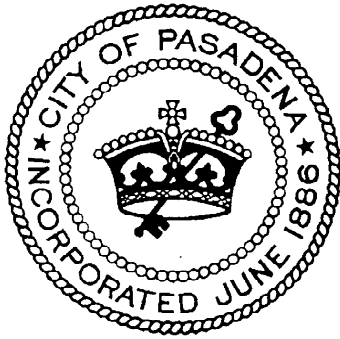
At the regular meeting of the Legislative Policy Committee on March 27, 2007, a revision to the City Manager's Recommended State Legislative Platform for 2007 was proposed by the Committee. Under the Safe Drinking Water project, the following edit was made:

**Safe Drinking Water**

Regulations on safe drinking water are becoming increasingly stringent on local jurisdictions with water departments and local and regional water districts.

1. The City seeks funding to assist it in meeting safe drinking water requirements as regulations become ever more stringent.
2. The City supports funding opportunities for treatment facilities to treat contaminated groundwater in order to comply with new water quality regulations.
3. The City supports legislation that revises water quality testing standards that are based on scientific data. ~~thereby reducing the stringency of the regulation while ensuring the highest quality of water.~~

CYNTHIA J. KURTZ  
City Manager



# Agenda Report

**TO:** CITY COUNCIL Date: April 2, 2007  
**THROUGH:** LEGISLATIVE POLICY COMMITTEE (March 27, 2007)  
**FROM:** CITY MANAGER  
**SUBJECT:** STATE LEGISLATIVE PLATFORM FOR 2007

## **RECOMMENDATION**

It is recommended that the City Council approve the State Legislative Platform for 2007 (attached).

## **BACKGROUND**

The City prepares a legislative platform annually to serve as the foundation for a focused advocacy strategy. The platform outlines the City's position on a broad range of current issues providing staff and lobbyists with direction to pursue advocacy during the 2007 legislative session.

This year the format was modified to present a more focused presentation of the legislative issues important to the City Council. Part I of the recommended 2007 State Legislative Platform includes two Guiding Principles which serve to guide our lobby activities. In addition to the direction given to staff and the City's State Lobbyist on specific issues, these two principles will provide guidance on all other matters that may arise throughout the session. The first guiding principle is to preserve local funding, which includes preservation of state shared revenue and opposition to unfunded mandates. The second guiding principle is to support local decision-making authority especially as it relates to land use and our ability to regulate our city-owned utilities.

Part II of the platform identifies the principle legislative priorities for the 2007 session. Although there are many legislative bills from the California State and Assembly which are of interest, there are several issues which the City will take a

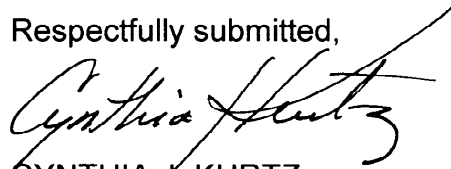
more purposeful and stronger position. As in past years, staff will return to the Council with recommendations on new issues as they may impact Pasadena.

The last part of the platform identifies projects and programs which the City supports additional funding. Almost all of these projects/programs have a regional impact.

**FISCAL IMPACT**

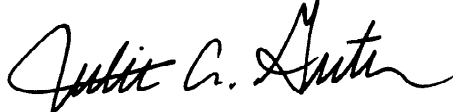
Funds for the legislative advocate are included in the City Council's operating budget.

Respectfully submitted,



CYNTHIA J. KURTZ  
City Manager

Prepared and Approved by:



Julie A. Gutierrez  
Assistant City Manager

# **City of Pasadena**

## **2007 State Legislative Priorities**

## **GUIDING PRINCIPLES**

### **Preserve Local Funding**

Support the protection of existing state and local funding sources and the authorities that provide revenue to the City of Pasadena. Such areas may include the protection of state-shared revenues, the ability to collect compensation for the use of the public right-of-way or city-owned facilities. The City opposes any new mandates that are unfunded and/or inadequately funded

### **Preserve Local Authority**

Support the retention of local decision-making authority and oppose preemption of local control. Cities are voluntarily created by the residents of a community to provide local self-government and to make decisions at a local level to best meeting the needs of the community. Each community has unique needs and characteristics that are best met by policies set by its own local governing body. Recently, several pieces of high-profile legislation have been presented which serve the purpose of superseding local discretion and land use controls, which are generally established to maintain quality of life standards. Statewide preemptive efforts to remove the ability to set policy at the local level should be opposed.

**CITY OF PASADENA, CALIFORNIA**  
**2007 State Priorities – Part II**

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**LEGISLATIVE PRIORITIES**

**Environment**

The City of Pasadena is seeking to increase its role in promoting environmental stewardship and urban sustainability through activities such as the endorsement of the United Nations Green Cities Declaration, the U.S. Conference of Mayors Climate Protection Agreement, and the adoption of the Urban Environmental Accords Action Plan.

1. The City supports legislation that improve the availability of renewable energy; increases energy efficiency; reduce greenhouse gas emissions; reduce waste to landfills; reduce the use of non-renewable resources in the manufacture of products; support green buildings, advance urban planning while protecting wildlife habitats; improve opportunities for environmentally beneficial jobs; enhance parks and recreational opportunities; increase the urban forestry canopy; increase affordable public transit; support cleaner emissions from vehicles; improve air quality; ensure and conserve safe drinking water, and support sustainable urban watershed and wastewater planning and implementation. Renewable energy is derived from sustaining resources such as wind, geothermal (steam from underground magna), landfill gas (methane produced from decomposing waste), solar (sun), and hydroelectric facilities (water from dams).
2. The City continues to support efforts which improve our air quality. This is best demonstrated in our purchases of alternative vehicles for the city transit service and recognizing that more State attention needs to be focused on the ports and the movement of goods.
  - a. The City supports legislation regarding better air quality which may include strategies to mitigate emissions.
  - b. The City supports port operations which reduces air pollution as well as relieves traffic congestion.

**Eminent Domain:**

The City supports the adoption of statutory and constitutional reforms of the laws governing the use of eminent domain for private economic development purposes, and will continue to participate in the development of such reforms that will uphold the importance of both the current property rights system and the principles of urban planning and redevelopment.

**Abatement of Nuisance Liquor Stores**

Several nuisance liquor stores in the City are continually cited for illegal activities including selling to minors. With the passage of SB 148 (Scott) a process exists to begin to allow these businesses to be closed down. The City continues to requests our legislators initiate legislation that would provide local government with more control over the abatement of nuisance liquor stores.

### **Density Bonus Law**

The City supports changes to the current Density Bonus law that will move to restore local control to the existing law. Changes should maximize the ability of cities to protect quality of life and retain the unique character of communities. Special consideration should be given to communities that have achieved appropriate densities (Mullin numbers) in their communities.

### **Telecommunications**

Last year, California enacted legislation that shifted franchising of video service providers from the local to the state level. While the legislation largely preserved local governments' ability to regulate placement of telecommunications infrastructure in the public rights-of-way, cities lost control in several other areas of telecommunications regulation. Clean-up legislation may be introduced in the upcoming legislative session. In addition, states other than California have adopted legislation that prohibits cities from providing telecommunications services, as well as legislation to limit regulation of private-sector telecommunications firms' use of the public rights-of-way.

1. The City supports legislation clarifying regulation of video service providers to preserve: PEG funding and channels; cities' rights to collect and audit franchise fee payments; local regulation of placement of telecommunications infrastructure in the public rights-of-way; and local government input in the state franchising process.
2. The City opposes any legislation that would diminish the City's ability to make future decisions to offer telecommunications services directly or to control the use of the public rights-of-way by the telecommunications industry.

### **Workers Compensation**

Recent improvements to the workers' compensation system were the result of many individual efforts seeking to resolve specific issues. The system needs additional work to continue to move toward fair and equitable programs.

1. The City supports legislation that would control medical and legal cost
2. The City opposes legislation that would repeal the recent workers compensation reforms, or that would exempt public safety employees from the reforms.

### **Support for Affordable Housing**

The City has implemented an aggressive and creative program to maximize the use of resources for the creation of housing for low and moderate-income individuals and families.

1. The City supports legislation that would provide additional resources for the development of affordable housing programs and/or expand code enforcement programs to protect existing housing stock.
2. The City opposes new regulations that would create cumbersome processes or other obstacles to the development of affordable housing.
3. The City supports legislation that would require municipalities to provide assistance to homeless individuals that reside within their jurisdictions either

directly or through the financial support of homeless service agencies that provide services within or directly adjacent to their jurisdictions

### **Expanded Health Coverage**

In Pasadena, an estimated one out of every four residents does not have adequate health coverage. Some are uninsured children who are eligible, but not enrolled in available programs. Many are working poor whose employers do not provide insurance or have reduced their coverage due to increasing health care costs. People who are uninsured and underinsured face significant barriers in obtaining needed health services, often leading to needless death, disability, and increased costs of care. Social, economic, racial and ethnic factors also contribute to significant health disparities. To address these issues, the City supports legislation to improve health coverage in a comprehensive manner provided adequate funding and cost controls are in place. Expansion in health insurance programs would also help to reduce the burden of unreimbursed care provided by local emergency services, which has led to a crisis in the emergency medical system in Los Angeles County.

The City recognizes that several health care reform mechanisms have been introduced by the Governor and in the Legislature. These proposals will be evaluated and recommendations will be made that will outline the components that the City views as essential.

### **Protection of Children against Sexual Predators**

Even though the Police Department continues to track local sex registrants on a regular basis, when a sex registrant fail to register, an investigation follows which does not always produce the location of the sex registrant and a warrant is issued. The City supports longer period of incarceration for people who commit sex crimes against children, but also makes it easier for law enforcement to track them once they are out of prison.

### **Freight Volumes-Truck Congestion**

Significant concerns are developing over the capacity of the nation's freight transportation system to keep pace with expected growth over the next 20 years. Studies have shown that relatively small investments in the nation's freight railroads can be leveraged into large public benefits on highway infrastructure, reduction of congestion, air quality issues, etc. The I-210 Freeway is a major corridor for truck traffic and freight movement and additional congestion on this roadway has a direct impact on Pasadena. The City supports efforts such as the GO-21 program (Growth Options for the 21<sup>st</sup> Century) to explore the benefits of investment in freight-rail.



**Group Homes**

The City supports legislation that would provide increased oversight by the State and/or would reduce the potential for over-concentration of group homes in one area.

**Arts Funding/California Arts Council**

The State's arts and culture agencies is a crucial consideration not only for Arts funding in general but specifically for cultural and artistic resources in the City of Pasadena. The City supports the reorganization of State arts and culture agencies under an umbrella agency with the mandate to improve the quality of life for all through cultural and artistic activities and champion the creative and tourism industries.

**CITY OF PASADENA, CALIFORNIA**  
**2007 State Priorities – Part III**

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**FUNDING PRIORITIES**

**Gold Line Phase II**

The second phase of the Gold Line is a much-anticipated addition to the transportation system throughout the San Gabriel Valley and beyond. The second phase of the Gold Line will relieve congestion in the area and provide a greater modal choice for residents of the San Gabriel Valley. The City also supports funding and/or legislation that would expedite the completion of Phase II of the Gold Line. The City advocates that San Gabriel Valley cities have a role in the construction of the Gold Line.

**Completion of the 710 Freeway**

Many of the major north/south arterial streets in the southwest portion of the City are operating at capacity during peak hours with overflow traffic spilling over onto residential streets. In March 2001, Pasadena voters supported completion of the 710 Freeway through this area of the City. The City supports efforts by the legislature to aid the timely completion of the 710 Freeway.

**Protection of the State Water Project**

The State Water Project in the delta is the primary drinking water source for more than 18 million Southern Californians. 60% of Pasadena Water and Power's water supply is imported from the Metropolitan Water District of Southern California, whose primary water source comes from the State Water Project. The City supports funding opportunities and legislation that will improve the State Water Project in the following areas:

- Water quality
- Water supply
- Water conveyance and facilities

**Integrated Regional Water Management Plan (IRWMP)**

Long term water resources management planning is a major concern for state. The City supports grant funding for programs, projects and implementation. The IRWMP is a regional effort that will address water supply and water quality needs and objectives by integrating strategies and projects that may include water conservation and recycling, desalination, conjunctive use, flood management, storm water and urban runoff quality, wastewater quality, habitat restoration and protection, wetland enhancement and creation, recreation, open space, sustainable urban watershed and other water resources management initiatives.

### **Perchlorate Treatment**

Near the City yards are five groundwater wells that flow into the Sunset Reservoir. Each of these wells have detectable levels of perchlorate. The City supports funds that will treat groundwater contaminant and install treatment systems to mitigate the contaminants. It should be noted that the City continues to negotiate with NASA to fund the installation of an ion exchange treatment plant near Arroyo Seco Canyon for perchlorate.

### **Surface Water Treatment**

The City supports all legislation that will issue funds to upgrade Surface Water Treatment Systems. The Behner Water Treatment Plant filtration system has a total upgrade cost of about \$3,500,000. The treatment plant was taken out of service in June 1993 because the plant's filtration system did not comply with the changes in the Federal Surface Water Treatment Rule. The treatment plant historically treated an average of 2,000 acre feet of water per year.

### **Reservoir Rehabilitation**

The City's 2003 Water System Master Plan has identified the City's reservoir facilities as being potentially subject to seismic damage from an earthquake occurring in the Sierra Madre fault system. Rehabilitation of the City's reservoir facilities will increase the water system's reliability and water quality. The City will seek state funding assistance with seismic rehabilitation of water facilities.

### **Safe Drinking Water**

Regulations on safe drinking water are becoming increasingly stringent on local jurisdictions with water departments and local and regional water districts.

1. The City seeks funding to assist it in meeting safe drinking water requirements as regulations become ever more stringent.
2. The City supports funding opportunities for treatment facilities to treat contaminated groundwater in order to comply with new water quality regulations.
3. The City supports legislation that revises water quality testing standards that are based on scientific data thereby reducing the stringency of the regulation while ensuring the highest quality of water.

### **Public Health Services**

As one of three cities in the state with its own public health department, the City provides infectious disease surveillance and control, community health assessment and planning, health promotion and policy development, direct clinical services, and environmental health protection and enforcement activities. The Public Health Department plays a critical role in identifying and responding to outbreaks of disease and other threats to the public's health, including threats from a bioterrorist incident or other emergency.

1. The City supports any funding that strengthens core public health capacities in all relevant areas and opposes any cuts to funding.
2. The City also supports the practice of designating the award of specific funds directly to local health jurisdictions, rather than through county distribution processes.

3. The City supports continued state funding to local health department jurisdictions in support of preparedness, response, and recovery activities in the event of an infectious disease occurrence such as a pandemic influenza.

**Pasadena Healthcare Link**

Pasadena Healthcare Link (PHL) is a 24/7 nurse advice, case management, and referral line sponsored by the Pasadena Public Health Department and a consortium of local health care providers. Initial project support is from a Healthy Communities Access Program (HCAP) grant, Bureau of Primary Care, Health Resources Services Administration; but funding was eliminated for the program in the FY 2007 Federal Budget. PHL is having a tremendous positive impact on access to care, coordination of services, cost savings, and in improving the effectiveness and efficiency of the local health care system. The City supports funding from the State of California Department of Health Services or the Department of Finance to support the Pasadena Healthcare Link project.

**Soundwalls**

The process for prioritizing soundwall projects needs to be changed to allow the flexibility to address areas of greatest community concern and highest decibel reading. In 1998, the responsibility for soundwall projects was transferred from Caltrans to the MTA. The MTA changed the prioritization criteria to focus on HOV related projects first, which exhaust all available funding. Projects of community concern, frequently with higher decibel readings, will not qualify for funding for an unknown number of years. The City would like to see legislation to amend the priority criteria for soundwalls to address areas of community concern.