

**Aug. 29, 2015
Issue #82**

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Flawed RDA Proposal Fails to Move in Senate; Will Assembly Develop an Alternative?

It was déjà vu all over again on Wednesday when the Senate Budget and Fiscal Review Committee cancelled its Aug. 27 hearing on [AB 113](#) (Committee on Budget), the Department of Finance (DOF)-sponsored redevelopment dissolution bill. One hundred and fifteen cities oppose this measure due to the significant financial harm it would cause. This was the second time this bill has stalled; the same committee previously cancelled its [July 13 hearing](#) a few hours prior to the hearing. Despite many meetings with senators, DOF refused to budge on key issues relating to repaying city loans. Thus the bill failed to proceed due to a lack of votes. Cities should thank their senators for their thoughtful and principled approach. The focus now shifts to whether the Assembly will develop a more workable alternative. *For more, see Page 2.*



League Hot and Priority Bill Update; End of Session Nears

Friday is the deadline to amend bills in the Legislature. Once that deadline ticks past, the final days of the session are often chock-full of "gut-and-amend" bills. The often-criticized process allows legislators a means to completely change the intent of a bill during the last few days of session — sometimes skirting the committee process and bypassing legislative review. *For more, see Page 2.*



End of Session Signature/Veto Requests Webinar Scheduled for Sept. 15

The Legislature will wrap up the first year of the 2015-16 legislative session on Sept. 11 and then Gov. Jerry Brown will have until Oct. 11 to sign or veto all bills. The League's legislative team has scheduled an end of session webinar with city officials to review top priority bills that cities will need to advocate for signature or veto by the Governor. This free 90-minute webinar will be held on Sept. 15 from 2-3:30 p.m. *For more, see Page 8.*

'RDA' Continued from Page 1...

Thursday afternoon the League learned directly from Assembly Democrat legislators who are part of an informal working group looking into the issues surrounding AB 113 that they are developing an alternative RDA proposal. This proposal is expected to be discussed with Assembly Speaker Toni Atkins (D-San Diego) on Monday and vetted with the Assembly Democratic Caucus on Tuesday, Sept. 1. It is unclear what these changes will be, but many Assembly members have previously voiced concerns with the RDA proposal and its harmful impacts on the repayment of city loans.

The real unknown is whether DOF would now be willing to work on a reasonable solution to the outstanding issues. This could be done either by allowing the courts to continue to provide guidance on the definition of "loan" and how to calculate interest rates, such as the courts ruled in the recent cases affecting *Watsonville* and *Glendale*, or by inserting language in the law *that actually reflects what the courts have ruled*.

From the outset the bill has been divisive, containing provisions that are beneficial to specific cities and other provisions added in May that have nothing to do with redevelopment dissolution. These non-RDA provisions (negative bailout, San Benito County and Santa Clara city tax equity and a fix to assist recent incorporations) all have merit and should be addressed separately. It is bad policy to tie these unrelated issues to a bill that would unfairly rewrite laws enacted in 2012 through AB 1484. A copy of the League's oppose letter is available on the League's [website](#).

Next Steps

Cities that oppose AB 113 should communicate immediately with their Assembly members (both Democrat and Republican) to remind them of the specific negative impacts that AB 113 would cause to their community and to ask them *to check back with their cities make sure that any new proposals developed are truly helpful*.

Redevelopment dissolution has been difficult enough. With the opportunity to continue to work on these issues in the fall, this is not the time to rush and cut a bad deal.

'Suspense' Continued from Page 1...

This is done by removing the contents of the bill, usually in entirety, and replacing it with new language — language often from stalled or defeated legislation bearing no resemblance to the bill's original intent.

City officials should watch for action alerts as the League takes positions on bills that will significantly impact cities, until the end of the session on Sept. 11. League staff will monitor bills to ensure members are aware of the latest news from the Capitol.

Bill Status Update

The following list reflects the current standing of several priority bills of interest to the League after this week's fiscal committee deadline. Please note, as the legislative session progresses, bills may be added or subtracted and positions are subject to change.

Support

HOT AB 2 (Alejo): [Community revitalization authority](#)

This bill authorizes the creation of a new entity at the local level called a Community Revitalization Investment Authority that would provide a redevelopment option for the most disadvantaged and poorest areas of our state.

Location: Senate floor.

[AB 22 \(Rodriguez\): Office of Emergency Services: oil-by-rail spills: firefighters](#)

This measure will direct the state Office of Emergency Services to establish a program to reimburse local fire departments for costs incurred in sending firefighters to training courses identified by the Curriculum Development Advisory Committee and OES, using funds received from grants or the OES General Fund.

Location: Held in Senate Appropriations Committee.

[HOT AB 35 \(Chiu\): Income taxes: credits: low-income housing: allocation increase](#)

This bill would increase the state's Low Income Housing Tax Credit by \$300 million to build and rehabilitate affordable housing.

Location: Senate floor.

[AB 74 \(Calderon\): Care facilities: regulatory visits](#)

This bill would make community care facilities, residential care facilities for the elderly, child day care centers and family day care centers subject to an annual unannounced visit by the Department of Social Services. The department would be required to visit no less than 30 percent of facilities by July 1, 2016, 40 percent by July 1, 2017 and all facilities annually after July 1, 2018.

Location: Senate floor.

[AB 90 \(Chau\): Federal Housing Trust Fund](#)

This bill would designate the state Department of Housing and Community Development as the entity responsible for administering funds received through the Federal Housing Trust Fund. The bill requires the department to collaborate with the California Housing Finance Agency in developing an allocation process meeting geographic distribution and other criteria and establishes a stakeholder process to inform these discussions.

Location: Senate floor.

[AB 169 \(Maienschein\): Local government: public records: Internet](#)

Under this bill, a local agency, except a school district, which maintains an internet resources including websites, web pages or web portals described or titled "open data" would be required to post public records in an format that can be retrieved, downloaded, indexed and searched by commonly used Internet search applications.

Location: Assembly floor.

[AB 216 \(Garcia, Cristina\) Product sales to minors: vapor products](#)

This bill would prohibit the sale of any device intended to deliver a nonnicotine product in a vapor state, to be directly inhaled by the user, to a person under 18 years of age, or to a person under 21 years of age if SB 151 of the 2015-16 Regular Session is enacted and takes effect. The bill would exempt from its prohibition the sale of a drug or medical device that has been approved by the federal Food and Drug Administration.

Location: Senate floor.

[AB 313 \(Atkins\): Enhanced infrastructure financing districts](#)

This measure contains some clarifications to last year's SB 628 (Beall) requested by city attorneys to facilitate its implementation. These clarifications include requiring the public financing authority, rather than the legislative body as the entity required to prepare the plan, and that any private dwelling units proposed to be removed or destroyed within a district that receives district financing shall be subject to the law's housing replacement requirements.

Location: Senate floor.

[AB 388 \(Chang\): Housing: veterans: supportive and transitional housing: reports](#)

This bill would require the state Department of Housing and Community Development to report specified performance data as part of an annual evaluation performed by the department, in collaboration with the Department of Veterans Affairs, on the expenditure of \$600 million in bonds, authorized by Proposition 41, for a variety of housing options including assisting homeless veterans.

Location: Senate floor.

[AB 428 \(Nazarian\): Income taxes: credit: seismic retrofits](#)

AB 428 would authorize up to a 30 percent state income tax credit for the seismic rehabilitation of existing properties.

Location: Senate floor.

[AB 448 \(Brown\): Local government finance: property tax revenue allocations: vehicle license fee adjustments](#)

Restores funding stability to cities that annex inhabited territory, and re-establishes a foundation that supports sustainable and compact growth policies.

Location: Held in Senate Appropriations Committee.

[AB 702 \(Maienschein\): CalWORKS: temporary shelter assistance](#)

This bill removes the requirement that all 16 days of eligibility for homeless assistance under CalWORKS must be used consecutively, thereby enabling an individual to obtain such assistance when needed.

Location: Held in Senate Appropriations Committee.

[AB 870 \(Cooley\): Homelessness: rapid rehousing](#)

This bill would provide \$1 million to establish a pilot program within the Department of Housing and Community Development to award grants to four counties that operate rapid rehousing programs

Location: Senate floor.

[AB 988 \(Stone, Mark\): Outdoor Environmental Education and Recreation Grants Program](#)

AB 988 would require the Department of Parks and Recreation to establish an Outdoor Environmental Education and Recreation Grants Program. This would increase the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to public or nonprofit organizations.

Location: Held in Senate Appropriations Committee.

[AB 1056 \(Atkins\): Second Chance Program](#)

This bill would require the Board of State and Community Corrections to administer a grant program aimed at reducing recidivism. It focuses on assisting ex-offenders secure housing and mental health and substance abuse disorder treatment.

Location: Senate floor.

[AB 1146 \(Jones\): Skateboard parks](#)

AB 1146 would expand existing liability protections at public skateboard parks to include the use of all wheeled recreational devices.

Location: Signed by Governor.

[AB 1157 \(Nazarian\): Property taxation: certificated aircraft assessment](#)

This bill would extend the sunset date on the current program used by county assessors for assessing property tax on certificated aircraft.

Location: Senate floor.

[AB 1222 \(Bloom\): Tow trucks](#)

AB 1222 would add additional requirements on tow truck operators with the intention of addressing unscrupulous tow truck businesses.

Location: Governor's desk.

[AB 1223 \(O'Donnell\): Emergency medical services: ambulance transportation](#)

AB 1223 would require the California Emergency Medical Services Authority to develop a methodology for determining an acceptable amount of time for EMS crews to offload their patients at emergency departments. It would also require local EMS authorities to adopt this methodology and begin keeping track of wait times. It would also give EMS crews the ability to deliver their patients to alternative treatment locations when emergency departments cannot receive them.

Location: Senate floor.

[AB 1228 \(Gipson\): Public postsecondary education: campus housing: priority for homeless youth](#)

This bill would request that community college and state universities provide assistance to students who are homeless youth.

Location: Senate floor.

[AB 1262 \(Wood\): Telecommunications: universal service: California Advanced Services Fund](#)

This bill would transfer \$5 million to the Rural and Urban Regional Broadband Consortia Grant Account.

Location: Governor's desk.

HOT [AB 1335 \(Atkins\): Building Homes and Jobs Act](#)

AB 1335 would generate up to \$700 million per year for affordable rental or ownership housing, supportive housing, emergency shelters, transitional housing and other housing needs via a \$75 recordation fee on real estate transactions. This fee would not apply to home sales.

Location: Assembly third reading.

HOT [ACA 4 \(Frazier\): Local government transportation projects: special taxes: voter approval.](#)

This bill would lower the voter threshold requirements for special taxes by a local government for the purpose of providing funding for transportation projects from 2/3rds approval to 55 percent approval.

Location: Assembly Appropriations Committee.

HOT [SB 25 \(Roth\): Local government finance: property tax revenue allocation: vehicle license fee adjustments](#)

This bill would restore funding stability to four recently incorporated cities, Eastvale, Wildomar, Menifee and Jurupa Valley, which have experienced severe financial hardships since 2011, when the state swept all remaining shares of city vehicle license fee revenues. SB 25 resolves this problem with a statutory formula that provides cities that incorporated between 2004 and 2013 with shares of property tax to offset the amount of vehicle license fee revenue they would have received. In future years, the amount would be adjusted according to the same rules applied to other cities.

Location: Assembly floor.

[SB 168 \(Gaines\) Unmanned aircraft systems: first responder immunity.](#)

SB 168 would provide local agency first responders, excluding sheriffs' departments, with immunity for any damage to an unmanned aircraft system, if that system was interfering with emergency ambulance services, firefighting operations, or search and rescue operations. The measure also provides for civil penalties for operating an aircraft or unmanned aircraft system in a way that interferes with firefighting operations.

Location: Senate Appropriations Committee.

HOT [SB 175 \(Huff\): Peace officers: body-worn cameras](#)

SB 175 will require each police agency, if it elects to require its officers to wear body cameras, to develop a policy relating to the use of the cameras, and to distribute a copy of that policy to the officers required to wear them.

Location: Assembly floor.

HOT [SB 321 \(Beall\): Motor vehicle fuel taxes: rates: adjustments](#)

This bill would infuse more stability into the variable gas tax rate set by the Board of Equalization by taking into account fuel prices of the previous four years in addition to the estimated fuel price of the current year.

Location: Assembly floor.

[SB 485 \(Hernandez\): County of Los Angeles: sanitation districts](#)

SB 485 would authorize the Sanitation Districts of Los Angeles County to manage stormwater and dry weather urban runoff. This legislation would help reduce compliance costs by allowing the Sanitation District of Los Angeles County to use its civil engineering and water quality expertise to assist cities in Los Angeles County in an efficient and effective manner with the Los Angeles Region municipal separate storm sewer systems permit.

Location: Assembly floor.

[SB 493 \(Cannella\): Elections in cities: by or from districts](#)

This bill would allow a city to switch to a by-district election system using the ordinance process.

Location: Assembly floor.

[SB 533 \(Pan\): Cities and counties: sales and use tax agreements](#)

SB 533 would amend existing law to remove several exceptions which enable sales tax rebate agreements that result in shifts of local Bradley-Burns sales taxes. The bill would require notification of affected agencies prior to enacting future agreements that would result in reduced sales tax allocations to the affected agencies.

Location: Assembly floor.

[SB 658 \(Hill\): Automated external defibrillators](#)

This bill would expand immunity provisions pertaining to automated external defibrillators by amending existing law to make it conform to technological advances in the use of these devices.

Location: Governor's desk.

HOT [SBX1 1 \(Beall\): Transportation funding. \(previously SB 16\)](#)

SBX1 1 would create a funding program with a focus on the preservation and maintenance of the existing local streets and roads system and state highway system. The bill would raise an estimated \$4.3 billion to \$4.6 billion annually. Allocations would include 12 cents of diesel tax increase to go to trade corridors, 5 percent off the top to incentivize local measures in counties that do not currently have a local measure and the remainder split evenly between the SHOPP (highway maintenance) and local streets and roads. Revenues would be raised from the following sources: 12 cent increase in excise tax on fuel, 22 cent increase in excise tax of diesel, \$35 VRF increase for all vehicles, \$100 VRF increase for electric vehicles, payback of outstanding loans over a three-year period and \$35 road access fee.

Location: Senate Appropriations Committee for 1st Extraordinary Session.

[SBX1 11 \(Berryhill\)](#)

SBX1 11 would exempt roadway improvements within the existing rights of way from CEQA if certain conditions are met.

Location: Senate Transportation and Infrastructure Development Committee.

[SBX1 14 \(Cannella\)](#)

This bill would remove the sunset date on existing law that allows CalTrans and regional transportation agencies to use public-private partnerships. The authorization is currently set to expire January 1, 2017.

Location: Senate Transportation and Infrastructure Development Committee.

[SBX2 5 \(Leno\) / ABX2 6 \(Cooper\): Electronic cigarettes. \(previously SB 140\)](#)

This bill defines "smoking" and broadens the definition of "tobacco product" to include electronic cigarettes. It would extend current restrictions and prohibitions against the use of tobacco products to electronic cigarettes.

Location: Assembly – Awaiting Committee Assignment

Oppose

[AB 56 \(Quirk\): Unmanned aircraft systems](#)

This bill specifies requirements for the use of drones by law enforcement agencies, including adoption of local policies governing that use. It would: prohibit surveillance of activities covered by the First Amendment, and surveillance of private property without a warrant or the owner's consent, with narrow exceptions; codify cause of action against local agencies for violations; impose rules regarding surveillance that contradict the Plain View Doctrine governing observation by helicopters; and impose requirements on destruction of data with narrow exceptions for training purposes and academic research.

Location: Senate floor.

HOT [AB 57 \(Quirk\): Telecommunications: wireless telecommunication facilities](#)

This bill would deem approved any application for colocation or siting of new wireless facilities if a jurisdiction does not approve or disapprove the application within the timelines required by the Federal Communications Commission.

Location: Governor's desk.

[AB 259 \(Dababneh\): Personal information: privacy](#)

AB 259 would require a public agency that is the source of a data breach to provide at least 12 months of identity theft protection and mitigation services at no cost to the consumer if the breach exposed, or may have exposed a person's name in combination with a social security number or driver's license number.

Location: Held in Senate Appropriations Committee.

[AB 272 \(Lackey\): California Fair Employment and Housing Act: reserve peace officers](#)

This bill would make a person deputized or appointed as a reserve deputy sheriff or a reserve city police officer an employee of the appointing authority under the California Fair Employment and Housing Act.

Location: Governor's desk.

[AB 305 \(Gonzalez\): Workers' compensation: permanent disability apportionment](#)

This bill would prohibit apportionment of permanent disability from being based on pregnancy, menopause, or osteoporosis causally related to menopause if the condition is contemporaneous with the claimed physical injury. AB 305 would also require that the impairment ratings for breast cancer be no less than those for prostate cancer.

Location: Senate floor.

[AB 718 \(Chu\): Local government: powers](#)

This bill would prohibit local agencies from enforcing laws and ordinances, or otherwise subject to civil or criminal penalties, the act of people sleeping or resting in a lawfully parked motor vehicle.

Location: Senate floor.

HOT [AB 744 \(Chau\): Planning and zoning: density bonuses](#)

As drafted, this measure would reduce local parking requirements that can be imposed on senior housing, special needs housing and housing within one-half mile of a major transit stop. The bill does not appropriately recognize local parking realities or community preferences.

Location: Senate floor.

[AB 1301 \(Jones-Sawyer\): Voting rights: preclearance](#)

AB 1301 creates a statewide pre-clearance system requiring that all changes to an election system within a qualifying jurisdiction obtain approval by the Secretary of State before implementation. It was amended to address incidents within 30 days of an election, but it remains a sweeping and costly mandate that does little to identify areas with a legitimate problem.

Location: Senate floor.

HOT [SB 239 \(Hertzberg\): Local services: contracts: fire protection services](#)

SB 239 places agreements between public agencies to provide fire protection services under the purview of local agency formation commissions (LAFCOs). This bill requires the contracting local agency to receive written permission from the recognized employee organization to extend fire services outside its service area. Flexibility for local agencies to contract for services is necessary to ensure efficiency and cost-effectiveness and maximize resources to meet the needs of the public. LAFCOs are not, and should not be, tasked with making the day-to-day financial decisions for local agencies. It is also unclear if, under the bill, local agencies would have recourse to protest the employee organization's disapproval of a contract.

Location: Assembly floor.

[SB 331 \(Mendoza\): Public contracts: local agencies: negotiations](#)

This bill would apply to local jurisdictions that have adopted a civic openness in negotiations ordinance, or COIN ordinance requiring them to apply specified provisions to all contracts valued at \$250,000 or more for goods or services.

Location: Assembly floor.

[SB 379 \(Jackson\): Land use: general plan: safety element](#)

This bill would require that cities address climate-resiliency strategies in the safety element of their General Plans, when next they revisit their housing elements on or after Jan. 1, 2017. Under SB 379, the update would need to include goals, policies, and objectives based upon an assessment of the risks that climate change poses to the jurisdiction.

Location: Assembly floor.

Oppose Unless Amended

[AB 88 \(Gomez\): Sales and use taxes: exemption: energy or water efficient home appliances](#)

This bill would exempt from sales and use taxes until 2021 the gross receipts from energy or water efficient refrigerators and washing machines purchased by a public utility for low-income participants in energy or water efficiency programs.

Location: Senate floor.

HOT [AB 113 \(Committee on Budget\): Local government](#)

This bill contains the Governor's Budget Proposal Affecting Redevelopment Dissolution, which would reverse and constrict previous incentives and due process offered to cities. These include efforts to narrow the definition of "loans" to be repaid and reduce interest rates. Other provisions further insulate Department of Finance decisions from review via an exemption from the Administrative Procedures Act and limiting local agencies' ability to pay for attorneys in court.

Location: Senate Budget and Fiscal Review Committee.

[AB 254 \(Hernandez, Roger\): Election dates](#)

This bill would eliminate established election dates in March and April.

Location: Senate floor.

[AB 1236 \(Chiu, Low\): Local ordinances: electric vehicle charging stations](#)

This bill requires cities and counties to streamline and expedite the permitting and inspection process for electric vehicle charging stations.

Location: Senate floor.

[SB 272 \(Hertzberg\): The California Public Records Act: inventory](#)

SB 272 would require local agencies to create a catalog of enterprise its systems. The bill would also require the disclosure of a system's vendor, a statement of its purpose and a general description of categories, modules or layers of data.

Location: Assembly floor.

'Webinar' Continued from Page 1...

Please register for this free webinar at www.cacities.org/events by 5 p.m. on Friday, Sept. 11. Due to the capacity for this webinar, the League is allowing two connections per city to provide easier access for our members. Webinar log-in information will be sent by close of business on Sept. 14.

For questions about how to register for the webinar, please contact [Megan Dunn](#). For all other questions, please contact [Meg Desmond](#).

This webinar is free for League members and League partners. Non-member cities will be charged \$100.

California City Solutions: Grass Valley's Center for the Arts Creates Community Pride, Expands Economic Development

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](#). Grass Valley's Center for the Arts was submitted in 2014 for the Economic Development through the Arts award category.

The city of Grass Valley is a former historic gold mining town that used to provide goods and services to the mines and the workers of the area. Even as the industry shifted and larger retail came into Grass Valley, the city continued to pride itself on its historic downtown with its small shops, restaurants and hotels, with some occupying buildings that date back to 1850. In an effort to attract more people to the historic downtown the city partnered with a small nonprofit to renovate an old auto dealership to create the Center for the Arts, increasing economic development and community vitality.

Built in downtown Grass Valley in 1941, the 21,000 square foot facility became an eye sore with the dealership's closure. Squatters moved in and the building fell into disrepair.

In the late 1990s, a group of community members had the inspiration to form a nonprofit to renovate the dilapidated auto dealership into a community arts space. They named it the Center for the Arts. Crews removed garbage, repaired roof leaks and installed seats, risers and a dance floor from a bowling alley that was torn down. The community backed a Front and Center campaign to update a façade added on the building in 2005. With the renovations, the facility now includes an intimate 300 seat main stage theater, two visual art galleries, classroom space and a 90 seat black box theater.

In an effort to boost the arts and create a vibe, the city of Grass Valley became the official center collaborator and contributed \$250,000 for substantial upgrades including bathrooms, audio, disability compliance, gallery enhancements and ticketing facilities and facilities planning.

Now more than a dozen youth programs are hosted at the center including: Summer Visual Arts Camp, Teen Writing Workshop, Circus Camp, and Rock the Presidents. The budget has grown from \$80,000 to over \$1.94 million, with more than 40 nonprofit partners, scores of business partners and approximately 180,000 visitors to the center's events each year. The center employs 16 staff members, three contract employees and 840 trained volunteers, presenting 125 ticketed events, not including those running multiple days. More than 32 art exhibits were presented in the galleries, with the center now hosting the Fall Colors Open Studio, coordinating more than 70 artists.

The Center for the Arts also collaborates with Grass Valley's Veterans Auditorium, which can host approximately 900 people. The center is working with the auditorium to improve the comfort of its seats by launching a program called "OPERATION: NAME A SEAT in Honor of our Veterans" to add 528 new seat backs, each named in honor of a veteran.

The arts in Grass Valley and Nevada County have blossomed thanks to the transformation of the center. People come from around the region and northern part of the state to view quality performances and participate in educational events. The center estimates that over 30 percent of the most ticketed event audiences come from outside of the local zip code. Grass Valley's local businesses are very supportive of the center and also avid attendees of many events.

HUD Secretary Asks Mayors to Join Sept. 4 Conference Call on Veteran Homelessness

California mayors are invited to join a conference call on Sept. 4 with Housing and Urban Development (HUD) Secretary Julián Castro to discuss what mayors can personally do to engage their communities, and particularly private landlords, in the Mayors Challenge to End Veteran Homelessness. The call will include presentations by mayors who have demonstrated effective and innovative engagement techniques, and will have ample time for questions and answers. The presenters will be joined by senior officials from the U.S. Interagency Council on Homelessness, HUD and Veterans Affairs.

Call Details

Friday, Sept. 4, 11:30 a.m. to noon

[Register online](#)

Conference ID# 367175

Participants will be prompted to give their name, office, email address, and location.

Please email MayorsChallenge@hud.gov with questions.
