



**Date:** March 6, 2007  
**To:** Honorable Mayor and City Council  
**From:** Councilmember Patrick O'Donnell, Chair, State Legislation Committee  
**Subject:** **RECOMMENDED 2007 STATE LEGISLATION AGENDA**

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On February 23, 2007, the State Legislation Committee met to discuss and recommend changes to the 2007 State Legislative Agenda. The Committee discussed the City Manager's recommendations before approving a proposed 2007 State Legislative Agenda, with amendments. The Committee's recommended changes to the FY 07 agenda have been incorporated into the attached FY 07 Proposed Agenda. A summary of the various changes from the 2006 agenda to the proposed agenda is also provided as Attachment A.

During the meeting, Committee members also discussed areas of interest including: the Governor's proposed FY 07 Budget; infrastructure bond funding; water bond proceeds to purchase wetlands; legislation pertaining to alternative fuel/energy; increases in higher education fees; vocational education; school pedestrian-bicyclist safety; port bills related to container fees; and concerns related to goods movement and air quality. It is recommended that staff track these issues throughout the year in accordance with our adopted state legislative agenda and report back to the State Legislation Committee and City Council as appropriate.

It is the recommendation of the State Legislation Committee to the City Council that the 2007 State Legislation Agenda be received and approved.

Respectfully submitted,

STATE LEGISLATION COMMITTEE

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Councilmember Patrick O'Donnell, Chair

# SUMMARY OF CHANGES TO THE STATE LEGISLATIVE AGENDA

## Business Growth & Workforce Development

- Item G-2: A new bullet was added to support attraction of new aerospace business that could be built in Long Beach.

## Community Safety

- Item B-13: During the last legislative session, the City Council requested that the City continue to ensure the safety of school children as they walk or bike to and from school by supporting AB 1324, a bill that would have allowed cities to establish a School Pedestrian-Bicyclist Safety Program and increase fines for a designated vehicle violation occurring within specially posted school safety zones. Based upon that direction, a new bullet was added to the agenda to support legislation that would strengthen penalties for traffic violations in school zones to further protect youth.

## Environmental

- Item A-2: This item was amended to support legislation that seeks to improve the air quality and health issues associated with construction improvements and operations of the I-710 Freeway and the Port of Long Beach.
- Item A-4: On February 20, 2007, the City Council adopted a resolution in support of the development of the South Coast Air Quality Management District (SCAQMD) Draft 2007 Air Quality Management Plan (AQMP), focusing on mobile source controls. This item was added based upon the City Council's direction.
- Item C: This item was amended to support legislation that will enable maintenance and improvements to the Seawall System, maximizing fair financial contributions from all responsible parties.
- Item E: This item was amended to include support for legislation and grants that will allow for cost-effective and safe methods for disposal of dredge materials.
- Item J: This item was added to allow the City to actively pursue grant funding designed to acquire, restore, and rehabilitate wetlands in the City of Long Beach and the surrounding region, as similar language was added to the Federal Legislative Agenda.

## Neighborhood Development

- Item D: This item refers to Proposition 40 and 50, which is out of date, and was modified to allow the development of a new parks bond act similar to Proposition 40, which emphasizes urban parks.
- Item G: This item was added in order to oppose legislation that minimizes the City's authority over land use, planning, and development.

## **Transportation**

- **Item C:** The City Council passed a resolution voicing their opposition to the operation of Longer Combination Vehicles (LCVs) within the jurisdiction of the City of Long Beach, thus it was added to the agenda based upon previous direction from the City Council.
- **Item E-4:** This item was added to allow cities and or jurisdictions to collect fees from parties responsible for detrimental impacts on transportation infrastructure.
- **Item E-5:** This item was added under “Transportation Funding” section to further support legislation that seeks to improve the air quality and health issues associated with construction improvements and operations of the I-710 Freeway and the Port of Long Beach.

## **Youth and Education**

- **Item E:** This item was modified to place additional emphasis on the need for legislation, grants and partnerships that enhance education and work readiness, including career technical and vocational education programs.

## **Additional Issues of State Legislative Importance**

- **Item I: Pensions/Labor Relations/Health Benefits-** A new accounting rule (GASB 45) going into effect next year will result in an accounting for the first time of liabilities for retiree health benefits. The unfunded liabilities for retiree health care benefits and their dependents for the state and local governments is estimated to be in the billions. The Governor has established the Public Employee Post-Employment Benefits Commission to propose ways for addressing growing pension and retiree health care obligations. The language added to the Legislative Agenda would enable the City to pursue a voice for cities on this panel, and allow the City to support to legislation granting all CalPERS agencies to participate in CalPERS' newly established Annuitants' Healthcare Coverage Fund, which would allow government agencies to pre-fund their GASB 45 liabilities through CalPERS.
- **Item O: Aquarium of Pacific-** Last year, this item was included in the Federal Legislative Agenda. This year, it is being added to the State Legislative Agenda to further support legislation that will enhance the Aquarium of the Pacific's ability to provide maximum educational opportunities regarding aquatic life, facilities, recreation and local wetlands restoration and Los Angeles basin watershed management.
- **Item P: Court Facilities-** This item was added to the agenda to allow the City to actively pursue grant funding for the proposed new Long Beach courthouse.
- **Item Q: Marriage Equality for Same Sex Couples-** On October 17 the City Council adopted a resolution urging the state and federal government to develop laws to allow marriage equality for same sex couples and to defend same sex civil marriages and

protect the fundamental liberties of all families. That language has now been added to the State Legislative Agenda to reflect the City Council's action.

- Item R: Gas and Oil Department- A new item was added that provides language to allow the City to support legislation related to our Gas utility and oil operations.
- Item S: Advertising- There is currently a proposal before the Redevelopment Board to develop electronic message center displays along major freeways to generate revenue for the City to support arts and culture. If that proposal is approved by the Redevelopment Agency and City Council, state legislation will be needed to allow the City's multiple redevelopment project areas to be considered one area for the sole purpose of outdoor advertising. This item was included in the State Legislative Agenda to allow the City to actively research legislation to amend an existing statute to add the City of Long Beach to the five California cities that may consider multiple redevelopment project areas as one area for the sole purpose of outdoor advertising.



# Recommended 2007 State Legislative Agenda

FEBRUARY 28, 2007

<b>BUSINESS GROWTH &amp; WORKFORCE DEVELOPMENT</b>	<p><b>A. <u>Workforce Development:</u></b> Support legislation that ensures flexibility for the City Council and avoidance of mandates in connection with any State actions to implement federal welfare reform and workforce development.</p> <p><b>B. <u>Aerospace Industry:</u></b> Support legislation that creates a more competitive business environment for the Aerospace Industry.</p> <p><b>C. <u>Space Technology:</u></b> Support legislation that promotes the development of space oriented technology for commercial uses, space-oriented development, and space exploration.</p> <p><b>D. <u>Enterprise Zones:</u></b></p> <ol style="list-style-type: none"><li>1. Pursue and support legislation that protects and/or increases the value of State Enterprise Zones, and</li><li>2. Support legislation that would extend the life of the State Enterprise Zone.</li></ol> <p><b>E. <u>Economic Development:</u></b></p> <ol style="list-style-type: none"><li>1. Support efforts to develop and promote policies that help urban areas foster greater economic opportunity.</li><li>2. Support efforts to retain, expand, and attract manufacturing, technology and other high value businesses.</li></ol> <p><b>F. <u>Workers' Compensation:</u></b> Support efforts to reform workers' compensation statutes to simplify the system and reduce costs to employers while ensuring adequate protection for injured workers.</p> <p><b>G. <u>The Boeing Company:</u></b></p> <ol style="list-style-type: none"><li>1. Support legislation that creates a more competitive business environment for the Boeing Company and the aerospace industry overall.</li><li>2. <u>Support efforts to attract new aerospace manufacturing to Long Beach.</u></li></ol> <p><b>H. <u>CalOSHA:</u></b> Support legislation that would ensure new safety regulations be made available for review and comment by employers prior to implementation.</p>
<b>COMMUNITY SAFETY</b>	<p><b>A. <u>Public Health:</u></b></p> <ol style="list-style-type: none"><li>1. Support legislation and grants that provide additional funding for public health programs, including substance abuse programs, services, infrastructure, debt service relief, seismic upgrades, and bio-terrorism response enhancements.</li><li>2. Support the implementation of a pilot needle exchange program for the prevention of the spread of HIV disease and the provision of swift treatment to individuals impacted by HIV.</li><li>3. Support legislation and grants that provide for the reduction of youth obesity.</li></ol>

Proposals and policies consistent with this agenda will be supported by the City. Those policies or proposals inconsistent with this agenda may be subject to opposition by the City.

**COMMUNITY SAFETY  
 (CON'T)**

**B. Public Safety & Crime Prevention:**

1. Support legislative efforts to improve local law enforcement, fire suppression and prevention, hazardous materials mitigation, rescue, emergency medical services and disaster preparedness initiatives.
2. Support legislation and pursue grants to fund new apparatuses, technology and equipment, improve existing apparatuses, technology and equipment, and replace obsolete apparatuses, technology and equipment for Police and Fire.
3. Support legislation and pursue grants that would provide funding for maintenance and construction of public safety facilities.
4. Support legislation that reduces the percentage required for passage of public safety bonds to the same percentage as school bonds (55%).
5. Support legislation that provides immunity to public safety personnel who have been trained and assigned to take emergency calls from the public.
6. Support legislation that seeks to reimburse the City for overtime costs paid to public safety personnel who are required to appear in State and/or County courts.
7. Support legislation to make state law enforcement grant funding less restrictive and allow more discretionary uses of funds for support staff within the jail, communications and records divisions.
8. Support legislation that enhances the ability of local public safety units to respond to, prevent, and prepare for terrorist threats.
9. Support legislation to strengthen penalties for those using motor vehicles to evade peace officers.
10. Support legislation and grants that promote the efforts of the City's gang prevention, diversion, and intervention programs.
11. Support legislation that would make it a specific crime to carry a weapon or engage in violent activity in or around a mass transit system and enact stronger penalties for violation of that law.
12. Support legislation that provides more local government control on the regulation of re-entry points for sex offenders and parolees.
13. Support legislation that will strengthen penalties for traffic violations in school zones in an attempt to reduce speed of drivers and protect youth.

**ENVIRONMENTAL**

**A. Air Quality:**

1. Support legislation that improves the quality of air in the City of Long Beach by reducing particulate matter.
2. Support legislation that seeks to improve the air quality and health issues associated with construction improvements and the operations of the I-710 Freeway and the Port of Long Beach.
3. Support ongoing efforts by the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD) to increase regulatory control of stationary and non-stationary sources of air pollution in the Long Beach and greater Los Angeles air basin.
4. Support efforts related to the development of the South Coast Air Quality District (SCAQMD) Draft 2007 Air Quality Management Plan (AQMP), focusing on mobile source controls.

- B. Water Quality:** Support efforts to improve clean-up and capital improvements for beaches, rivers, and waterways that affect the City and impaired water bodies within the City.

**ENVIRONMENTAL  
(CON'T)**

- C. **Naples Seawalls:** Support legislation that will enable needed maintenance and improvements to the Naples Seawall System, ~~with the most minimal cost to the City~~ maximizing fair financial contributions from all responsible parties.
- D. **Beach Erosion:** Support legislation and pursue funding to protect our beaches and bluffs from erosion.
- E. **Ocean Channel Dredging:** Support legislation and grants, which fund the dredging of ocean channels to enhance navigation and recreation, and which allow cost-effective and safe methods of disposal of dredge materials.
- F. **SERRF:** Support legislation that protects the City's ability to efficiently operate SERRF.
- G. **Alternative Fuel/Energy:**
  - 1. Support legislation and grants that encourage the use of clean burning alternative fuels for vehicles and that provide incentives and rewards for cities with innovative alternative fuel programs.
  - 2. Support efforts that promote the use of solar/alternative energy within city facilities and promote solar energy solution programs for residents.
  - 3. Support alternative energy proposals that further the utilization of environmentally friendly energy applications at both the customer and utility level.
- H. **Department of Boating and Waterways (DBAW):**
  - 1. Advocate for the protection of the proper use of funds from DBAW for recreational uses.
  - 2. Oppose the use of these funds for unrelated purposes.
- I. **Oil Properties:**
  - 1. Seek funding for existing infrastructure maintenance, repair and improvement.
  - 2. Support the full funding of the state's future obligation for abandonment and cleanup of oil fields located in the Long Beach Tidelands.
- J. **Wetlands:**
  - 1. Support legislation and grants designed to acquire, restore and rehabilitate wetlands in the City of Long Beach and the surrounding region.

<p><b>NEIGHBORHOOD DEVELOPMENT</b></p>	<p><b>A. <u>Library Construction &amp; Development:</u></b>          1. Support legislation and grant programs that provide increased funding for library construction, renovation and development.          2. Support full funding of the Public Library Fund.</p> <p><b>B. <u>Arts:</u></b> Support legislation that assists the City in obtaining funding for community arts programming.</p> <p><b>C. <u>Homeless Assistance:</u></b> Support legislation to reduce homelessness, including housing assistance and case management service funding, including those related to mental health.</p> <p><b>D. <u>Parks, Recreation, and Marine:</u></b>          1. Support legislation and grants to fund parks, recreation, and marine facilities, capital improvements, and programs to increase the quality of life for Long Beach residents.          2. <del>Pursue the allocation of Proposition 40, and 50 funds for local parks and recreation projects</del> <u>Support the development of a statewide park bond act similar to Proposition 40, which emphasized urban parks.</u></p> <p><b>E. <u>Senior Services:</u></b> Support legislation, which provides funding for enhanced services such as facilities, social services, mental health services health care, supportive care, recreational programs and transportation to address the diverse needs of Long Beach's senior community.</p> <p><b>F. <u>Drug and Alcohol Recovery Facilities:</u></b> Support legislation that provides more local government control on the regulation of drug and alcohol recovery facilities.</p> <p><b>G. <u>Planning:</u></b> <u>Oppose legislation that diminishes the City's local control over land use, planning, zoning, and development decisions, and oppose legislation in conflict with the City's adopted General Plan or other Council adopted land use policies.</u></p>
<p><b>TRANSPORTATION</b></p>	<p><b>A. <u>I-710 Freeway:</u></b>          1. Pursue funding to improve, beautify, maintain, and increase the safety of the I-710 Freeway, which serves as a vital thoroughfare for residents, businesses and commerce.</p> <p><b>B. <u>Improve Freight Movement:</u></b> Support efforts to maintain and enhance funding for the Alameda Corridor, including enhanced connections for trucks to Alameda Street and the development of shuttle rail for local container movements.</p> <p><b>C. <u>Long Combination Vehicles:</u></b> <u>Support legislation that will ban Longer Combination Vehicles (LCVs) that consists of longer double tractor and triple tractor-trailers from traveling on state highways and freeways to improve traffic congestion and prevent fatal accidents.</u></p> <p><b>D. <u>Prop 42 Funding:</u></b> Strongly advocate for the State to repay previous loans from this source to cities and guarantee long-term preservation of these funds through ongoing annual appropriations, which are sorely needed by cities for local roads.</p>

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<p><b>TRANSPORTATION (CON'T)</b></p>	<p><b>E. <u>Transportation Funding:</u></b></p> <ol style="list-style-type: none"> <li>1. Support efforts to increase funding for transportation programs and projects within the City.</li> <li>2. Support efforts to increase funding for system preservation and relax funding requirements that prohibit the use of existing transportation funding for rehabilitation, resurfacing, and reconstruction of local streets.</li> <li>3. Support efforts to secure the maximum amount of state funding for the construction and maintenance of local roads, infrastructure, transportation projects, and major corridors.</li> <li>4. <u>Support legislation that allows cities and/or jurisdictions to collect fees from parties responsible for detrimental impacts on transportation infrastructure.</u></li> <li>5. <u>Support legislation that seeks to improve the air quality and health issues associated with construction improvements and operations of the I-710 Freeway and the Port of Long Beach.</u></li> </ol>
<p><b>YOUTH &amp; EDUCATION</b></p>	<p><b>A. <u>Good Health:</u></b> Support legislation and grants that enhance the health services provided to children and young adults including pre-natal services, infant and early childhood health care, access to affordable medical, dental and mental health care and preventive and interventive services for children and youth who may be at risk for drug and alcohol dependency (including tobacco), -asthma, obesity, and other conditions that threaten health.</p> <p><b>B. <u>Safety and Survival:</u></b> Support legislation and grants that increase the level of safety and survival of youth, and support programs which reduce child abuse, accidental injury deaths, homicides of youth, gang involvement, misdemeanor and felony arrests and incidents of violence among youth.</p> <p><b>C. <u>Economic Well-Being:</u></b> Support legislation and grants that assure youth have access to resources such as food, shelter, employment opportunities and transportation and that aim to reduce the poverty level of the City's youth.</p> <p><b>D. <u>Social and Emotional Well-Being:</u></b> Support legislation and grants that enhance social and emotional well-being including literacy, childcare, teen pregnancy prevention, mentor, mental health, human dignity, foster and kinship care, after school and weekend enrichment activities, and other cultural enhancement programs.</p> <p><b>E. <u>Education and Workforce Readiness:</u></b> <del>Support legislation and grants that enhance the effective education of the City's youth from pre-school through post secondary education, including educational enhancement institutions and organizations such as the Aquarium of the Pacific, and services aimed at increasing the employment rate and employability of young adults age 18-24.</del> <u>Support legislation, grants and partnerships that enhance education and work readiness, as well as create strong pathways to postsecondary education and careers, including career technical and vocational education programs, development of relevant education programs and curricula, youth workforce training, work experience and internships, and career exploration.</u></p> <p><b>F. <u>Meaningful Youth Engagement:</u></b> Support legislation and grants that increase the presence of youth participation in all levels of government decision making, such as local youth councils and board participation, voting and civic engagement.</p>

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<p><b>HOUSING</b></p>	<p><b>A. <u>Housing:</u></b></p> <ol style="list-style-type: none"> <li>1. Support the implementation of Proposition 46 and other efforts to maximize funding and funding flexibility for the development of affordable housing within the City.</li> <li>2. Support efforts to enhance access, accommodations, and visitability in dwellings and businesses for all of Long Beach's residents.</li> <li>3. Support efforts to ensure the fair allocation of tax credits for the Southern California region and prioritize local control over allocation of affordable housing tax credits.</li> <li>4. Support legislation and grants that promote the development and enhancement of affordable and/or accessible housing within the City.</li> <li>5. Support efforts to reform the Regional Housing Needs Assessment.</li> </ol>
<p><b>ADDITIONAL ISSUES OF STATE LEGISLATIVE IMPORTANCE</b></p>	<p><b>A. <u>City Revenues:</u></b></p> <ol style="list-style-type: none"> <li>1. Oppose legislation that would reduce City revenues.</li> <li>2. Support efforts to protect Vehicle License Fee (VLF) revenues currently allocated to cities. Vigorously oppose any effort to reduce the current allocation returned to cities.</li> <li>3. Support legislation that would favorably address the State/local government fiscal relationship, including the capping and or return of ERAF dollars to cities.</li> <li>4. Support League of California Cities sponsored initiative to protect city revenues from future seizure by the state for programs that would otherwise be funded by state agencies or the state general fund.</li> <li>5. Support efforts to protect City revenue sources from diversion by the State Legislature and the Governor.</li> <li>6. Oppose legislation that would reduce the City's autonomy and flexibility in dealing with the financing of public services.</li> </ol> <p><b>B. <u>Contractor/Consultant Liability:</u></b> Oppose legislation that shifts financial liabilities from contractors and/or consultants to the City.</p> <p><b>C. <u>Preemption of Local Authority:</u></b></p> <ol style="list-style-type: none"> <li>1. Oppose legislation that preempts the current authority possessed by the City and delegates that authority to the State or other government jurisdiction.</li> <li>2. Support legislation that protects and/or expands the City's authority and rights over its affairs.</li> <li>3. Oppose the regionalization of airports as it relates to the allocation of flights and the loss of local authority.</li> </ol> <p><b>D. <u>Sales Tax:</u></b></p> <ol style="list-style-type: none"> <li>1. Support legislation that would result in a more equitable distribution of sales taxes to the City.</li> <li>2. Support efforts to exempt cities from paying State sales tax.</li> <li>3. Support legislation that would result in an equitable distribution of taxes generated through Internet sales.</li> </ol> <p><b>E. <u>Telecommunications:</u></b></p> <ol style="list-style-type: none"> <li>1. Support legislative efforts to ensure that the City maintains right-of-way control and allows our City to collect fair compensation for its use.</li> <li>2. Support legislative efforts to ensure local taxation authority of products purchased through the Internet.</li> </ol>

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**ADDITIONAL ISSUES OF  
STATE LEGISLATIVE  
IMPORTANCE (CON'T)**

3. Support legislation that provides discount Internet access to schools and libraries.
  4. Support legislation and grants to fund e-government initiatives.
  5. Protect local government's ability to facilitate advanced communications services to their citizens.
  6. Protect local authority to negotiate and grant franchises to video providers.
- F. Unfunded Mandates:** Oppose legislation that would place a mandate on the City without providing the funds necessary to carry out the mandated program.
- G. Water Department:** Consider support of legislation, initiatives and policies initiated and/or advocated by the Long Beach Board of Water Commissioners, on behalf of the Long Beach Water Department, that are consistent with the Department's cost-effective long-term local water supply reliability objectives.
- H. Business Licenses:** Oppose legislation that compromises the City's ability to impose and/or collect appropriate business license fees from Long Beach businesses.
- I. Pension/Labor Relations/ Health Benefits:**
1. Support legislation providing more flexibility in pension benefits.
  2. Oppose legislation that precludes the City's right to negotiate for additional pension benefits.
  3. Oppose legislation that would mandate additional benefits.
  4. Pursue approaches to recapture PERS funds including, but not limited to, making Pension Obligation Bond payments.
  5. Monitor legislative efforts to mandate increases in health benefit levels or increase the City's costs for changes to benefit levels for active employees.
  6. Support legislation allowing all CalPERS agencies to participate in CalPERS' newly established Annuitants' Healthcare Coverage Fund, which will allow government agencies to pre-fund their GASB 45 liabilities.
  7. Support efforts to promote equitable representation among State, County and local government officials on the Governor's new Commission on Public Employee Retirement Benefits.
- J. Municipal Elections:** Support efforts that enable cities to maximize their ability to efficiently and effectively administer local elections.
- K. Stormwater:** Oppose legislation that increases NPDES Permit Fees and/or tries to remove Maximum Extent Practicable (MEP) language from MS4 permits.
- L. Fireworks Ban:** Support legislative efforts to ban the sale and use of fireworks in the State of California, with the exception of professional demonstrations.
- M. Shopping Carts:** Support legislation to restore local control of shopping cart retrieval, including the ability to remove carts after 24 hours of notice to retailers.
- N. School District:** Support the rights of the community to elect their school board members and preserve the authority of local school districts.
- O. Aquarium of Pacific:** Support legislation that will enhance the Aquarium of the Pacific's ability to provide maximum educational opportunities regarding aquatic life, facilities, recreation and local wetlands restoration and Los Angeles Basin

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<b>ADDITIONAL ISSUES OF STATE LEGISLATIVE IMPORTANCE (CON'T)</b>	<p><u>watershed management.</u></p> <p><b>P. <u>Court Facilities:</u></b> <u>Support legislative efforts that will provide the necessary funding for the proposed new Long Beach courthouse.</u></p> <p><b>Q. <u>Marriage Equality for Same Sex Couples:</u></b> <u>Support legislation that will allow marriage equality for same sex couples, defend same sex civil marriages, and protect the fundamental liberties of all families.</u></p> <p><b>R. <u>Gas and Oil Department:</u></b> <u>Support legislation, initiatives and policies on behalf of the Long Beach Gas and Oil Department that are consistent with the City's long-term objectives for reliable, competitively priced energy supply.</u></p> <p><b>S. <u>Advertising:</u></b> <u>Research legislation to amend an existing statute to add the City of Long Beach to the five California cities that may consider multiple redevelopment project areas as one area for the sole purpose of outdoor advertising.</u></p>
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