



Date: March 18, 2008
To: Honorable Mayor and City Council
From: Councilmember Gary DeLong, Chair, Federal Legislation Committee
Subject: **FEDERAL LEGISLATION COMMITTEE'S PENDING FILE**

The Federal Legislation Committee, at its meeting held March 11, 2008, considered communications relative to the following pending files:

- Communication regarding October 1 - 2, 1998 Conferences in Washington, D.C. (October 1998);
- Issue of Legislation that would result in an increase in the maximum allowable weight and length of trucks (April 1999);
- Salt Evaporation Facility in Laguna San Ignacio, Baja, California: Mexico (February 2000);
- Secure Federal funding for the 21st Century Community Learning Centers Program (December 2000);
- Federal Energy Regulatory Commission - Energy Crisis (February 2001);
- Los Angeles County Drainage (LACDA) Project Status/Mandatory Flood Insurance (June 2001); and
- Contract with Carpi Clay & Smith for Federal Advocacy Services (September 2007).

It is the recommendation of the Federal Legislation Committee to the City Council that the communications be received and filed.

Respectfully submitted,

FEDERAL LEGISLATION COMMITTEE



Councilmember Gary DeLong, Chair




City
Clerk

~~90~~

Date: October 6, 1998

To: Mayor and City Council

From: Councilmember H. Delano Roosevelt, District 4 
Chair of Federal Legislative Affairs portion of the
Committee on Legislation and Environmental Affairs

Subject: October 1 & 2, 1998 Conferences in Washington, D.C.

These are the accomplishments from the October 1 & 2, 1998 conferences in Washington, D.C., by Councilmembers Del Roosevelt, Jeff Kellogg and Frank Colonna, Deputy City Manager Jerry Miller and accompanied by Del Smith and Meg Allen of the city's Washington office:

1. Empowerment Zone legislation and Long Beach award – We encouraged Congressional support of House and Senate leadership for needed legislation and met with several House and Senate sponsors. Our lobbying efforts caused both California Senators to co-sponsor Senate Empowerment Zone legislation. We also met at HUD to reinforce the Long Beach empowerment Zone need and to display Long Beach actions to get Congressional legislation for the Empowerment Zone and designation on February 1, 1999.
2. Cops More – I was honored to receive the Long Beach Cops More Grant of \$5.6 million on behalf of the City in a White House ceremony in the Roosevelt Room.
3. LACDA Appropriations – We thanked 10 House and Senate principals for the \$50 million FY 1999 appropriations and personally encouraged the Chief of Civil Works, Corps of Engineers, to execute the project without delay and to request needed follow-up on FY2000 funding in the President's Budget Recommendation. Funding was also requested for Queensway Bay and for other purposes.
4. We expressed gratitude to FEMA Director, James Lee Witt for:
 - AR Zone flood insurance rate reduction system implementation;
 - four year delay in the mandatory Congressionally imposed flood insurance start date and;
 - permanent retention of the lowest flood insurance rates until cessation of the new flood insurance requirements as LACDA is completed.
5. Advocated legislation needed for re-imbusement of Long Beach Naval Hospital, BRAC Reuse outlays by the City

We also promoted the City's continued successful working relationship with the California Congressional delegation, Corps of Engineers, Office of the President and the U.S. Chamber of Commerce.


In addition, I was honored to be asked to participate in the White House education enactment initiative.

I felt the trip was very successful, largely through the professional efforts of Del Smith and his staff and our Deputy City Manager Jerry Miller.



Date: April 14, 1999

To: Mayor and City Council

From: Jerry Shultz, , Councilman, 9th District 

Subject: ITEM FOR THE APRIL 20, 1999 CITY COUNCIL AGENDA

On July 22, 1997, the Long Beach City Council adopted a resolution expressing opposition to lifting the existing restrictions on Mexican trucks and urging President Clinton to maintain the current U.S. policy on trucking. (Copy attached).

One of the concerns, at the time, was the desire of the trucking industry to increase the maximum allowable weight and length of trucks - to allow for triple trailer trucks.

If these larger trucks are allowed on our highways they not only will pose multiple safety hazards, but the damage to infrastructure will be, to say the least, costly.

The Coalition Against Bigger Trucks has requested the Long Beach City Council to oppose any legislation that would result in bigger and heavier trucks on California's roads. They have asked that we forward a letter expressing our opposition to Senator Barbara Boxer. A sample of that letter is attached.

I propose that we support the opposition and take appropriate action either to forward a formal letter or if necessary, refer to the State Legislation and Environmental Affairs Committee for study and expedient action.

attachments

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OFFICE OF THE
CITY ATTORNEY
OF
LONG BEACH

JOHN R. CALHOUN
CITY ATTORNEY

ROBERT E. SHANNON
ASSISTANT

City Hall
333 West Ocean Boulevard
Long Beach, California 90802-4664
(310) 570-2200

WORKERS' COMPENSATION SECTION
(310) 570-2245

Telecopier
(310) 436-1579

July 22, 1997

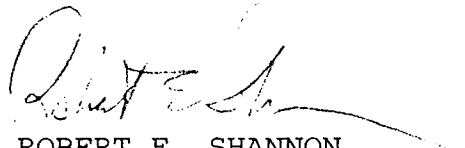
HONORABLE MAYOR AND CITY COUNCILMEMBERS
City of Long Beach,
C a l i f o r n i a

Re: **A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF LONG BEACH EXPRESSING
ITS OPPOSITION TO LIFTING EXISTING
RESTRICTIONS ON MEXICAN TRUCKS AND
URGING PRESIDENT CLINTON TO MAINTAIN
THE CURRENT U.S. POLICY ON TRUCKING**

97 JUL 16 PM 3:52
CITY CLERK
CITY OF LONG BEACH

Pursuant to the request of the City Council at its meeting of July 15, 1997, the enclosed above-referenced resolution has been prepared for your consideration.

JOHN R. CALHOUN, City Attorney

By 
ROBERT E. SHANNON
Assistant City Attorney

RES:fl
Enclosure

John R. Calhoun
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
(310) 570-2200

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RESOLUTION NO. C-

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH EXPRESSING ITS OPPOSITION
TO LIFTING EXISTING RESTRICTIONS ON MEXICAN
TRUCKS AND URGING PRESIDENT CLINTON TO
MAINTAIN THE CURRENT U.S. POLICY ON TRUCKING

WHEREAS, lifting the existing restrictions on Mexican
trucks entering California would pose an immediate threat to
highway safety; and

WHEREAS, recent federal studies report that trucks
entering the United States from Mexico are up to three times as
old, up to twice as heavy, and frequently out of compliance with
U. S. safety and environmental standards;

NOW, THEREFORE, the City Council of the City of Long
Beach resolves as follows:

Section 1. That the Long Beach City Council hereby
expresses its opposition to lifting the existing restrictions on
Mexican trucks and urges President Clinton to maintain the
current U.S. policy on trucking.

Sec. 2. This resolution shall take effect immediately
upon its adoption by the City Council, and the City Clerk shall
certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was
adopted by the City Council of the City of Long Beach at its

February 2, 1999

The Honorable Barbara Boxer
112 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Boxer:

We are writing to urge you to oppose any legislation that would result in bigger and heavier trucks on California's roads.

In recent months, some proponents of bigger trucks have called on Congress to relax federal highway safety standards by raising the maximum allowable weight and length of trucks. Others are calling this a "states rights" issue, and have said that the federal limits should be eliminated entirely.

Please oppose all these efforts to force motorists to share the roads with bigger, more dangerous trucks. The federal government has a clear responsibility to maintain minimum safety standards on the highways that our federal taxes pay to construct and maintain and on which all of us drive.

Polls have consistently shown that the vast majority of Californians strongly oppose any increase in truck size or weight. The basis for this overwhelming public opposition is twofold. First, bigger trucks are more dangerous trucks. They are more susceptible to rollover, jack knifing and braking problems. Second, longer and heavier trucks would add billions of dollars in new infrastructure costs because of the damage they do to bridges and roads. A huge portion of this cost will be borne by average taxpayers since trucking companies pay only a fraction of their fair share to repair the damage caused by bigger trucks.

Please help us keep our motorists safe and protect our highway infrastructure. Thank you very much for your consideration of our views.

Sincerely,

COALITION AGAINST BIGGER TRUCKS MISSION STATEMENT

The Coalition Against Bigger Trucks (CABT) opposes efforts at all levels of government to make trucks longer and heavier. CABT includes public citizen organizations, state and local law enforcement agencies, senior citizens, highway safety, environmental and business groups. CABT opposes bigger trucks because they raise serious safety, infrastructure, environmental and economic concerns. **In order to protect public safety, the nation's infrastructure and the environment, CABT has embarked on a grass roots campaign to fight the efforts of bigger truck proponents to increase truck lengths and weights.**

Longer, heavier trucks present serious safety problems to the motoring public. Grim statistics support this contention: Each year, 5,000 people are killed in truck-related crashes and over 100,000 are injured. Today, almost all of these trucks are conventional, single trailer trucks or "18 wheelers." Now, bigger truck proponents want to place even bigger trucks on the road -- including triple and long double longer combination vehicles (LCVs) -- and heavy single tractor trailers weighing 100,000 pounds.

Bigger trucks also translate into greater damage to bridges and roads -- and it will be the average taxpayer, not the trucking industry, who pays the bill for repairs and maintenance. With tightening budgets at the federal, state and local levels of government, additional resources for highway maintenance and bridge reconstruction will be hard to obtain. In addition, the inevitable result of bigger trucks will be more pollution, higher taxes, more congestion and an unbalanced freight transportation system.

NEW 90,000 POUND CONCEPT VEHICLE BRINGS SAFETY, INFRASTRUCTURE RISKS

Coalition Against Bigger Trucks

September 1998

Freightliner and Wabash National, two market leaders in truck tractor and trailer manufacturing, have teamed to produce a new *90,000 pound* concept vehicle. The bigger truck uses a cabover tractor pulling a 58 foot triaxle semitrailer. Advocates of the new truck are trying to convince Congress to lift the current federal gross vehicle weight limit by *10,000 pounds*.

But safety advocates remain skeptical about claims that the proposed truck combines bigger size with new safety features.

- **The proposed safety "improvements" are unproven.** Even the Chief of Engineering for the American Trucking Associations (ATA) has said that the truck's electronic braking system, for example, "adds great complexity and unproven hardware to the brake system" (Transport Topics 5/25/98). *Moreover, if the truck is eventually found to include new safety technology, shouldn't it be used to make current trucks safer – not as an excuse for bigger trucks?*
- **The extra weight alone makes the truck less safe.** According to the University of Michigan Transportation Research Institute, "[T]he energy to be dissipated in a collision, and hence the damage done, increases with weight, and the probability of injury increases with the increasing disparity of weight in two-vehicle collisions." In other words, the heavier the truck, the greater the damage it can cause in an accident.
- **The extra length threatens highway safety.** The length between the rear axles and the end of the trailer is longer than that of conventional trailers. The long rear overhang greatly increases *overswing* and *encroachment* into adjoining lanes of traffic that could cause serious safety problems.
- **The concept truck could cause more highway damage.** One option on the concept vehicle includes an electronically controlled "*lift axle*" in its final tridem set of axles. Whenever the axle is raised to allow the vehicle to turn in intersections, the load transfers to the other axles causing *more, not less pavement damage* than conventional 80,000-pound trucks. The truck's weight and new configuration would also cause serious *bridge overstress*.
- **The concept truck will lead to even bigger conventional trucks.** Allowing the bigger truck's 58-foot trailer to operate will increase pressure to allow longer trailers with conventional truck tractors. The result will be a move to longer overall truck lengths, which will cause safety problems in merging, lane-changing, intersection-clearance, and emergency maneuvers.

For more information on how you can help keep bigger, more dangerous trucks off our highways, please contact the Coalition Against Bigger Trucks:
(888)CABT123, cabtdc@aol.com, www.cabt.org, 1000 Potomac St, NW, Ste 402, Washington, DC 20007

BIGGER TRUCKS: BAD NEWS FOR U.S. TAXPAYERS

Coalition Against Bigger Trucks

September 1998

Public concerns about longer, heavier trucks have centered on potential safety impacts. But it's clear from the Highway Cost Allocation Study released by the U.S. Department of Transportation (USDOT) in August 1997 that there's an important tax and infrastructure issue, too.

According to the new USDOT study, it will cost U.S. taxpayers for every mile traveled by a bigger truck. That will mean more pot holes, higher taxes--or both.

Here's what the USDOT study found:

- **A typical triple trailer truck pays only 70% of its federal highway costs.** The most common triple trailer combination--registered at 110,000 pounds gross weight-- pays only 70% of its federal highway costs.

- **Long, heavy double trailer trucks pays as little as 80% of their costs.** Long, heavy double trailer trucks also underpay, covering about 80% of their costs on average. But at the 130,000 to 140,000 pound weights allowed in several states, long doubles pay only 60% of their costs.

- **Heavier single tractor trailer trucks underpay seriously as well.** According to the USDOT, a 90,000 pound six axle single tractor trailer truck covers only 60% of its costs, while a 100,000 pound six axle single tractor trailer truck pays 50%.

In general, the USDOT study finds that as registered weight goes up, cost responsibility ratios fall sharply □ that is, the big trucking companies making the profits pay less, and average taxpayers pay more.

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(888)CABT123, cabtdc@aol.com, www.cabt.org, 1000 Potomac St, NW, Ste 402, Washington, DC 20007

BIGGER TRUCKS MEAN BIGGER PROBLEMS ON OUR HIGHWAYS

Coalition Against Bigger Trucks

September 1998

Americans overwhelmingly oppose bigger trucks, especially longer combination vehicles (LCVs) -- *triple* trailer and long double trailer trucks. A July 1997 Parade Magazine survey found that 87% of respondents opposed trucks getting bigger, longer or heavier.

The main reason people oppose bigger trucks is their fear that bigger trucks are unsafe.

The worst safety problem with LCVs is their incompatibility with today's crowded highways. Because they're so big and so slow, LCVs have trouble merging or changing lanes in freeway traffic. Similarly, they have problems maintaining speed on upgrades, creating serious safety risks.

LCVs present a greater safety risk simply because they have more trailers. As a result, LCVs suffer from increased rearward amplification--the "crack the whip" effect.

LCVs are a disaster for the nation's infrastructure. National operation of LCVs would cost government agencies \$12.7 billion in bridge replacement and reconstruction costs. As those bridges are repaired, auto drivers will lose \$59 billion in lost time and extra fuel burnt.

LCVs will make our highway congestion problems worse. A single LCV has the same impact on highway congestion and traffic delay as 10 to 12 automobiles (or more than *twice* the impact of two conventional trucks).

Bigger trucks will cause faster highway deterioration. According to the June 1997, Volume 2 draft of the Department of Transportation "Comprehensive Truck Size and Weight Study", triples do *twice* the pavement damage of conventional trucks.

Triple trailer trucks pay even less of their highway costs than ordinary trucks. The 1997 Federal Highway Cost Allocation Study determined that triples at the most common operating weight pay only 70% of their federal costs.

Heavier single tractor trailers raise the same safety and infrastructure concerns as LCVs. According to the University of Michigan Transportation Research Institute, "[g]ross combination weight is the only vehicle characteristic showing a clear association with the overall fatal accident rate."

Heavier singles pay far less than their share of highway costs. According to the new federal study, six axle singles operating at 90,000 lbs cover only 60% of their costs. 100,000 lb singles pay a mere 50%. Allowing 97,000 lb single tractor trailers to operate nationwide would mean an additional \$13.8 billion in bridge reconstruction costs on the interstate system alone. Highway users would lose an additional \$56 billion in delay costs and fuel burnt stuck in traffic. Total costs would be nearly \$70 billion.

For more information on how you can help keep bigger, more dangerous trucks off our highways, please contact the Coalition Against Bigger Trucks:
(888)CABT123, cabtdc@aol.com, www.cabt.org, 1000 Potomac St, NW, Ste 402, Washington, DC 20007



RECEIVED
CITY CLERK
LONG BEACH, CALIF.

00 FEB 10 AM 11:16

Date: February 15, 2000

To: Mayor and City Council

From: Councilmember Dan Baker

Subject: Request for a Resolution in Opposition to the Construction of a Salt Factory in Baja California, Mexico

I am requesting a resolution opposing the construction of a salt evaporation facility in Laguna San Ignacio, Mexico by the Mitsubishi Corporation and the Mexican government.

Laguna San Ignacio is a habitat for the California gray whale and is one of the few undeveloped breeding and calving grounds left for this species of whale. This site has been declared a gray whale refuge by the Mexican government, included in the El Vizcaino Biosphere reserve, and designated by UNESCO as a World Heritage Site.

The production of the salt produces a toxic brine byproduct. Spills of toxic brine at nearby saltworks have killed fish and turtles. The effects of brine spills on gray whales have not been studied.

The California Coastal Commission and more than 25 local governments in California, including the Los Angeles City Council, the Malibu City Council, the Monterey County Board of Supervisors and the San Francisco County Board of Supervisors have passed resolutions opposing the proposed development.

13

FILED
WITH CITY COUNCIL

FEB 15 2000

Shelba Powell

CITY CLERK



City of Long Beach
Working Together to Serve

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✂


Memorandum

RESOLUTION
CITY CLERK
LONG BEACH, CA

00 NOV 30 AM 8:15

Date: December 5 2000

To: The Honorable Mayor and Members of the City Council

From: Vice Mayor Dan Baker 

Subject: **Request the Federal Legislation and Environmental Affairs Committee to work with community groups and local educational institutions to secure federal funding for the 21st Century Community Learning Centers Program.**

Proposal:

Request the Federal Legislation and Environmental Affairs Committee to work with community groups and local educational institutions to secure federal funding for the 21st Century Community Learning Centers Program.

DB/jbo

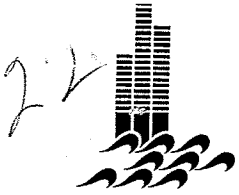
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WITH CITY COUNCIL

DEC 5 2000

Shelba Powell

CITY CLERK



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~~X~~

CITY OF LONG BEACH
CITY CLERK
LONG BEACH, CALIFORNIA

01 FEB -1 PM 12: 21

Date: February 1, 2001
To: Mayor and City Councilmembers
From: Dennis W. Carroll, Councilmember, 4th District
Subject: Status on Gas Rates

DeW

Update on Natural Gas Issue:

- Report from Southern California Gas Company or the City Manager regarding the application before the California Public Utilities Commission regarding sale of gas to Long Beach.
- Report from the Long Beach retained counsel Patrick Powers regarding Long Beach's application before the California Public Utilities Commission.

February 6, 2001

20. (1) Mayor Beverly O'Neill Regarding Report to City Council on Proposal to Accelerate Implementation of Next Decrease in Utility Users Tax to Further Ease Burden of High Energy Costs

Councilmember Grabinski moved, seconded by Councilmember Shultz, that the communication from Mayor Beverly O'Neill requesting that the City Manager include in his upcoming report to the City Council a proposal to accelerate the implementation of the next 1% decrease in the Utility Users Tax by 6 months, making the effective UUT rate for all residential and commercial utilities customers in the City of Long Beach 8% as of April 1, 2001, and summarizing possible options related to further easing the burden of high energy costs be received and referred to the City Manager.

The following persons addressed the City Council:

Karl A. Tiedemann, 4261 Rose Avenue.

Tommy Tuchscher, 2608 Pasadena Avenue.

Jim Sturm, 350 Loma Avenue.

The motion carried by the following vote:

AYES:	COUNCILMEMBERS:	Baker, Colonna, Carroll, Kell, Richardson-Batts, Grabinski, Webb, Shultz.
NOES:	"	: None.
ABSENT:	"	: None.

*22. (1) Councilmember Dennis Carroll Requesting Update on Natural Gas Issue from Southern California Gas Company or City Manager Regarding Application Before California Public Utilities Commission and Report from Long Beach Retained Counsel Patrick Power

Chris Garner, General Manager of The Energy Department, presented a staff report.

Pat Power, Consultant and Lobbyist to the City on energy issues, reviewed matters related to the current energy crisis.

Dennis Lord, Southern California Edison Company, addressed the City Council.

Councilwoman Richardson-Batts moved, seconded by Councilmember Colonna, that the City go on record declaring its concern with the impact of the Southern California Gas Company situation and indicating its desire to have concerns reviewed and included in a future application being proposed before the California Public Utilities Commission regarding the sale of gas to Long Beach. Carried by the following vote:

AYES:	COUNCILMEMBERS:	Baker, Colonna, Carroll, Kell, Richardson-Batts, Grabinski, Webb, Shultz.
NOES:	"	: None.
ABSENT:	"	: None.

Councilmember Baker moved, seconded by Councilmember Colonna, that the communication from Councilmember Dennis Carroll, Fourth District, requesting update on natural gas issue as follows: (1) Report from Southern California Gas Company or the City Manager regarding the application before the California Public Utilities Commission regarding sale of gas to Long Beach; and (2) Report from Long Beach retained counsel Patrick Power regarding the application of the City of Long Beach before the California Public Utilities Commission be received and filed.

The following persons addressed the City Council:

Tommy Tuchscher, 2608 Pasadena Avenue.

Karl A. Tiedemann, 4261 Rose Avenue.

Gary Shelton, 1243 E. Ocean Boulevard.

Reggie Bannister, no address given.

R. Gigi "Fast Elk" Porter, 4450 California Place.

The motion carried by the following vote:

AYES: COUNCILMEMBERS: Baker, Colonna, Carroll, Kell,
Richardson-Batts, Grabinski,
Webb, Shultz.

NOES: " : None.

ABSENT: " : None.

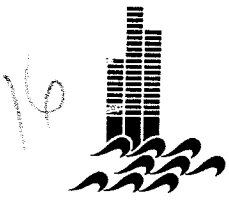
~~23. (1) Councilmember Ray Grabinski Regarding Action Plan for Rate Relief as Result of Energy Crisis~~

~~Councilwoman Richardson-Batts moved, seconded by Councilwoman Kell, that the City Manager be requested to request of the Port a reevaluation of the option for the City of Long Beach and the Port of Long Beach to identify property that could be utilized for the building of a power plant, with an additional report on the following: (1) to advise on the potential viability nationwide of the ship repair and ship building industry today [for example, could reference study done by Sutro and Company]; (2) provide the estimated cost a new operator would potentially incur to utilize former AMC property to make it operational from a ship building or repair perspective; and (3) describe process that will or has been followed to revert former AMC property back to traditional Port means and if City has an opportunity to participate in the process.~~

~~Councilmember Richardson-Batts, with the consent of the second, withdrew her motion at this time.~~

~~It was unanimously agreed to hold Item 23 in abeyance until after Item 24 could be considered.~~

~~24. (1) Councilmember Jerry Shultz Requesting City Attorney Prepare Resolution Urging Residents and Businesses Within City of Long Beach and City Facilities to Enhance~~



RECEIVED
CITY CLERK
JULY BEACH

X

01 JUN -7 AM 9:52

Date: June 7, 2001
To: Mayor and City Council
From: Jerry Shultz, Councilman, 9th District
Subject: LOS ANGELES COUNTY DRAINAGE (LACDA) PROJECT STATUS/MANDATORY FLOOD INSURANCE - AGENDA ITEM FOR JUNE 12, 2001

Many Long Beach citizens have received or will soon receive a bill for another year's mandatory flood insurance as a result of the FEMA requirement. The Federal Emergency Management Agency will not issue a Letter of Map Revision affecting this insurance requirement until the remaining segment of the Los Angeles River construction is completed. This construction is expected to be completed by the end of this year.

Since the typical Los Angeles County basin rainy season does not begin until early next year and since the construction will be completed before the next rainy season begins, there is virtually no risk of a "100 year flood" during this time frame. Since this potential "100 year flood" triggered the mandatory flood insurance, it would appear that there is no further need for this insurance. Consequently, Long Beach citizens are being "bilked" again by FEMA for an event, which is non-existent.

Since Long Beach has been hit especially hard with our energy crisis, FEMA should be asked to provide immediate relief to our citizens by removing any further mandatory flood insurance.

I am recommending that the City Council take immediate action to make the above request to FEMA and our Washington representatives and explore the possibility of taking legal action against FEMA should this request be denied.

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FILED
WITH CITY COUNCIL

JUN 12 2001

Shelba Powell

CITY CLERK



Date: October 18, 2007
To: Federal Legislation Committee Members
From: Patrick H. West, City Manager *by cfw*
Subject: **Federal Advocacy Services Recommendation**

At the October 9, 2007 City Council meeting, the City Council voted to refer the attached item (Attachment A) regarding the extension of the Carpi Clay & Smith contract back to the Federal Legislation Committee for additional detail and further review. This memo provides the requested information for the Committee to consider and presents two recommendations.

Background

For over 30 years, the City has used E. Del Smith and Company (now known as Carpi Clay & Smith) for its federal advocacy services. In January 2007, the City Council authorized a contract with Van Scoyoc Associates for day-to-day advocacy at a cost of \$13,000 per month (plus \$2,000 per month for expenses). At that time, the City Council authorized the City Manager to keep Carpi Clay & Smith on contract for a transition period of nine months for specialized advocacy related to C-17 and Transportation issues at their full contact amount of \$9,860 per month. Following the transition period, Van Scoyoc Associates was expected to assume the services provided by Carpi Clay & Smith beginning October 1, 2007 for Fiscal Year 2008 (FY 08). Attachment B is a copy of the City Council letter that further explains this action. Thus, the City's FY 08 Budget fully budgets for the Van Scoyoc Associates contract, but does not include funding for the Carpi Clay & Smith contract. Contracts for both Carpi Clay & Smith and Van Scoyoc Associates expired on September 30, 2007.

Committee's Motion

At the September 24, 2007 Federal Legislation Committee meeting, the Committee approved the following motion:

"Extend the Del Smith contract through the end of 2007 on a month-to-month until we can have information on a completed RFQ to see who is going to augment the Van Scoyoc Team"

Amount for Carpi Clay & Smith Contract

Based on the above motion, staff entered into discussions with Carpi Clay & Smith to determine what the cost of the firm's services would be to better inform any Council decision on whether to extend the contract or not. On October 3, staff reached a verbal agreement with Mr. Del Smith to provide C-17 and select Army Corps advocacy for the next three months at a rate of \$4,500 a month. While there is no funding budgeted for these services, staff believed that the agreed-upon total of \$13,500 for three months of service could be absorbed within existing budget. However, Mr. Smith informed staff on October 5 that his

firm determined that they could not provide these services for any less than \$7,500 per month, which would total \$22,500 for three months. Staff believe that \$7,500 per month (\$90,000 annually) is an excessive amount to pay for advocacy on only two issue areas, especially considering that \$9,860 (\$118,320 annually) was what the firm had previously requested to provide all government affairs services prior to Van Scoyoc Associates taking over those duties.

Van Scoyoc Associates

Staff is proceeding with a City Council agenda item for the October 23 meeting requesting City Council authorization to enter into a contract with Van Scoyoc Associates for the entire FY 08 Fiscal Year. Van Scoyoc Associates are ready and qualified to meet the City's entire advocacy needs, and are prepared to assume the advocacy for the C-17, Army Corps and Transportation issues at no additional cost to the City.

Over the past nine months, the firm has quickly learned the City's issues, and has strongly advocated for these issues on the City's behalf. Attachment C includes examples of just a few of the high-priority issues the City and Van Scoyoc worked on over the past nine months and Attachment D is an example of one of the firm's monthly reports. Further, Van Scoyoc Associates plans to travel to Long Beach the week of October 29 to meet with the Mayor and City Council, department heads, and staff to help plan the City's legislative strategy for Fiscal Year 2008.

Supplemental Lobbyist Services

In the interest of exploring another advocacy alternative, staff initiated a Request for Qualifications (RFQ) process to identify other potential firms that could help augment the City's lobbyist efforts. While staff is very pleased with the services provided by Van Scoyoc Associates, a supplemental firm may be helpful in dealing with the new Democratic leadership in the House and Senate resulting from the November 2006 election. This concept will be vetted, and if deemed a benefit to the City, further discussions will ensue. Any contract or purchase order with a new firm would be contingent upon the City identifying additional resources to support it, as no funds are budgeted for this purpose in the FY 08 Budget. Staff will continue to update the Federal Legislation Committee regarding this RFQ process.

Recommendations

Staff recommends the following:

1. Support the recommended contract for federal advocacy services with Van Scoyoc Associates at \$13,000/month (plus \$2,000/month expenses) for Fiscal Year 2008.
2. Receive and file the Committee's original motion to extend the City's contract with Carpi Clay & Smith for specialized advocacy services.

October 18, 2007
Federal Legislation Committee Members
Page 3

Please contact Tom Modica, Manager of Government Affairs, at 8-5091 if you have any questions or concerns.

cc: Mayor and Members of the City Council
Christine Shippey, Assistant City Manager
Reginald Harrison, Deputy City Manager
Tom Modica, Manager of Government Affairs
Jyl Marden, City Council Liaison

PHW:TM:pc
(Attachment)
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City of Long Beach
Working Together to Serve

Memorandum

R-23

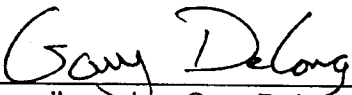
Date: October 9, 2007
To: Mayor and Members of the City Council
From: Gary DeLong, Federal Legislation Committee Chair
Subject: **Recommendation to Extend the Contract with Carpi Clay & Smith for Federal Advocacy Services**

The Federal Legislation Committee, at its September 24, 2007 meeting, approved a motion asking the City Council to consider extending the City's contract with Carpi Clay & Smith (formally known as E. Del Smith and Company) through the end of the 2007 calendar year.

It is the recommendation of the Federal Legislation Committee that the City Council consider this request.

Respectfully submitted,

FEDERAL LEGISLATION COMMITTEE



Councilmember Gary DeLong, Chair



CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

~~R-37~~

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6711 • FAX (562) 570-6583

GERALD R. MILLER
CITY MANAGER

December 19, 2006

HONORABLE MAYOR AND COUNCIL MEMBERS
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a contract for federal legislative representation services provided by Van Scoyoc Associates, Inc., for a term of nine months at an amount not to exceed \$135,000 and increase appropriations in the General Fund (GP) in the City Manager's Office (CM) by \$46,260. (Citywide).

DISCUSSION

The firm of E. Del Smith and Company, Inc., has represented the City of Long Beach in Washington, D.C., before the United States Congress and various federal agencies for over 30 years. The most recent contract between the City and E. Del Smith and Company, Inc., which was authorized by the City Council on October 18, 2005, and extended on October 3, 2006, expires on December 31, 2006.

During the previous fiscal year, the City Manager implemented a Request for Proposals (RFP) process to seek proposals from professional consulting firms to provide federal legislative representation services. After a lengthy and rigorous review process, Van Scoyoc Associates, Inc., was selected as the most qualified firm to address the City's federal representation needs.

Request for Proposals Process

In March 2006, the City initiated a competitive Request for Proposal (RFP) process to solicit proposals from various federal legislative representation firms for services to be provided in Fiscal Year 2007. In an effort to reach a wide audience of potentially interested firms, the City sent RFPs to over 50 different lobbying firms ranging from small firms to very large firms, placed an advertisement in a Washington, D.C. publication that focuses solely on federal issues, and made the RFP available on the City's website. As a result of the outreach efforts, 21 firms submitted proposals to the City. A diverse interview panel selected the top six firms to interview, and then recommended the top three candidates to the City Manager. The City Manager and the Mayor interviewed the top three candidates and selected Van Scoyoc Associates, Inc., as the recommended firm.

Van Scoyoc Associates, Inc.

Van Scoyoc Associates, Inc. (VSA), specializes in developing and promoting comprehensive legislative strategies at both the federal and state levels. Their successful approach includes intensive identification of objectives, strategic communications plans,



CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

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333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6711 • FAX (562) 570-6583

GERALD R. MILLER
CITY MANAGER

January 9, 2007

HONORABLE MAYOR AND COUNCIL MEMBERS
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute an amendment to contract No. 29372 extending the term an additional nine months for federal legislative representation services provided by E. Del Smith and Company, Inc., for an amount not to exceed \$88,740 and increase appropriations in the General Fund (GP) in the City Manager's Office (CM) by \$88,740. (Citywide)

DISCUSSION

The firm of E. Del Smith and Company, Inc. has represented the City of Long Beach in Washington, D.C., before the United States Congress and various federal agencies for over 37 years. The most recent contract between the City and E. Del Smith and Company, Inc., which was authorized by the City Council on October 18, 2005, and extended on October 3, 2006, and expired on December 31, 2006.

During Fiscal Year 2006, the City Manager implemented a Request for Proposals (RFP) process to seek proposals from professional consulting firms to provide federal legislative representation services. After a lengthy and rigorous review process, Van Scoyoc Associates, Inc. was selected to represent Long Beach as the City's primary federal legislative representative.

It is recommended that the City retain the services of E. Del Smith and Company, Inc. to facilitate a smooth transition to a new federal representative and to work on high-priority issues for which the firm has unique qualifications. Specific issues where E. Del Smith and Company, Inc. will be helpful over the next nine months may include targeted advocacy to secure more C-17 production orders and continuing discussions regarding transportation funding for the next Surface Transportation Reauthorization bill.

This letter was reviewed by Deputy City Attorney Lori A. Conway and Budget Management Officer David Wodynski on January 4, 2007.

Summary of Van Scoyoc Advocacy Efforts

Advocacy Trips to Washington, D.C.

Over the past nine months, the firm has quickly learned the City's issues and strongly advocated for Long Beach on the City's behalf. The firm planned and executed three trips back to Washington, D.C., in the past nine months for the Mayor and the Federal Legislative Committee members to advocate for City projects and issues. These included two trips for the Mayor in February 2007 and September 2007, and one trip for the Federal Legislation Committee in March 2007. Examples of meetings included: Speaker Pelosi's California Chief of Staff, Senator Boxer, Senator Feinstein, Rep. Millender-McDonald, Rep. Rohrabacher, Rep. Linda Sanchez, Rep. Loretta Sanchez, Rep. Harman, Rep. Royball-Allard, Rep. Schiff, Rep. Dicks, Rep. Lewis, Rep. Calvert, Chief Counsel to Chairman Lieberman of the Senate Homeland Security Committee, Counsel to Chairwoman Boxer's Environment and Public Works Committee, Governor Arnold Schwarzenegger's D.C. Director, Army Corps staff, and many others.

Funding for the Los Angeles River Estuary

Van Scoyoc Associates has helped build on the City's past efforts to secure funding for the dredging of the Los Angeles River Estuary. This is the City's top appropriations request, as the current shoaling in the Estuary is creating operational difficulties for the ships that rely on this federal navigation channel. Van Scoyoc Associates has worked closely with Senator's Feinstein and Boxer and Rep. Rohrabacher and former Rep. Millender-McDonald and Army Corps staff to include \$4.56 million in the Senate Energy and Water Appropriations Bill for this project. The City is hopeful that during conference negotiations on the appropriations bills the full \$4.56 million will be protected and the Army Corps will be able to proceed with this project in the next few months.

Gang Prevention Program Funding

Van Scoyoc Associates has worked closely with Senator Boxer's office to secure \$300,000 in the Senate Commerce/Justice/Science bill for a Gang Prevention Program. This program would provide much needed federal resources designed to prevent children ages 8-14 from entering gangs in Long Beach. The City is hopeful that during conference negotiations on the appropriations bills the full \$300,000 will be protected and the Police Department will be able to implement this program in FY 08.

Wetlands Protection and Restoration

Van Scoyoc Associates helped the City identify and support a federal bill that could provide federal resources to purchase and restore the Los Cerritos Wetlands and other wetlands in the City. The "Coastal and Estuarine Land Protection Act" (S. 1142) is cosponsored by both Senators Boxer and Feinstein and supported by the City. This bill would establish a Coastal and Estuarine Land Protection Program, within the National Oceanic and Atmospheric Administration, which would seek to protect coastal ecosystems from development. Under this program, grants would be made available to assist coastal states that have approved coastal zone management plans to acquire property. If this legislation passes, it could become a future funding opportunity for the Los Cerritos Wetlands and other wetlands in Long Beach.

The firm has also assisted the City in asking for reconsideration of federal policy to allow the Port of Long Beach to receive mitigation credit for funding the restoration of the Los Cerritos wetlands. Van Scoyoc Associates worked with Rep. Rohrabacher to send a letter to Fish and

Summary of Van Scoyoc Advocacy Efforts

Wildlife Service (USFWS) Director Dale Hall asking for reconsideration of their currently policy. Current federal policy restricts port mitigation to subtidal and low intertidal wetlands. Because Los Cerritos is considered high intertidal or freshwater wetland, the Port would have no incentive to participate in the restoration effort. Van Scoyoc Associates also recently scheduled a meeting in Washington, D.C. for Federal Legislation Committee Chair Gary DeLong to discuss this issue with Army Corps staff as well. As a result of that meeting, the firm will set up meetings of the California-based federal agencies and the City, Port and other agencies to discuss the next steps.

Marine Vessel Emissions Reduction Act

Van Scoyoc Associates has aggressively supported Senator Boxer and Senator Feinstein's Marine Vessel Emissions Reduction Act of 2007 (S. 1499), a key federal bill to dramatically improve air quality emissions from marine vessels. S. 1499 requires significant reductions in emissions of air pollutants from marine vessels that contribute to dangerous smog and soot pollution. This bill strives to limit the sulfur content of fuel used by domestic and foreign-flagged marine vessels when they enter or leave U.S. ports to 1,000 parts per million. Currently, many marine vessels currently burn fuel with an average sulfur content of 27,000 parts per million.

Homeland Security

Van Scoyoc Associates played an important role for the City in the passage of the "Implementing the 9/11 Commission Recommendations Act of 2007." The House of Representatives and the U.S. Senate both passed legislation earlier this year (H.R. 1 and S. 4) designed to address the 9-11 Commission's recommendations regarding Homeland Security that have not yet been implemented. The City, with the assistance of Van Scoyoc Associates, actively provided input to help shape the conference negotiations on this bill to the City's advantage. Specifically, the City pursued the following amendments to the bill:

- Remove an onerous 25 percent match requirement for homeland security grants.
- Allow funding for personnel directly related to counter-terrorism.
- Allow funding for maintenance and replacement of equipment purchased under previous homeland security grants and funding for Continuity of Government planning and implementation.
- Require States to spend their share of Urban Area Security Initiative (UASI) grant funding (up to 20 percent of the total grant amount awarded to UASI in the State) to benefit the region and outline the uses for the funding.

The City also strongly supported the inclusion of the following in the bill: risk-based funding approach, grants for interoperability, improved intelligence sharing with local governments, protection of privacy and civil liberties, and proliferation of the incident command system.

The City was pleased that nearly every Long Beach priority, particularly for the grant programs, was addressed in some manner in the Conference Report that was ultimately passed by Congress and signed by the President.

Summary of Van Scoyoc Advocacy Efforts

Community Development Block Grant (CDBG) Funding

This year, cities across the nation fought a proposal by the President to drastically reduce funding for the CDBG program. The President proposed a \$700 million, or 19 percent, cut to the program, which could significantly reduce the nearly \$9 million the City received for this program last year. Van Scoyoc Associates partnered with the US Conference of Mayors and other cities to express our opposition to this reduction. As a result, the House has allocated \$4 billion for CDBG (\$228 million above the FY 07 amount, as well as \$963 million above the President's request) and the Senate has allocated \$3.77 billion. The final number will be determined in a conference committee later this fall.

Community Oriented Policing Services (COPS) Grant

The City has supported both the reauthorization of the COPS program this year, as well as efforts in the House and Senate to increase the appropriation for this program. Van Scoyoc Associates has worked closely with the US Conference of Mayors to track the progress of this issue and to communicate the City's support. The COPS Improvement Act of 2007 (S.368), would raise the authorized funding level of the COPS program to \$1.15 billion in each of the next six fiscal years, starting in 2008. The breakdown of the \$1.15 billion is as follows:

- \$600 million for officers hired to perform intelligence, anti-terror or homeland security duties
- \$350 million for technology grants
- \$200 million for local district attorneys to hire community prosecutors

The House version of the FY 2008 Commerce, Justice, Science Appropriation Bill includes \$100 million for the COPS hiring program, which has not been funded in recent years. The Senate version of the bill does not include COPS hiring, but Senator Biden (D-DE) will introduce an amendment on the Senate floor to provide \$110 million for the program.

Energy and Environment

This year Long Beach, with the help of Van Scoyoc Associates, supported the US Conference of Mayors' proposal for a \$4 billion Energy and Environment Block Grant program at the Department of Energy, patterned after HUD's successful Community Development Block Grant. This legislation recognizes that local governments are particularly well positioned to develop, implement, and promote energy efficiency and greenhouse gas reduction strategies at the community level, as part of a comprehensive national strategy to address global warming. This legislation requires cities to first use the funding to establish an energy efficiency and climate protection strategy, and after its approval, use the funding to implement actions identified in the strategy to improve energy efficiency and/or reduce greenhouse gas emissions. This proposal was included as part of the House Energy Bill in June 2007.

Fire Sprinkler Bills

In February, Senator Gordon Smith (R-OR) introduced the "Fire Sprinkler Incentive Act of 2007" (S. 582). This legislation would classify automatic fire sprinkler systems as 5-year property for purposes of depreciation. There is also a companion bill (H.R. 1742) that has been introduced in the House by Representative James Langevin (D-RI). The City has supported both the House and Senate versions of the bill, and Van Scoyoc Associates has helped communicate that support. Currently, S. 582 has been referred to the Senate Finance Committee. This bill has been referred to the House Committee on Ways and Means.



Date: October 12, 2007
To: Federal Legislation Committee Members
From: Patrick H. West, City Manager *PHW*
Subject: **Washington D.C. Update (September 2007)**

Please find attached a report from Van Scoyoc Associates detailing some of the major issues the City and its federal legislative advocates worked on and tracked in September 2007.

If you have any questions or require further information on the City's federal legislative efforts, please contact Tom Modica, Manager of Government Affairs, at 8-5091.

Cc: Mayor and Members of the City Council
Christine F. Shippey, Assistant City Manager
Reginald I. Harrison, Deputy City Manager
Curtis Tani, Acting Deputy City Manager
All City Department Heads
Tom Modica, Manager of Government Affairs
Jyl Marden, City Council Liaison



101 Constitution Avenue, N.W.
Suite 600 West
Washington, DC 20007

MEMORANDUM

To: Pat West, City Manager
CC: Christine Shippey, Assistant City Manager
Tom Modica, Manager of Government Affairs
From: Thane Young
Tammy Cameron
Laura Morgan
Subject: Legislative Update for September 2007
Date: October 3, 2007

Appropriations

With the start of federal fiscal year 2008, none of the 12 appropriations bills have been enacted. Instead, Congress last week passed a continuing resolution to fund the federal government at FY 2007 levels until November 16. In the meantime, Congress is considering various strategies to send the appropriations bills to the President and avoid his threatened vetoes. For the past several weeks, House and Senate leaders were expected to attach bills the President has threatened to veto to three bills he favored: appropriations for Defense, Homeland Security, and Veterans. This series of "mini-bus" appropriations were thought to be more acceptable to the White House than an easy target "omnibus" bill that combined most, if not all, of the 12 appropriations bills. However, a new strategy has emerged to advance the Labor-HHS-Education appropriation, which contains almost half of the over-budget spending the President cites as his reason for rejecting the bills. The House has passed all 12 bills while the Senate has passed only four.

Separate from the traditional appropriations bills, the President is preparing a supplemental appropriation for FY 2008, requesting an additional \$193 billion to fund the war efforts in Iraq and Afghanistan. That spending plan is still being prepared and will be considered after the other appropriations bills have been completed. An outside chance remains that additional earmarks will be made to certain bills, particularly the Transportation Appropriation as Senators added earmarks for Surface Transportation

Priorities (STP) while the House did not. The House, which acts first on appropriations bills, does not consider STP projects because the House Transportation and Infrastructure Committee objects to appropriators providing funds for projects and programs not already authorized. However, House conferees have in previous years insisted on adding projects to match the Senate.

This presents an opportunity to reemphasize the City's request for funding I-710 improvements and was a particular focus of the Mayor's and Councilmember DeLong's recent visit to Washington. During the trip, the City asked Rep. Richardson and our delegation to support the City's request for up to \$4 million for the I-710 Shoemaker Bridge and Downtown Ramps project. The City also asked our delegation to retain funding for the gang intervention/prevention program at \$300,000 in the Senate version of Commerce, Justice, Science Appropriations, and dredging for Los Angeles River Estuary (LARE) (Queensway Bay), at \$4.56 million in the Senate version of the Energy and Water Development Appropriations. Please see the attached appropriations spreadsheet for a brief update on the status of the City's appropriations requests for FY 2008.

Homeland Security

While the Homeland Security Appropriation is traditionally one of the first appropriations bills enacted, it remains mired this year in the struggle with the White House over FY 2008 spending. However, this year cities were able to work with the Senate and House to restore cuts proposed by the President to key Homeland Security grant programs. The following chart outlines proposed spending on programs important to the City:

Programs	House <i>H.R. 2638 - Passed House</i> <i>By a vote of 268-150</i>	Senate <i>S. 1644 - Passed Senate</i> <i>By a vote of 89-4</i>
Urban Area Security Initiative (UASI)	\$850 million (\$80 million above 2007 and \$250 more than the President's request)	\$820 million (\$50 million above 2007 and \$220 above the President's request)
State Homeland Grant Program (SHGP)	\$550 million (\$25 million above 2007 and \$300 more than the President's request)	\$525 million (Equal to 2007 and \$275 more than the President's request)
Law Enforcement Terrorism Prevention Program (LETPP)	\$400 million (President's budget requested \$200 million for this program and merged it with the UASI program)	\$375 million (President's budget requested \$200 million for this program and merged it with the UASI program)
Port Security Funding Grants	\$400 million (\$190 million above 2007 and the President's request)	\$400 million
Emergency Management Performance Grants (EMPG)	\$300 million (\$100 million above 2007 and President's request)	\$300 million

SCHIP

The House and Senate have passed a compromise bill to extend and revise the State Children's Health Insurance Program (SCHIP). The President has vetoed the bill. Although the Senate passed the bill by a wide enough victory margin to override the veto, they likely will not have the opportunity. Both houses must vote to override, and the first vote must be taken in the house that originated the bill. The House acted first but fell 19 votes short of the two-thirds majority that would be required to override. That vote deficit can be expected to only increase as legislators tend to back away after a veto. However, House leaders are delaying the vote in hopes of putting pressure on Members to support the override. SCHIP provides capped block grants to states in order to cover families whose income levels are too high to qualify for Medicaid. President Bush supports an extension of the program with an increase of \$5 billion over five years. The conference report would expand the program by \$35 billion, and the increased cost would be paid for by raising cigarette taxes. An additional 5.8 million children would be enrolled in SCHIP and Medicaid.

Water Resources Development Act of 2007 (WRDA)

The House and Senate have adopted the conference report for H.R. 1495, the Water Resources Development Act. Both houses passed the bill by a wide enough margin to over-ride a Presidential veto. The White House objects to the estimated \$21 billion in authorized spending and the number of projects included in the bill that it considers outside the Corps of Engineers' mission.

Community Oriented Policing Services (COPS) Grant

The Senate has not taken further action on the "COPS Improvement Act of 2007" (S.368), which passed the Senate Judiciary Committee on May 24. This legislation would raise the authorized funding level of the COPS program to \$1.15 billion in each of the next six fiscal years, starting in 2008. The breakdown of the \$1.15 billion is as follows:

- \$600 million for officers hired to perform intelligence, anti-terror or homeland security duties
- \$350 million for technology grants
- \$200 million for local district attorneys to hire community prosecutors

The House version of the FY 2008 Commerce, Justice, Science Appropriation includes \$100 million for the COPS hiring program, which has not been funded in recent years. The Senate version of the bill does not include COPS hiring, but Senator Biden (D-DE) will introduce an amendment on the Senate floor to provide \$110 million for the program.

Anti-Gang Legislation

Neither the House nor the Senate has advanced anti-gang legislation. The "The Gang Abatement and Prevention Act of 2007" (S. 456), which was introduced by Senator Feinstein and supported by the City, is still awaiting floor action, while the bill introduced in the House by Adam Schiff, (H.R. 1582), has not been discussed before the House Judiciary Committee. This legislation would increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, deter

and punish violent gang crime, protect citizens and communities from violent criminals, revise and enhance criminal penalties for violent crimes and expand and improve gang prevention programs.

Los Cerritos Wetlands

The Senate has not taken further action on the "Coastal and Estuarine Land Protection Act" (S. 1142). Cosponsored by both Senators Boxer and Feinstein and supported by the City, this bill would establish a Coastal and Estuarine Land Protection Program, within the National Oceanic and Atmospheric Administration, which would seek to protect coastal ecosystems from development. Under this program, grants would be made available to assist coastal states that have approved coastal zone management plans to acquire property. Similarly, the House Natural Resources Committee has not yet scheduled a hearing to discuss their version of the bill. We are hopeful that if this legislation passes, it could become a future funding opportunity for the Los Cerritos Wetlands and other wetlands in the City.

During his recent visit to Washington, Federal Legislation Committee Chair DeLong met with officials at the U.S. Army Corps of Engineers to discuss restoration of Los Cerritos Wetlands. The meeting was a follow-up to correspondence sent by Rep. Dana Rohrabacher to U.S. Fish and Wildlife Service (USFWS) Director Dale Hall asking for reconsideration of federal policy to allow the Port of Long Beach to receive mitigation credit for conservation of Los Cerritos wetlands. Current federal policy restricts port mitigation to subtidal and low intertidal wetlands. Because Los Cerritos is considered high intertidal or freshwater wetland, the Port would have no incentive to participate in the restoration effort.

Corps of Engineers officials explained during the meeting that they take the lead on wetland permitting but consult with Fish and Wildlife and other natural resource agencies. The Corps also clarified that it is not governed by a strict mitigation policy and puts an emphasis on watershed benefits rather than like-kind mitigation requirements. They encouraged the engagement of all relevant state and federal agencies in the City's efforts to restore the wetlands and suggested that such collaboration be undertaken with the district office of the Corps taking the lead role.

Marine Vessel Emissions Reductions

Senators Boxer and Feinstein have introduced S. 1499, legislation to authorize U.S. EPA to set standards reducing emissions from ships entering and leaving U.S. ports. These vessels generate 59 percent of diesel particulate matter and 90 percent of sulfur oxide in the South Coast Air Basin. Rep. Hilda Solis has introduced similar legislation in the House. Federal legislation is needed after a court struck down a South Coast plan to regulate emissions. Senator Boxer conducted a hearing in the Los Angeles-Long Beach area in August and during a recent meeting with Mayor Foster and Councilmember DeLong, the Senator suggested that another hearing might be necessary in Washington, at which time the Mayor would again be asked to testify.

Breakwater

The City is investigating with Army Corps of Engineers officials in Los Angeles and Washington the process for locally funding a reconnaissance study of the breakwater.

While the Los Angeles district office is cooperating and providing materials to guide the City's study effort, Corps headquarters and committee staff on Capitol Hill are advising that such local initiative is unprecedented. Washington officials emphasize that a federal appropriation may be required at some point to enable the Corps to receive and review the City's reconnaissance study, but the amount of such an appropriation has not yet been confirmed or determined. Such review is required because the purpose of a reconnaissance study is to determine whether there is a federal interest in a project, a determination that the City would not be able to make on its own. This office is discussing the appropriations issue with both Senate and House Appropriations staff and the Army Corps, and will provide the City with a determination of if an appropriation is needed and at what amount.

CDBG

The House has allocated \$4 billion for CDBG, which is \$228 million above FY07 amount, as well as \$963 million above the President's request. The Senate has allocated a slightly smaller amount, \$3.77 billion. The final number will be determined in a conference committee later this fall and most likely be rolled into an omnibus appropriation bill. We do not expect final approval until November or December.

HOPE VI

A House committee has approved H.R. 3524 to revise and extend the HOPE VI program, which helps repair and rebuild public housing. The bill would require public housing agencies to develop mixed-income housing on the sites of demolished low-income projects, require one-for-one replacement of demolished units, and prohibit housing agencies from imposing strict re-entry requirements on tenants. The bill would authorize \$800 million for each fiscal year through 2015, a significant increase from the \$100 million provided in the House version of the FY 2008 appropriation. The White House has sought to eliminate the program for the past five years.

Internet Tax Ban

The current moratorium on taxes for accessing the Internet expires November 1, and House and Senate committees are scrambling to find a consensus on how long to extend the ban. The White House and a bipartisan group of legislators want to make the moratorium permanent. However, others want to extend the ban, yet stop short of supporting a permanent fix as the industry rapidly changes the type of services available to consumers. A Senate committee was expected to approve a 4-year extension last week but cancelled the markup at the last minute because many Senators decided to favor a 6-year extension. There is little doubt that the ban will be continued, while also providing for current pre-existing exemption. The only question seems to be for how long.

Homeless Assistance

The Senate Banking, Housing, and Urban Affairs Committee recently approved S. 1518 to amend the McKinney-Vento Homeless Assistance Act, which provides grants to local governments and non-profit organizations for homeless people. Further action has not been scheduled in the Senate or House.

Fire Sprinkler Bills

In February, Senator Gordon Smith (R-OR) introduced the "Fire Sprinkler Incentive Act of 2007" (S. 582). This legislation would classify automatic fire sprinkler systems as 5-year property for purposes of depreciation. Currently, S. 582 has been referred to the Senate Finance Committee. There is also a companion bill (H.R. 1742) that has been introduced in the House by Representative James Langevin (D-RI). This bill has been referred to the House Committee on Ways and Means. Neither bill has been considered by the respective committees.