

Agenda Report

TO: CITY COUNCIL **DATE:** December 17, 2007
THROUGH: LEGISLATIVE POLICY COMMITTEE (December 13, 2007)
FROM: CITY MANAGER
SUBJECT: 2008 FEDERAL LEGISLATIVE PLATFORM

RECOMMENDATION

It is recommended that the City Council approve the Federal Legislative Platform for 2008.

BACKGROUND

In conjunction with the City's federal lobbyists, staff prepares a legislative platform each year 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 on these issues.

The 2008 platform includes requests for funding in five areas and outlines other areas of interest. The funding requests are:

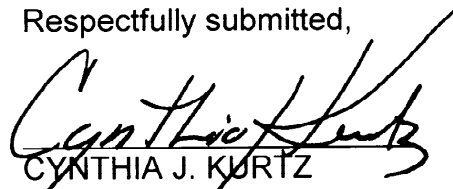
- Transit Maintenance Facility
- Robinson Park Rehabilitation and Renovation
- Water System Improvement Program
- Pasadena Healthcare Link
- Route 210 Soundwalls

In addition to the issues listed in this report, the city will need to take positions on a number of regional and legislative issues. Similar to the past years, staff will return to City Council with recommendations on new issues as they may impact Pasadena.

FISCAL IMPACT

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

Respectfully submitted,



CYNTHIA J. KURTZ
City Manager

Approved by:



JULIE A. GUTIERREZ
Assistant City Manager

CITY OF PASADENA, CALIFORNIA

2008 Federal Priorities – Part I

Transit Maintenance Facility

The City of Pasadena is aggressively implementing the expansion for the City's local transit system, the Pasadena Area Rapid Transit System (ARTS), in part to allow greater access to the Gold Line Light Rail and surrounding areas. In August 2001, the City Council conceptually adopted an expansion plan for the ARTS that calls for nine bus routes with 10 minute frequencies. Since then the ARTS service has seen significant growth – 19 percent alone in the last year. The ability of the City to expand the capacity of the ARTS is currently constrained by the size of the existing vehicle maintenance and storage facility. For that reason the City is in the development stage of a new Bus Operations and Maintenance Facility that will accommodate current needs as well as the planned expansion of the City's local transit system and dial-a-ride services. The City would use federal assistance for a facility needs assessment and final design for the facility.

- ***Request: \$1 million for a facility needs assessment and final design of a bus operations and maintenance facility in FY 2009 Department of Transportation appropriations Bus and Bus Facilities account.***

Robinson Park Rehabilitation and Renovation

The City of Pasadena is seeking assistance with the implementation of a Master Plan that proposes significant modifications to the existing Robinson Park in Northwest Pasadena. The Plan concludes that the seven acre park, which serves over 400 residents of nearby low and moderate income neighborhoods each day weekday and substantially more on weekends, no longer meets the needs of the community in its current state. Improvements at the Park are also part of the City's ongoing efforts to curb youth violence by offering safe and effective alternatives to crime. Activities at Robinson Park include piano and computer classes and other educational programs, after school clubs and drill teams, sports leagues, weight room activities, exercise programs, and martial arts programs.

The City estimates that implementation of Phase 1 of the Master Plan will cost approximately \$5.8 million. Thus far, the City has committed \$3.3 million to that effort and continues to pursue additional revenues through both public and private avenues. The City is seeking federal assistance for demolition and design work necessary to add an artificial turf field to the site. In 2001, the City purchased the Highland Plastics Building for future expansion of the park. It is an old manufacturing site located at the south end of the current park. The City plans to demolish the building to create room to add the artificial turf field that is sorely needed to supplement the existing sports field that cannot handle the volume of youth activities seeking time there.

- ***Request: \$650,000 from FY 2009 Department of Housing and Urban Development appropriations through the Economic Development Initiative (EDI).***

Water System Improvement Program

The Pasadena Water and Power (PWP) Department provides water to virtually all residents within the City of Pasadena and, as a result, the integrity of the water delivery system is essential to providing safe and efficient levels of service. Currently, the majority of the PWP facilities were installed over 70 years ago, with many water valves over 90 years old. Given that the useful life of a cast-iron pipeline is 50 to 70 years old, these facilities are beyond their design life and are in desperate need of replacement. The City estimates it will cost between \$20 million and \$30 million per year over the next several years to protect and enhance its water delivery system and it has currently budgeted between \$9 and \$11 million for that task. Over the last two years, customers have been subject to rate increases of up to 35 percent to pay for the costs of these upgrades.

Planning, design and construction of water infrastructure projects would include a distribution system, a storage booster station, pipeline rehabilitation and supervisory control, data acquisition system upgrades, and the design and construction of a Reclaimed Water Transmission and Distribution system.

- ***Request: \$15 million authorization from the Corps of Engineers Section 219 Environmental Infrastructure Program in the next Water Resources Development Act (WRDA) to be considered by Congress.***

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 was 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 HHS 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 is seeking federal assistance for continuation of the project as it seeks a long-term funding solution.

- ***Request: \$700,000 from FY 2009 Department of Health and Human Services appropriations to support the Pasadena Healthcare Link project.***

Route 210 Soundwalls

The City has been working with the Los Angeles Metropolitan Transportation Authority (MTA) and the California Department of Transportation (Caltrans) in coordinating the construction of soundwalls along sections of the Route 210. One priority area is the 4.1 mile North Arroyo Boulevard segment, which is bordered by residential neighborhoods built long before the construction of the freeway that are now being severely impacted by increasing freeway traffic and noise. Despite noise measurements confirming it is the

segment in Pasadena with the highest decibel level, MTA has not funded the Orange Grove to Arroyo Boulevard segment and has no estimated construction date. The City hopes to receive federal assistance to accelerate construction of soundwalls in this high priority area and to continue coordination efforts to construct soundwalls along other portions of the 210.

- ***Request: \$13.5 million from FY 2008 Department of Transportation appropriations.***

CITY OF PASADENA

2008 Federal Priorities: Part II

Regional Priorities

- **Los Angeles to Pasadena Gold Line Light Rail (Phase II – Foothill Extension)**

The City of Pasadena strongly supports Phase II of the Los Angeles to Pasadena Gold Line and urges Congress to provide sufficient funds through the annual appropriations process to ensure that the project is completed in a timely matter. The City is very supportive of congressional direction that would allow for the use of state and local funds expended on Phase I of the project to be considered toward the federal match requirement for Phase II.

In addition to serving Pasadena residents seeking a transit alternative east of the City, Phase II of the Gold Line will alleviate the anticipated traffic buildup in East Pasadena that is expected from commuters across the region approaching the current terminus of the line. The project is currently the most important transportation project in the region, and communities such as Pasadena are committed to offering viable and efficient transportation choice for residents of the San Gabriel Valley.

- **Southern California Foothill Communities Water Reliability Program**

A collection of Southern California communities, including Pasadena, are involved in a long-term, comprehensive effort to enhance the area's water supply. Among those projects is a proposal to recharge the Raymond Basin, an aquifer whose levels are dropping between three and six feet per year. In addition to safeguarding the drinking water supply of the area, the water recharge will help prevent the migration of perchlorate from the Raymond Basin into the Northwest portion of the San Gabriel Basin and allow water producers to use blending to meet Safe Drinking Water Act standards. One proposed project will fill the un-used portion of the Basin's storage capacity to help to ensure an uninterrupted water supply in the event of a disruption of Colorado River or State Water Project supplies. The City supports the efforts of the Raymond Basin Management Board to secure federal assistance for these projects through the Water Resources Development Act (WRDA) and annual appropriations.

- **Arroyo Seco Watershed**

The Los Angeles County Department of Public Works and the U.S. Army Corps of Engineers have initiated a Feasibility Study to examine potential water resources and environmental restoration plans for the Arroyo Seco Watershed. Eight miles of the 22-mile Arroyo Seco corridor extend through the City of Pasadena, and its resources are valued highly by the community as the largest open space in the City.

According to the Corps of Engineers, the San Gabriel Mountains are among the most erodable mountains in the world, releasing large amounts of sediment into the Arroyo each year and threatening highly diverse habitats of wildlife and vegetation as well as popular recreational areas. The Feasibility Study would evaluate various options for restoration of the Arroyo and ultimately recommend a final plan for authorization by

Congress. The City supports sufficient funding in the U.S. Army Corps of Engineers budget to complete this important feasibility study.

- **NASA Jet Propulsion Laboratory**

In partnership with the California Institute of Technology and the National Aeronautics and Space Administration (NASA), the Jet Propulsion Laboratory (JPL) is one of the most important federally-funded research and development centers in the country. As a result, JPL is a significant economic engine for the area, and Pasadena benefits tremendously from its presence. The City supports a reinvigorated commitment to the Science and Space missions at NASA with enhanced budgets in these areas, particularly those functions that fund operations at JPL.

- **Interagency Communications Interoperable System (ICIS)**

The Pasadena Fire and Police Departments are currently joining a regional interoperable communications system that will connect a number of area public safety agencies under a common radio network. Known as the Interagency Communications Interoperable System (ICIS), the project will help to solve one of the most significant problems facing public safety agencies in times of crisis. The City supports the efforts of all of the participating communities to secure funding for the considerable capital costs of the program, as it will benefit the entire region for both safety and efficiency.

CITY OF PASADENA

2008 Federal Priorities: Part III

Legislative Priorities

- **Preserve and Enhance Federal Assistance to Local Governments**

Pasadena is interested in protecting and enhancing existing funding and authorities that impact revenues to the City. We hope to seek opportunities to utilize federal resources when it is appropriate and consistent with our local priorities.

- **Oppose Preemption of Local Authority**

Cities such as Pasadena are created voluntarily by the residents of the community to provide local self-governance. Pasadena in general would be concerned with most Federal proposals that would result in unfunded mandates or preempt the ability of local governments to enforce policies, provide services, or protect assets traditionally handled on the local level.

- **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 Mayors Climate Protection Agreement, and the adoption of the Urban Environmental Accords Action Plan.

In the context of striving to balance long-term economic and social impacts of our decisions and actions, the City supports legislation that improves the availability of renewable energy; increases energy efficiency; reduces greenhouse gas emissions; reduces waste to landfills; reduces the use of non-renewable resources in the manufacture of products; supports green buildings; advances urban planning while protecting wildlife habitats and preserving and maximizing open space; improves opportunities for securing environmentally beneficial jobs; supports the environmental benefits of organic food production; eliminates chemicals and/or compounds that pose risks to living things; enhances parks and recreational opportunities; increases the urban forestry canopy; increases affordable and accessible public transit; supports cleaner emissions from vehicles; improves air quality; ensures safe drinking water supplies; conserves water resources; and supports sustainable urban watershed and wastewater planning and implementation.

- **Perchlorate Contamination**

The City continues to negotiate with NASA regarding drinking water contamination at the City's Sunset Wells, and seeks the assistance from the congressional delegation in ensuring that the responsible parties finance the remediation effort. The City strongly supports legislation to assist communities in dealing with remediation of drinking water contamination, such as proposals to create a trust fund at the Environmental Protection Agency (EPA) to provide grants to communities that have experienced severe perchlorate contamination.

- **Public Power**

The City owns and operates a municipal electric utility through its Department of Water and Power. As Pasadena looks to increase its utilization of renewable energy resources to provide power to its residents, we encourage Congress to support proposals to assist on the federal level, such as: an increased commitment to the Renewable Energy Production Incentive (REPI) program; expansion of the Clean Renewable Energy Bond (CREB) program, and the introduction of legislation that would fund studies to examine ways to lower greenhouse gas emissions on coal-fired plants.

- **Immigration**

The City of Pasadena strongly believes that immigrants strengthen the community economically and culturally, and welcomes their contributions to society. With regard to federal legislation aimed at reforming federal immigration laws, the City would urge Congress and the President to reaffirm that addressing unlawful immigration in a compassionate manner is the primary responsibility of the federal government, and that sufficient resources must be committed on the federal level for this purpose. Local governments should not be mandated to enforce federal immigration laws, particularly when resources necessary to enforce local laws are stretched.

- **Eminent Domain/Land Use**

The City is concerned with federal initiatives on several fronts to scale back local authority over eminent domain, land use, and zoning. In an effort to respond to the 2005 *Kelo v. New London* decision in which the Supreme Court narrowly affirmed the use of eminent domain by local governments for economic development purposes, the City fears that Congress will scale back the ability of local governments to use eminent domain for public benefit. The City also opposes legislation that would allow property owners to challenge a state or local land use decision in federal court if their first appeal of the decision is rejected through the local process. The measure would usurp local authority over land use matters, place land-use issues in federal courts ill-equipped to handle such cases, and only benefit those with the resources to undertake such costly litigation.

The City also has concerns regarding residential care facilities that serve as “sober living” homes. Since federal law classifies recovering drug and substance abusers as handicapped and allows unrestricted location of group homes for the handicapped, local governments have little control over the placement of these sober living facilities in their communities. While the City does not oppose the presence of residential group homes in Pasadena, we believe that, like any other home or business, we should have some say over their placement within the community.

- **Telecommunications**

The City strongly opposes attempts, through Federal regulation as well as legislation, to erode traditional State and local authority over public rights-of-way, including the ability to impose fair and reasonable compensation for its use and maintenance. While the City encourages competition, telecommunication providers wishing to enter the market should be subject to the same local rules and regulations as incumbent providers, as well as those of other businesses.

The City also opposes proposals for state or national franchises, as local franchises are best suited to encouraging universal service, ensuring educational and governmental programming, and protecting consumers. Particularly important to the local franchising process is the issue of “build-out,” in which the local government negotiates directly with the provider to ensure that the entire community is served within a reasonable amount of time. Also, local governments should have the ability to provide telecommunications services, should they choose to do so, under the same rules as current providers.

The City would also oppose federal intrusions into local land use regulations with regard to determining the sites of telecommunications facilities such as cellular towers.

- **Taxation**

In general, the City is concerned that the federal government has attempted to impose itself into the area of local taxation, a matter traditionally handled on the local level. Pasadena officials are better suited than the federal government to understand the needs of the community, and should have all the tools necessary to ensure the safety and health of the public while properly maintaining the public’s largest investment, its infrastructure.

For example, the City opposes proposals to impose a seven-year moratorium on new state and local taxation of wireless services, as well as a permanent extension of the moratorium on state and local taxation on Internet access fees. The City also has concerns about legislation that would have severely limited the ability of local governments to impose business activity taxes.

The City is supportive of efforts to repeal a provision in the 2005 Jobs Creation Act (HR 4297) that would require state and local governments that spend more than \$100 million annually on goods and services to withhold from vendors a three percent federal tax beginning in 2011. In addition to the administrative burdens of this unfunded federal mandate, the provision will ultimately result in increased costs of goods and services to local governments as vendors raise their rates to make up for the tax.

Finally, the City supports legislation that would allow states and local governments to collect sales taxes from remote sales such as online and catalog purchases. Such legislation would level the playing field between online merchants that do not have to collect sales and use taxes, and Main Street businesses that do not enjoy that advantage.

- **Homeland Security**

The presence of the Rose Bowl, Tournament of Roses Parade, and NASA Jet Propulsion Lab presents the City of Pasadena with unique challenges in protecting its citizens from terrorist threats. Like many other communities, the City believes that there is a role for the federal government to assist localities; preferably with flexible, threat-based homeland security funding (block grants) that can be tailored to the specific needs of each community. Pasadena participates in the Los Angeles area Urban Area Security Initiative (UASI) and supports funding for the area at least at current levels. The City has

identified needs in areas such as response equipment, personal protective gear, pre-incident site preparation, training, and security that total approximately \$4 million.

The City supports the continued funding of the Firefighter Assistance Grants program at the Department of Homeland Security, which serves as a valuable tool for both homeland security and local fire safety purposes. In addition, the City urges Congress to fully fund the recently approved SAFER program to provide firefighter hiring grants.

▪ **Public Safety**

The City believes that Homeland Security not only means protection from foreign agents but also the day to day safety of its citizens. Local public safety programs such as COPS and the Local Law Enforcement Block Grant have been reduced or rolled into state block grants to the point of rendering them ineffective.

The City also is concerned with the continued reduction of Medicare reimbursement for ambulance service and strongly urges the federal government, either by legislative or regulatory means, to set reimbursement rates for ambulance services at the actual cost of the transport. Current Medicare reimbursement rates do not come close to covering the cost of the service and are an unfunded mandate on local ambulance providers that ultimately results in local taxpayers subsidizing the Medicare program.

▪ **Community Development/Affordable Housing**

The City strongly supports HUD programs such as the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program, Supportive Housing and Shelter Plus Care homeless assistance, and Section 8 voucher and project-based assistance and urges the congressional delegation to oppose any attempts to reduce funding for these popular programs, change their formulas, or convert them into state block grants. Pasadena receives in excess of \$15 million combined annually from the programs, which fund a variety of community projects and services vital to our low-income residents.

In addition, federal funds for homeless assistance programs and investment in affordable housing that recognizes fair market rents in high-cost areas such as California are also important to the City's goals of serving our residents most in need. The City also opposes efforts to reduce available funding or place restrictions on the use of administrative fees to implement the Section 8 assisted housing program on the local level. Finally, the City supports the creation of an affordable housing program as part of legislation to reform Government Sponsored Enterprises, but opposes efforts in the legislation to prohibit non-profits receiving funds from the proposed program from participating on non-partisan voter registration efforts.

▪ **Workforce Development**

Workforce development is a critical policy area that directly links the ability of California companies to compete in the global market. It provides cities and regions with the ability

to retain and grow key industries and provides people with the opportunity to develop the skills needed to prosper in a changing economy. Funding levels are at their lowest in the short history of the Workforce Investment Act (WIA) which leaves the workforce development system under funded and negatively impacts the ability to meet the needs of local job seekers and businesses.

The City supports reauthorization of WIA with continued flexibility and the primacy of the one stop system as the presumed deliverer of employment and training services. Sustained funding and enhanced policy development for workforce development initiatives are essential to a healthy employment and training system. The City supports a continued strong, locally-based, business-led workforce development system, including local WIB membership on State Boards, local board and local elected official participation in regional planning, maintenance of current funding levels to local areas, and protection of workforce areas designated as high-performing.

The City opposes reductions in local control and governance of workforce development areas, particularly where consolidation of existing workforce investment areas to create larger regions would be done without regard to effective performance of the existing workforce areas and governing bodies.

- **Public Health**

The City encourages the federal government to continue to provide adequate resources to strengthen the existing public health infrastructure to: help address the growing number of uninsured individuals without access to care; develop effective and coordinated community mitigation, preparedness, and response systems for bioterrorism, emergence of new infectious disease threats and other public health emergencies, and assist with the reduction of health disparities, examination of environmental influences on health and wellness, and expansion of substance abuse recovery programs. A risk based allocation of bioterrorism and emergency preparedness funding, rather than a population based formula, would more appropriately address the public health needs in Pasadena.

The City supports continued support for the Ryan White Care Act and opposes any restructuring that would negatively impact the allocation to Los Angeles County. The City also opposes reductions in the Medicare and Medicaid programs, as this would shift the cost of care for individuals in these programs to the state and local jurisdictions.

The City also encourages the development of new federal grant opportunities to sustain and expand programs that had received resources through the Healthy Communities Access Program (HCAP), which has not received funding since FY 2005. HCAP programs developed in Pasadena and throughout the country have had a tremendous positive impact on cost savings and in improving the effectiveness and efficiency of local health care systems. In a short time, the Pasadena Healthcare Link Project has had marked success in coordinating access to care for the underserved and uninsured.

The City supports legislation to provide health coverage for all in a comprehensive manner provided that adequate funding and cost controls are in place.

- **Senior Services**

A broad combination of Federal and State programs and subsidies are essential to the quality of life for seniors in Pasadena. The City opposes any cuts to funding for health care subsidies or related senior programs, with particular concern for reductions in funding for or delivery of support services that enable seniors and persons with disabilities to live independently or in the least restrictive setting appropriate. Further, the City supports the inclusion of seniors as one of the preferential groups for consideration of public housing funds.

- **Persons with Disabilities**

The City recognizes that education, healthcare, housing, recreation and employment opportunities are major factors in establishing independent lifestyles for persons with disabilities. The City opposes funding reductions for programs that assist persons with disabilities in establishing independent lifestyles.

- **Human Relations Issues**

The City realizes that prejudice, intolerance and discrimination based on race, religion, national origin, sexual orientation, disability, marital status, parental status, gender, age, or cultural background are root causes of hate crimes and affect the lives of every resident in Pasadena. The City supports legislation and regulations that would eliminate hate crimes.

- **Women's Issues**

The City of Pasadena is actively involved in promoting networks and programs that advance women's issues. The City supports: legislation and regulations that would improve women's access to quality healthcare; protection for domestic violence victims (including the availability of domestic violence shelters); expanding resources to prevent sexual harassment in the workplace; legal assistance for women who are forced into slavery, prostitution and pornography (human trafficking); and, strengthening of laws that encourage equal pay without regard for gender.

- **Library Services**

The City supports full funding for the Library and Technology Act (LSTA) programs at the Institute for Museum and Library Services (IMLS), as well as continued IMLS funding for National Leadership grants for Library and Recruitment for Librarians for the 21st Century, and early childhood literacy programs that would involve partnerships between libraries, the local school district and other community-based agencies. The City would also support any revisions to Sections 215 and 216 of the USA Patriot Act that would exempt library circulation records from the Act.

- **Arts and Culture**

The Pasadena community benefits from a wealth of cultural opportunities that makes the community an attractive place to live, work, and learn. In order to better harness the creative spirit of the community, residents began a process that has resulted in an action plan, or Cultural Nexus, for the next ten years. Overseen by the City's Cultural Affairs

Division of the Department of Planning and Development, the Cultural Nexus aspires to increase participation in Pasadena's cultural life, leverage Pasadena's cultural assets for economic growth, communicate Pasadena's unique cultural heritage to the world, and ensure a sustainable support system for arts and culture in the community. The City believes that a federal role in these activities is appropriate, and supports continued funding of arts education initiatives, cultural outreach activities, and programs at agencies such as the National Endowment for the Arts and National Endowment for the Humanities.