

Agenda Report

September 26, 2016

TO: Honorable Mayor and City Council
THROUGH: Legislative Policy Committee (August 16, 2016)
FROM: Assistant City Manager
SUBJECT: SUPPORT PROPOSITIONS 51; 54; 56, AND 67; OPPOSE PROPOSTIONS 57 AND 65 FOR THE NOVEMBER 2016 STATE ELECTION AND SUPPORT MEASURE M: LOS ANGELES COUNTY TRAFFIC IMPROVEMENT PLAN AND MEASURE A: SAFE, CLEAN NEIGHBORHOOD PARKS AND BEACHES MEASURE FOR THE NOVEMBER 2016 LOS ANGELES COUNTY ELECTION

RECOMMENDATION:

It is recommended that the City Council take the following positions on the upcoming November 8, 2016 Election:

- A. Support the following State Propositions and Los Angeles County Ballot Measures on the upcoming November 8, 2016 Election:
1. Proposition 51: School Bonds - Funding for K-12 School and Community College Facilities;
 2. Proposition 54: Legislature - Legislation and Proceedings; prohibit the Legislature from passing any bill unless it has been in print and published on the internet for at least 72 hours before the vote, except in cases of public emergency;
 3. Proposition 56: Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement;
 4. Proposition 67: Referendum to Overturn Ban on Single-Use Plastic Bags;
 5. Los Angeles County Ballot Measure "M": Los Angeles County Traffic Improvement Plan; and
 6. Los Angeles County Ballot Measure "A": Safe, Clean Neighborhood Parks and Beaches Measure of 2016.

B. Oppose the following State Propositions on the upcoming November 8, 2016 Election:

1. Proposition 57: Public Safety and Rehabilitation Act to revise disposition of offenders; and
2. Proposition 65: "the Dedication of Revenue from Disposable Bag Sales to Wildlife Conservation Fund Initiative".

LEGISLATIVE POLICY COMMITTEE RECOMMENDATIONS:

On August 16th the Legislative Policy Committee held a special meeting and supported staff's recommendations to support Propositions: 51, 54, 56, 67, and Measure M and to oppose Proposition 57 and 65. The Committee decided to refrain from taking a position on the Safe, Clean Neighborhood Parks and Beaches Measure of 2016 (Measure A) until the San Gabriel Valley Council of Governments had an opportunity to make a recommendation.

BACKGROUND:

For the November 8, 2016 election Pasadena residents will have an opportunity to voice their opinion on a number of important bond measures which may bring additional funding for the City of Pasadena. There are 17 state ballot measures this year and staff is recommending that the City take positions on those that have a direct or indirect impact on Pasadena. In addition to the State measures, the Los Angeles County has also added several measures to the November election. The one of most significance for Pasadena is Measure M, the new one-half percent sales tax that would fund much needed transportation improvements. The following provides information on the measures and staff's recommendation.

State Ballot Measures

Proposition 51 School Bonds. Funding for K-12 School and Community College Facilities. Initiative Statute - SUPPORT

Passage of this proposition authorizes \$9 billion in general obligation bonds: \$3 billion for new construction and \$3 billion for modernization of K-12 public school facilities; \$1 billion for charter schools and vocational education facilities; and \$2 billion for California Community Colleges facilities. This state school bond addresses the multi-billion dollar backlog of school construction projects in a fiscally responsible way. On February 25, 2016 the Pasadena Unified School District (PUSD) approved a resolution supporting Prop 51. PUSD has \$220 million in facility needs which may be partially funded by these State bond proceeds.

The California League of Cities has no position on Prop 51

Proposition 54 Legislature. Legislation and Proceedings. Initiative Constitutional Amendment and Statute – SUPPORT

Passage of this bill would prohibit the Legislature from passing any bill unless it has been in print and published on the Internet for at least 72 hours before the vote, except in cases of public emergency. Requires the Legislature to make audiovisual recordings of all its proceedings, except closed session proceedings, and post them on the internet. Finally it would authorize any person to record legislative proceedings by audio or video means, except closed session proceedings. Prop 54 would increase transparency in California state government and stop the practice of “gutting and amending” legislation.

The California League of Cities supports Proposition Prop 54.

Proposition 56 Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement. Initiative Constitutional Amendment and Statute – SUPPORT

Passage of this proposition would increase cigarette tax by \$2.00 per pack, with an equivalent increase on other tobacco products and electronic cigarettes containing nicotine. It is anticipated that additional net state revenue of \$1 billion to \$1.4 billion would be collected in FY 2018, with potentially lower revenues in future years. Revenues would be used primarily to augment spending on health care for low-income Californians. Supporters of this proposition believe that higher tobacco taxes reduce and prevent teen smoking, yet California’s tobacco tax is among the lowest in the nation. This initiative is intended to prevent more teens from becoming addicted to smoking. Additional funds will directly impact the Public Health Department by increasing the current tobacco control funding of \$150,000 annual allocation from the state’s Department of Public Health. How much of an increase is unknown at this time. Additional funding will help meet community tobacco control needs, such as addressing health disparities, youth smoking prevention activities and enforcement of tobacco control laws.

The California League of Cities has no position on Prop 56.

Proposition 67 California Plastic Bag Ban Veto Referendum - SUPPORT

Also referred to as the Referendum to Overturn Ban on Single-Use Plastic Bags (SB 270, Padilla, 2014), Prop 67 would repeal SB 270 (Padilla, 2014), which prohibited certain stores from distributing lightweight, single-use plastic bags and established requirements for reusable bags and prohibited stores from distributing reusable bags and recycled paper bags for less than \$0.10 per bag. The City supports a yes on Prop 67 because it would retain the plastic bag ban that Pasadena has had since 2011.

Pasadena's Plastic Bag Ordinance impacts large grocery stores and food mart and prohibits the single-use plastic carry-out bags and charges 10 cents each for paper bags. California League of Cities supports Prop 67. (yes to retain plastic bag ban). On September 18, 2006, the City Council adopted a comprehensive environmental Green City Action Plan (GCAP) based on 21 specific actions identified in the United Nations Green Cities Declaration and Urban Environmental Accords (UEA). The adopted plan identifies the development of a plastic bag reduction program to support the goals of achieving zero waste to landfills by 2040, reducing the use of a disposable, toxic, or non-renewable product category by 50 percent by 2012, and protecting the watershed. Maintaining the plastic bag ban is consistent with our adopted State Legislative Platform and our adopted city ordinance.

The California League of Cities supports this.

Proposition 57 Criminal Sentences. Parole. Juvenile Criminal Proceedings and Sentencing. Initiative Constitutional Amendment and Statute – OPPOSE

Also referred to as the Public Safety and Rehabilitation Act of 2016, Prop 57 would revise rules governing the disposition of juvenile offenders; allows non-violent offenders to seek parole after completing the full term of their primary offense without regard to any applicable sentencing enhancements that a judge added to their offence; and authorizes the Department of Corrections to revise regulations governing good time credits. Essentially Prop 57 would increase parole chances for felons convicted of non-violent crimes and give them more opportunities to earn credits for good behavior. It would also allow judges, not prosecutors, to decide whether to try certain juveniles as adults in court. From the City's perspective there is the potential for violent crime offenders to be released back into the community with little or no financial support.

The California League of Cities will take up this issue at its Annual Conference in October.

Proposition 65 the Dedication of Revenue from Disposable Bag Sales to Wildlife Conservation Fund Initiative - OPPOSE

This measure would redirect money collected by grocery stores and other specified retail stores through sale of carryout bags under any state law banning free distribution of a certain kind of free carryout bag and mandating the sale of another type of carryout bag. It also requires collected funds to go to a Wildlife Conservation Board-administered fund to be used for specified environmental projects. On its face, Prop 65 appears to be pro-environmental, but after careful analysis it is meant to undermine support for Prop 67 and confuse voters. The proposition would only serve the interests of plastic bag companies and would distract from phasing out plastic bags entirely. The proposition would do little to help the environment, as plastic bags need to be eliminated completely

in order to have an effective impact. The proposition would create an unnecessary bureaucracy to deal with a small amount of revenue. The proposition would undermine retail support for Proposition 67 by turning the 10 cent fee for retailers into a government tax. According to the League of Women Voters, "Don't be confused by this deceptive measure. Large players in the plastic bag industry spent millions to put this disingenuous initiative on the ballot, creating a distraction that could thwart California's efforts to rein in plastic bag waste and litter. The plastic bag industry wants to use this measure to damage the hard-won agreement between environmentalists and grocers that made the plastic bag ban possible. This is not about helping fund environmental programs but is simply intended to cause enough voter confusion that the more significant environmental measure, Proposition 67, fails."

The California League of Cities opposes Prop 57.

Los Angeles County Ballot Measures

Measure M: Los Angeles County Traffic Improvement Plan - SUPPORT

On June 23, 2016, the Los Angeles County Metropolitan Transportation Authority (Metro) Board approved an ordinance to authorize a one-half percent sales tax increase and an associated Expenditure Plan for a sales tax ballot measure (Measure M) to be placed on the November 8, 2016 ballot for consideration by the voters of Los Angeles County. Funding from the sales tax will go to improve freeway traffic flow/safety; repair potholes/sidewalks; repave local streets; earthquake-retrofit bridges; synchronize signals; keep senior/disabled/student transit fares affordable; expand rail/subway/bus systems; improve job/school/airport connections; and create jobs. If passed, voters would authorize a Los Angeles County Traffic Improvement Plan through a one-half percent sales tax and continue the existing one-half percent traffic relief tax until voters decide to end it, with independent audits/oversight and funds controlled locally. It should be noted that none of the funding in this measure could be used for the SR-710 North Project. Measure M provides much needed funding to address regional and subregional transportation needs through three types of funding:

- 1) Direct allocations to specified regional projects;
- 2) Subregional funding allocations for local projects of regional significance with the funding to be allocated by the subregions; and
- 3) Additional Local Return allocation.

Two regional projects would serve Pasadena directly – the extension of the Foothill Gold Line east from Glendora to Montclair and a new Orange/Red Line to Gold Line Bus Rapid Transit (BRT) Connector that would serve Pasadena, Glendale, Burbank and North Hollywood.

The subregional allocation for the Arroyo Verdugo Subregion that includes Pasadena would be approximately \$110.6 million over a 40-year period, which is approximately

\$2.8 million shared annually with Burbank, Glendale, La Canada Flintridge, and South Pasadena.

Funding to the City of Pasadena from the Local Return allocation proposed in Measure M is estimated to be \$2 million annually which could be used on street, sidewalk, bicycle, traffic and transit projects.

Measure A: Safe, Clean Neighborhood Parks and Beaches Measure of 2016 - SUPPORT

In 2015 the City of Pasadena, like many San Gabriel Valley cities, participated in the Los Angeles County Parks Needs Assessment. The results were presented to the County Board of Supervisors in May 2016 and reflected the important role that parks, recreational facilities and open space play in the quality of life in our community. Pasadena is currently benefitting from the 1992 and 1996 Proposition A funding programs for park projects and for ongoing park maintenance. The County Supervisors on July 5th voted to place a parks funding measure on the November ballot. The proposed Safe, Clean Neighborhood Parks Measure of 2016 is a continuation of these funding efforts which will benefit Pasadena's parks and open space environment. The measure would add a parcel tax of one-and-one half cent per square foot of developed property. Per the County, if approved, the estimated tax for the owner of a 1,500 square foot home will be \$22.50 annually. Through the lifetime of the bond, the anticipated \$13.6 million revenue will be used to enhance Pasadena's parks and open spaces and provide funding to maintain completed park improvements. Pasadena recognizes the importance of the environmental and health benefits of safe, clean neighborhood parks; and supports this proposed bond measure.

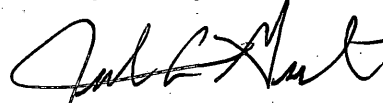
COUNCIL POLICY CONSIDERATION:

Approval of the subject recommendation represents a continuation of the annual policy/practice of establishing federal and state legislative platforms as the advocacy strategies for regional, legislative, and funding request priorities supported by the City of Pasadena.

FISCAL IMPACT:

Passage of these State and County Propositions may lead to additional funding for the City of Pasadena that could be used on capital improvements for streets, traffic and parks.

Respectfully submitted,



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Assistant City Manager

Approved by:



STEVE MERMELL
City Manager