



**April 24, 2015
Issue #40**

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League Gears Up for 2015 Legislative Action Day
Hundreds of City Officials in Sacramento on April 29 to Lobby

Every April brings hundreds of city officials to Sacramento as part of the League's Legislative Action Day. This year, Scotts Valley Council Member and League President Stephany Aguilar will be welcoming the delegates for a legislative briefing. The annual event focuses on the organization's legislative priorities and top bills and is an opportunity for mayors and council members to meet with their legislators face to face in the Capitol. *For more, see Page 2.*



**Policy Summit on Environmental Impacts and Public Safety Issues Arising from
Illegal Marijuana Grow Sites Scheduled Next Week**
RSVP by Wednesday, April 28

The League of California Cities is holding a policy summit on illegal marijuana grows and the significant environmental and public safety impacts as a result of the adopted 2014 [resolution](#) brought to the League's General Assembly by the Redwood Empire Division. The summit is scheduled for April 29 in the State Capitol from 11:15 a.m. to 1 p.m. *For more, see Page 2.*



**California Supreme Court Denies Review of Emeryville Re-entered
Agreement Decision**

*DOF's Pending Legislative Proposal Attempts to Reverse Decision As Well As Other
Cases Where Local Agencies Have Prevailed, DOF Expected to Propose Revisions in
Conjunction with May Budget Revise*

The California Supreme Court on April 22 denied review of the Third District Court of Appeal's decision in [City of Emeryville v. Cohen](#). This closely-watched case involved various agreements between the city and its former redevelopment agency. After the Legislature dissolved redevelopment, the city re-entered into these agreements with its Successor Agency as permitted by the redevelopment dissolution statute, ABx1 26. The city then attempted to list these agreements on its recognized Obligation Payment Schedule (ROPS). The Department of Finance (DOF), however, rejected the agreements. *For more, see Page 3.*

'Leg Action Day' Continued from Page 1...

The opening general session will cover a range of topics including the state budget, economic development tools, transportation funding, affordable housing, water conservation and a very harmful redevelopment proposal that would change the rules on the dissolution process.

Several legislators will attend to brief attendees on various issues, including:

- Sen. Jim Beall (D-San Jose), chair, Senate Transportation Committee, will discuss pending transportation funding proposals.
- Assembly Member Ken Cooley (D-Rancho Cordova), former council member of Rancho Cordova, who once served as the League's First-Vice President, will discuss progress with AB 266, the medical marijuana measure sponsored by the League and the California Police Chiefs Association
- Assembly Republican Leader Kristin Olsen (R-Modesto) will outline the priorities of the Assembly Republican Caucus.

League staff has prepared fact sheets with talking points for city officials to use in their meetings with legislators. These will cover:

- Transportation and Public Works
- Economic Development and Redevelopment
- Affordable Housing
- Medical Marijuana

A copy of the [agenda and these fact sheets](#) are available on the League's website in advance of Legislative Action Day.

There are also two special briefings being offered, one on illegal marijuana grow sites and the other, which is co-sponsored by the League's Latino Caucus, on economic development, followed by a legislative reception. Some of the events will be held at the Sheraton Grand Hotel with others at the Capitol.

The League appreciates the participation of city officials in this annual event.

'Policy Summit' Continued from Page 1...

Illegal marijuana grows are now occurring throughout California. The associated impacts are at the landscape level on both private and public lands. The cumulative effects are far-reaching as growers blatantly divert water streams, destroy habitat, and diminish efforts to recover state and federally listed endangered species. These expanding activities pose greater risks to public safety and are leaving behind a legacy of environmental hazards without any fiscal or regulatory tools to restore the damage to both our communities and wildlife.

Cities in certain areas of the state have grappled with the impacts of illicit marijuana grows for decades. However, the environmental and related public safety threats have grown exponentially in recent years. Located within the Redwood Empire Division is the "Emerald Triangle" which has become infamous for marijuana production. Today these activities span well beyond the borders of the division and have escalated to an issue of statewide concern.

Not to be forgotten, the Redwood Empire Division continues to grieve the loss of Fort Bragg city council member, Jere Melo. Council member Melo was murdered on Aug. 27, 2011 while investigating an illegal marijuana grow. He was an exceptional leader in the region, the League and statewide.

The division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the rising threat to public safety relating to these illegal sites.

Policy Summit Details

The League will be hosting a “Special Policy Summit: Environmental Impacts and Public Safety Issues Arising from Illegal Marijuana Grow Sites on Wednesday,” April 29 from 11:15 a.m. to 1 p.m. in State Capitol, Room 127.

This summit will gather distinguished experts on the environment, local government and public safety to discuss the significant environmental impacts and public safety challenges resulting from illegal marijuana grow sites in California.

Dr. Mourad Gabriel, the keynote, will speak about the rippling effects of these trespass grows. Marijuana cultivation, whether trespass grows on public or tribal lands or the cultivation on private lands, has significant impacts on California’s natural resources. These ecological impacts run deep and wide in many ways and add more burden to the state’s currently strained natural resources. Impacts range from the malicious poisoning of federal and state-listed wildlife species with banned and restricted-use pesticides, poaching of game, illegal water diversions, habitat destruction, and the contamination of water and soil.

In addition, illegal marijuana cultivation has desecrated culturally and spiritually significant tribal lands as well as endangered the health of law enforcement and the public from the indiscriminate use of hazardous chemicals. It cost Californians millions of dollars in both wildland fire suppression directly attributed to trespass marijuana cultivation as well as the increased cost to conduct publically funded research and conservation projects on these lands.

Other speakers include:

- Cris Carrigan, director of the Office of Enforcement, California State Water Board
- Scott Bauer, senior environmental scientist, California Department of Fish and Wildlife
- DeWayne Little, lieutenant, California Department of Fish and Wildlife
- Mark Imsdahl, warden, California Department of Fish and Wildlife
- Chris Dewey, police chief, city of Ukiah
- John D’Agostini, sheriff, El Dorado County

Please RSVP to [Melissa Lienau](#) by Tuesday, April 28.

If you have questions, please contact [Sara Rounds](#) at (916) 658-8243.

‘Ruling’ Continued from Page 1...

DOF advanced a number of arguments to justify its rejection of the agreements, all of which the Court rejected. The Court held that the plain language of ABx1 26 allowed the city and its successor agency, with the approval of the Oversight Board, to re-enter into agreements that were initially enter into by the city and its former redevelopment agency. DOF further argued that AB 1484, enacted after ABx1 26, applied retroactively to invalidate re-entered agreements. The Court rejected this argument finding that there was no legislative intent that AB 1484 apply retroactively to invalidate these agreements. In addition, it also rejected DOF’s suggestion that the city acted with improper motives by rushing through these agreements with knowledge that AB 1484 was pending in the legislature. In rejecting this argument, the Court took the commonsense approach that it is not “necessarily sinister for [the city] to hasten to comply with a law before adverse changes occur.”

With the Supreme Court’s denial of DOF’s petition for review, the Emeryville case is now final.

The Third District Court of Appeal has also issued a ruling in favor of re-entered agreements in [County of Sonoma v. Cohen](#), which is currently the subject of a pending petition for review to the Supreme Court. And a third case concerning re-entered agreements, [City of Riverside v. Cohen](#) is currently under submission in the Third District.

DOF's Pending Legislative Proposal

While such interpretations of redevelopment dissolution statutes are pending in the courts, many cities have been very concerned over a budget proposal by DOF. This proposal seeks to overturn several court decisions where local agencies have prevailed, and make other retroactive changes harmful to local agencies.

A copy of the League's most recent letter on this issue is available [online](#). In addition, the League has prepared a document detailing the proposal's harmful provisions, which is also available [online](#).

City officials have attended budget subcommittee hearing in recent months to oppose this proposal on [March 3](#) and [April 10](#).

DOF is expected to propose revisions to its proposal in conjunction with the May Revise. The League continues to advocate that legislators should reject any components that attempt to reverse court decisions and cause other harm to cities.

Bills in Committee: April 27-May 1

Medical Marijuana Bills and Senate Transportation Proposal have April 28 Hearings; AB 1335 (Atkins) Housing Funding Measure, to be Heard on April 29

Next week promises to be busy for the League and our member cities. A number of hot bills, including medical marijuana and the Senate transportation proposal, are up for their first legislative hearings on Tuesday. Wednesday, the League welcomes hundreds of city officials to Sacramento for the annual Legislative Action Day for policy briefings and meetings with legislators and their staff in the Capitol. City officials will be talking with their legislators about city priorities including economic development, housing, transportation, medical marijuana and more.

Medical marijuana regulation will be the focus of the Assembly Business and Professions Committee when it meets Tuesday morning. Two bills are up AB 266 (Cooley), the League-sponsored medical marijuana regulatory framework measure that protects local control, public safety and public health through a dual licensing process and AB 34 (Bonta). The League has an oppose, unless amended position on AB 34, which proposes to put the regulation of medical marijuana under Alcoholic Beverage Control, and contains other provisions which could undermine local authority.

Tuesday afternoon the League will be testifying in support of SB 16 (Beall) in the Senate Transportation and Housing Committee. This is the Senate's transportation funding proposal that would create a five year temporary revenue stream for California's transportation system. Cities are urged to support this plan to provide much-needed funding to maintain and preserve all local roadways.

On Wednesday, Assembly Speaker Toni Atkins (D-San Diego) will present her AB 1335, which could generate up to \$700 million annually for affordable housing, in the Assembly Housing and Community Development Committee.

[A full listing](#) of Senate and Assembly hearings is available online. Hearing times are subject to change.

Additional information about the important bills the League is tracking is available in [the 2015 Hot and Priority Bill List](#). This list, first released on April 8, will be continually updated as bills are amended and change. Bill language and any available position letters on legislation can be found through the bill search function on the [League's website](#).

Monday, April 27

Assembly Committee on Transportation and Housing, 1:30 p.m., State Capitol, Room 4202

- [HOT ACA 4 \(Frazier\) Local government transportation projects: special taxes: voter approved.](#) *League position: Support.*

Tuesday, April 28

Assembly Committee on Business and Professions, 8:30 a.m., State Capitol, Room 447

- [HOT AB 34 \(Bonta\) Medical cannabis regulation and enforcement.](#) *League position: Oppose Unless Amended.*
- [HOT AB 266 \(Cooley\) Medical marijuana.](#) *League position: Support.*

Senate Committee on Transportation and Housing, 1:30 p.m., State Capitol, Room 4203

- [HOT SB 16 \(Beall\) Transportation funding.](#) *League position: Support.*

Wednesday, April 29

Assembly Committee on Veterans Affairs, 4 p.m., State Capitol, Room 126

- [AB 388 \(Chang\) Housing: homeless veterans: reports.](#) *League position: Support.*

Assembly Committee on Housing, Community and Economic Development, 9 a.m., State Capitol, Room 126

- [HOT AB 1335 \(Atkins\) Building Homes and Jobs Act.](#) *League position: Support.*

Assembly Committee on Jobs, Economic Development and the Economy, 1:30 p.m., State Capitol, Room 127

- [HOT AB 185 \(Garcia\) Income taxation: insurance taxation: credits: California New Markets Tax Credit.](#) *League position: Support.*

Legislative Transparency Bill Supported by League

ACA 1 would create 72-Hour Print Rule

The League took a support position this week on ACA 1 (Olsen), which would require legislation to be in print or posted online for at least 72 hours prior to a vote on its final passage in either legislative house. This requirement would not apply to specified urgency bills to address a state of emergency declared by the Governor.

With a long history of advocating for transparency at all levels of government, the League has supported previous efforts to increase public accessibility to legislation by means of two proposed constitutional amendments in 2013, SCA 10 (Wolk) and ACA 4 (Olsen). These two measures contained similar provisions, requiring a bill to be in print or posted online for a certain time period, but ultimately never made it to the Governor's desk.

City officials, concerned with the process experienced with SB 89 (2011), a fast-moving measure that swept city vehicle license fees, strongly supported a resolution at the [2011 League's General Assembly](#) "calling for improved transparency in and public access to the proceedings of the California Legislature."

Providing a three-day window for the public to review bills in print or online is essential for the proper functioning of representative government. This is especially the case at the end of legislative sessions when measures are quickly being transformed with little or no notice to meet constitutional deadlines.

City officials are encouraged to send a support letter on ACA 1. The League's support letter, as well as a sample support letter, is available on the [League's website](#).

California City Solutions: Lancaster Maximizes Energy and Savings on Solar

This story is part of an ongoing series featuring Helen Putnam Award entries. The 2014 entries are available on the League's website as a resource for cities in a searchable database called [California City Solutions](#). Solar Lancaster was submitted in 2014 for the Housing Programs and Innovations award category.

The high desert city of Lancaster has no shortage of sun. After being hit hard by the economic and housing market crash, Lancaster was determined to make the best of its relatively inexpensive and abundant land by encouraging the development of solar facilities.

Lancaster Mayor R. Rex Parris set an ambitious goal to become the nation's first "Net Zero" city, generating 100 percent of its energy from renewable sources. After forming a partnership in 2010 with SolarCity, the city created a Joint Powers Authority and ultimately a new venture called Solar Lancaster. This innovative effort has saved the city and local school districts valuable funds, while attracting numerous solar companies and jobs to the region.

A retirement, military and bedroom community north of the Los Angeles basin, Lancaster felt the effects of the Great Recession. Housing prices dropped, while unemployment spiked from 7.3 percent in 2007 to more than 17 percent in 2010 and 2011. Abandoned developments and vacant lots tarnished the city's urban areas, while fields along outskirts of Lancaster's perimeter continued to lay unused; many of these agricultural fields had been abandoned decades ago.

Mayor Parris watched the recession take its toll on the city's budget. The crisis had curbed revenue, but energy costs continued to rise. Services and infrastructure remained in high demand. The mayor brainstormed with staff on ways to further advance the city's solar program. As they drafted plans and crunched numbers, they realized the potential revenue and tax savings if the city became its own utility, generating and selling solar energy. This idea led Lancaster to start with the area's schools as the city's initial step toward becoming Net Zero.

Lancaster hired SolarCity in 2010 to construct solar panel-covered parking lot canopies at the city's Performing Arts Center, Municipal Stadium, two Park n' Ride sites, the city maintenance yard, and City Hall. The city purchased the clean energy in bulk (the industry term is a Power Purchase Agreement) at a price of \$.10 per kilowatt-hour (kWh) compared to the previous rate it had been paying of \$.17 per kWh. Although this might have seemed like a small savings, it left Mayor Parris and the city council desiring more.

To help Lancaster sell energy, in June 2010 the city created a Joint Powers Authority. The Lancaster School District became the first client. The school district had little experience in such capital projects, whereas the city had plenty of experience with construction and maintenance, and has a financial capability that school districts don't possess — the ability to package bonds.

City staff looked to private equity and secured a \$26,860,000 bond to build the initial solar facilities. Lancaster is liable to pay off the bond, but the bulk of it will be received during the first five years because of a California subsidy which pays the city \$.15 per kWh produced (as the client, the school district also shares in the savings, paying \$.125 per kWh, which has saved them nearly \$.07 per kWh.) Lancaster projects a \$16.8 million operating revenue over the life of the bond.

As for unused land, Lancaster is turning many of its brown fields into solar fields. Because this agricultural land had been previously used for farming, solar developers did not face some of the environmental issues with undisturbed natural habitats.

The city also had two vacant lots that had been slated for development until the mortgage crisis hit, which now serve as mini suburban solar fields, with one project currently harvesting 4 megawatts and the other 2.3 megawatts of electricity.

In an effort to fully support Lancaster's solar program, city staff have made it a priority to expedite the city's approval process on solar projects. Large scale solar services are generally approved in less than four months, while similar projects can take years in other Los Angeles County locations. Residents adding solar to their homes can receive approval at City Hall in

approximately 15 minutes. The teamwork of the city staff members with local schools and a number of solar companies resulted in 87.26 megawatts of electricity that's currently being generated or under construction, bringing the city to more than 40 percent of its Phase I Net Zero Energy Goal of 215 megawatts.

Approximately 1,500 acres of previously undeveloped land have been approved for solar projects, have had solar built on them or are currently undergoing the entitlement process. Most of these properties (1,462 acres) were previously fallow farmlands. Solar panels also embellish 25 of Lancaster's schools, the city's municipal structures, and a number of local businesses and organizations.

Lancaster's Solar Program has had a great impact on the city and school district's budgets. The city saves \$50,000 per year on energy, while the school district's savings is approximately \$420,000 per year. Lancaster also profits from leasing land to private solar developers. One of the city's lots, spanning approximately 16 acres, is expected to bring in more than \$503,000 over its 20-year lease. The other lot, slightly larger than 9 acres, should produce close to \$330,000 during its 20-year lease.

Lancaster issued its 1,500th single family residential solar power permit in November 2013. In collaboration with the city, KB Home has developed several cutting-edge alternative energy model homes in Lancaster, including multiple housing tracts in which solar is offered as a standard feature on all new homes. Lancaster has placed itself on the leading edge of the global renewable energy arena providing a successful scenario on what can be done at a municipal level.

In 2012, Lancaster was internationally recognized for its alternative energy projects, receiving a World Energy Globe Award. Competing directly with revolutionary software developed in the Netherlands, and electricity pockets engineered to transform Israel's Palestinian communities, the city took first place in the "Fire" (solar) category for utilizing public-private partnerships to create and expand new energy resources throughout the city and beyond.

The Lancaster community has been energized by the city's effort to save and create more than 1,000 jobs, reduce energy costs and emissions, and spurring economic growth and environmental sustainability.

Application Period Closes May 8 for League Board of Directors At-Large Position and Second Vice President

There are only three weeks left for elected officials to apply for one of the six at-large positions (two-year term) or second vice president (one-year term) positions open on the League of California Cities' board of directors.

All nominees for second vice president must currently be serving or have previously served on the board of directors.

Board Composition

The League board of directors comprises the League officers — president, first vice president, second vice president, immediate past president and executive director — a representative from each of the League's 16 divisions, and a representative from each of the League's 11 functional departments, the mayors or designees (alternates) of the mayors of the 10 largest cities by population, and 12 at-large positions, with one reserved for a representative of a small city (under 12,000 population).

City officials serving on the National League of Cities (NLC) board of directors also serve on the League of California Cities board of directors for the duration of their term on the NLC board (two-year term).

The League board typically meets on a quarterly basis at locations throughout the state. Nominees are expected to make a commitment to attend all meetings. All travel-related expenses

to attend League board meetings are reimbursed by the League.

Nomination Process

The 2015 Board Nominating Committee will meet on July 16, prior to the July 16-17 board meeting, to interview at-large finalists and all applicants for the position of second vice president.

The nominating committee comprises:

- Bruce Channing (chair), city manager, Laguna Hills;
- Carl Morehouse, council member, Ventura;
- Jerry Thorne, mayor, Pleasanton;
- Owen Newcomer, council member, Whittier;
- Daniel Parra, mayor pro tem, Fowler;
- Randy Breault, public works director, Brisbane;
- Steve Manos, mayor pro tem, Lake Elsinore;
- Scott Nassif, council member, Apple Valley;
- Sam Racadio, mayor, Highland;
- Janet Arbuckle, council member, Grass Valley; and
- Suzanne Chan, vice mayor, Fremont.

The nominating committee will make recommendations to the board of directors at its July meeting. If the board approves the candidates, the recommended candidates will then be announced during the Opening Session of the League's 2015 Annual Conference in San Jose, Sept. 30-Oct. 2. Following confirmation of the final candidates, the 2015-16 board of directors will be announced at the Closing Session of the Annual Conference on Oct. 2.

Submission Process

If you are interested in submitting your name for nomination to the League board of directors, please provide the information requested on the nomination application, along with a biography and letters of endorsement, to the League's Sacramento headquarters on or before 5 p.m. on Friday, May 8.

Please send all nomination applications by email to: msharpe@cacities.org

Or mail to:

Mimi Sharpe

Executive Assistant

League of California Cities

1400 K Street, Suite 400

Sacramento, CA 95814

Board nominations packets can also be faxed to the attention of Mimi Sharpe at (916) 658-8240.

Application Forms

- [At-Large Nomination Form](#)
- [Second Vice President Nomination Form](#)

Volunteer Judges Needed for the 2015 Helen Putnam Award for Excellence Application Submissions

Now that the 2015 Helen Putnam Award for Excellence applications have been submitted it's time to score them and determine the winning cities. The League is seeking approximately 60 volunteers to serve on various juries, covering the 11 award categories.

It is very important to recognize, celebrate and learn from the successes of other cities. The Helen Putnam Award process is a valuable and respected way of doing this, and our dedicated volunteer juries are vital to the success of this program which brings positive attention to all cities.

To help select the 2014 Helen Putnam Award winning cities the League is asking for volunteer assistance from city officials to serve on the award selection juries. Participating jury members will review submitted applications online at www.helenputnam.org and convene via conference call to select the winners.

If you are willing to serve on a Helen Putnam Jury (and get a preview of some great innovations you might use in your city) please complete the [volunteer form](#) and respond by May 8. Information on each application will be sent after we have confirmed your participation.

Award categories include:

- CCS Partnership Intergovernmental Collaboration Award
- Community Services and Economic Development
- Economic Development through the Arts
- Enhancing Public Trust, Ethics, and Community Involvement
- Health and Wellness Programs
- Housing Programs and Innovations
- Internal Administration
- Planning and Environmental Quality
- Public Safety
- Public Works, Infrastructure, Transportation
- Ruth Vreeland Award for Engaging Youth in City Government

If you know your city has applied under a certain category please do not volunteer for that category.

Submit your volunteer form by email to [Melissa Lienau](mailto:Melissa.Lienau@leagueofcaliforniacities.org) or fax to (916) 658-8240. For questions about volunteering to be a Helen Putnam Award judge, please contact Melissa Lienau at (916) 658-8216.

The League would like to thank the city officials who volunteer their time for this project.

Be Recognized for Your Dedication to Continuing Education and Service through the Mayors and Council Members Leadership Academy

Elected city officials who complete the Mayors and Council Members Leadership Academy's continuing education program can be recognized by the League of California Cities in a variety of ways.

To honor your achievements, a recognition ceremony before your colleagues is held at the department meeting at the League's Annual Conference. Alternatively you can choose to be recognized in your own city at an appropriate occasion and/or via a press release provided by the League. Upon completion of each level, you will be awarded an Academy Graduation Certificate and lapel pin.

Information about how to complete the program as well as complete criteria for the three levels of achievement: Leadership, Advanced Leadership and Leadership in Action can be found [online](#).

A list of Mayors and Council Members who have received recognition since 2003 is available on the [League website](#).

National Travel & Tourism Week Offers Economic Development Opportunities and Inspiration

With California's tourism industry on the cusp of unprecedented growth this year, there's no better time to celebrate National Travel & Tourism Week, which this year is May 2-10. The event provides an opportunity to educate and inspire local businesses to take local destination tourism development and marketing to the next level.

The week's marquee event is [Travel Rally Day](#), slated for May 5, which will raise awareness about the benefits of travel and provide a platform to amplify how traveler spending supports communities and local businesses. Use U.S. Travel resources – including a helpful [Tool Kit](#) – to develop opportunities and invite media to attend local rallies.

Visit California, the nation's first public-private partnership established to promote state tourism, is leading the effort to promote the Golden State as a premier travel destination and will host several events throughout the state during National Travel & Tourism Week, which will feature new tourism data and more information on partnership opportunities. [Visit California](#) has information about the local impact of tourism in California.

Watch for a feature article about tourism and economic development in the May 2015 issue of [Western City](#) magazine.