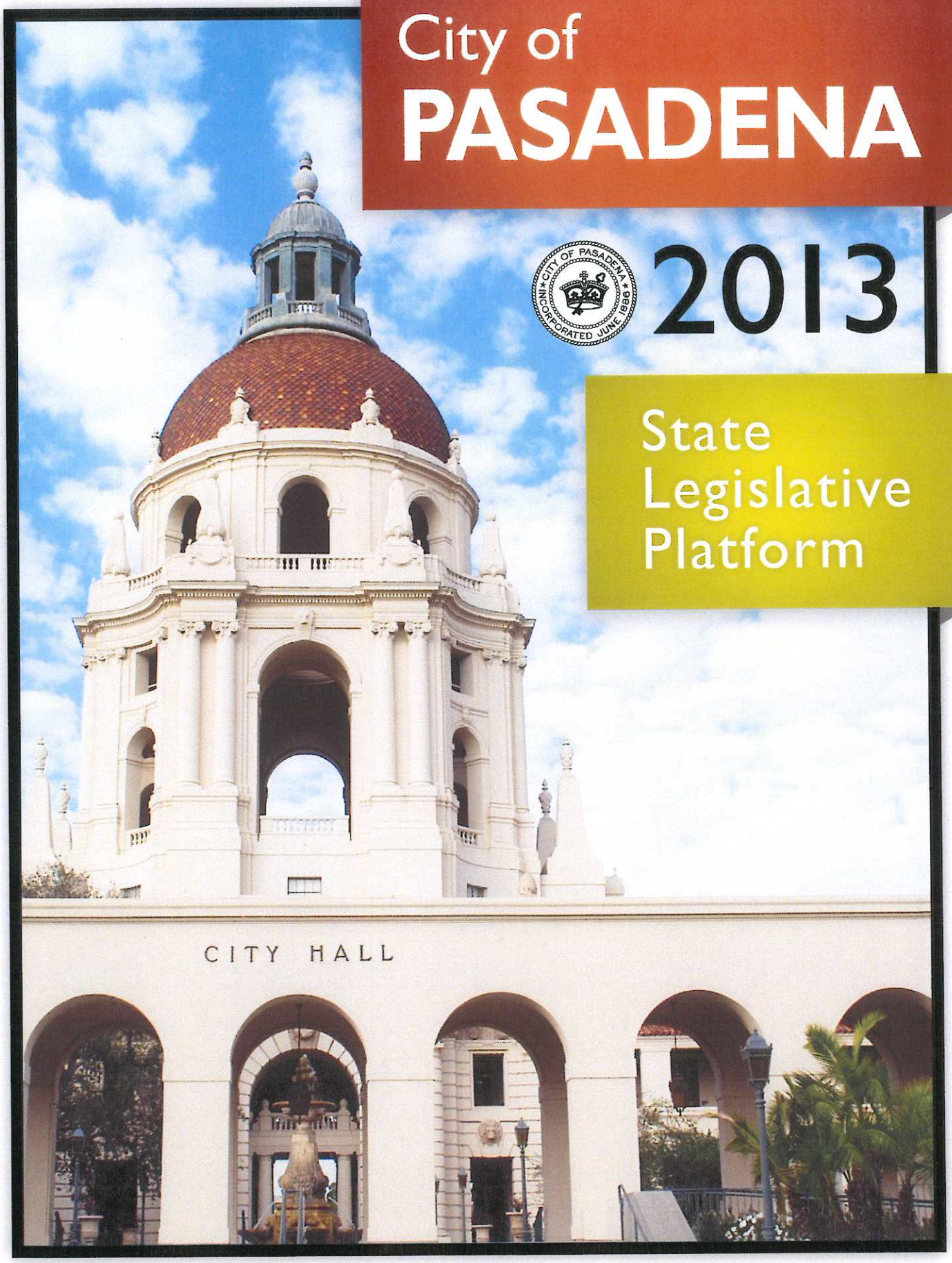
City of PASADENA

2013

State Legislative Platform



CITY OF PASADENA, CALIFORNIA
2013 State Priorities – Part I

Guiding Principles

1) **Preserve Local Funding**

The City supports the protection of existing state and local funding sources and the authorities that provide revenues to the City of Pasadena. Such areas include the protection of state-shared revenues, assets of the former redevelopment agency, and the ability to collect compensation for the use of the public right-of-way or city-owned facilities. The City opposes any new mandates that are unfunded and/or inadequately funded.

Proposals to eliminated Enterprise Zones creates an unusually serious concern in light of the dissolution of redevelopment agencies. This proposed action is inconsistent with the priority of economic development, job growth, affordable housing production and community investment. Eliminating this program would shift an exceptionally difficult financial burden on local government and would send the wrong message to businesses that create jobs.

2) **Preserve Local Authority**

The City supports local decision-making authority and opposes preemption of local control. Cities are voluntarily created by the residents of a community to provide local self-government and to make decisions at a local level to best meet the needs of the community. Each community has unique needs and characteristics that are best met by policies set by its local governing body. Recently, several pieces of high-profile legislation have been introduced which serve the purpose of superseding local discretion and land use controls generally established to maintain the immediate community's quality of life standards. Statewide efforts to remove the ability to set policy at the local level should be opposed, while promoting legislation that allows flexibility in the City's effort to cost-effectively meet energy goals and mandates.

Legislative Priorities

Environment

The City of Pasadena is seeking to increase its role in promoting environmental stewardship and urban sustainability through activities such as the endorsement of the United Nations Green Cities Declaration, the U.S. Conference of Mayors Climate Protection Agreement, and the adoption of the Urban Environmental Accords Action Plan.

The City supports legislation that: 1) improves the availability of renewable energy; 2) increases energy efficiency; 3) reduces greenhouse gas emissions; 4) reduces waste to landfills; 5) reduces the use of non-renewable resources in the manufacture of products; 6) supports green buildings and advances urban planning while protecting wildlife habitats; 7) improves opportunities for environmentally beneficial jobs; 8) enhances parks and recreational opportunities; 9) increases the urban forest canopy; 10) increases affordable public transit; 11) supports cleaner emissions from vehicles; 12) improves air quality; 13) ensures and conserves safe drinking water, and 14) supports sustainable urban watershed and wastewater planning and implementation. The City also supports renewable energy derived from sustainable resources such as wind, geothermal (steam), landfill gas (methane produced from decomposing waste), solar, and hydroelectric facilities.

The City supports legislation regarding better air quality which may include strategies to mitigate emissions. The City supports port operations which reduce air pollution as well as relieves traffic congestion. This is best demonstrated in our purchases of alternative fuel vehicles for the city transit service and the recognition that more State attention should be focused on the ports and the movement of goods.

As a founding member of Green Cities California, Pasadena, in collaboration with the other member agencies, also supports legislation that: reduces or eliminates single use bags and promotes reusable bags statewide; proposes or supports funding to local governments to assist in implementation of Assembly Bill (AB) 32 - 2006 Global Warming Solution Act; preserves funding for transit; and establishes extended producer responsibility for waste reduction.

Greenhouse Gas Reduction and Renewable Energy

The City fully embraces greenhouse gas reduction and has adopted an aggressive 40% greenhouse gas reduction goal for its municipal electric utility, Pasadena Water and Power. To meet this goal, the City has adopted goals to achieve a 40% renewable portfolio standard by 2020, reducing electric loads by 1.3% annually through utility-sponsored conservation programs, and reducing its current reliance on coal-fired generation by about one-third. Achieving these goals will impose a considerable burden on the City's electric rate payers.

As renewable portfolio standard legislation is being considered, the City urges that its renewable energy and biomethane fuel resources be grandfathered for statutory compliance, as provided under SB 2 1x (Simitian) 2011, and otherwise consistent with the City Council's intent. Additionally, since renewable resources are zero carbon resources, they should not have to bear any greenhouse gas compliance burden. Similarly, as climate change and "cap and trade" legislation is being considered, the City urges that a sufficient amount of emission allowances be allocated to retail electric utilities, such as Pasadena Water and Power, to offset the added burden of emissions costs under a cap and trade system. The City supports the policy of administratively providing free emission allowances to retail electric utilities in proportion to their expected future emissions. Pasadena advocates for legislation that decreases the burden of cap and trade or minimizes the duplicative burden on the state's consumers.

Abatement of Nuisance Liquor Stores

Several nuisance liquor stores in the City had been cited for illegal activities including selling to minors. With the passage of SB 148 (Scott) a process exists to commence the elimination of nuisance liquor stores and the associated impacts from the affected communities. The City continues to request our legislators initiate legislation that would provide local government with more control over the abatement of nuisance liquor stores.

Rose Bowl Renovations

The City of Pasadena promotes the restoration of its historic properties and is seeking funding for the renovation of the Rose Bowl. As the City moves forward with renovations of the Rose Bowl, any other state funding that would assist with enhancing public safety and infrastructure improvements are welcomed.

California Vehicle Code

The City seeks legislation to amend the language of the California Vehicle Code (CVC) related to the definition of local streets in the section pertaining to speed traps and setting speed limits. The changes are sought to provide greater flexibility in setting speed limits on residential collectors and arterials in cities with older street systems. Modifying the CVC to make the language less restrictive with regard to how a local street is defined would restore a measure of local control. If a city had the option to use the criteria in paragraphs A-C of CVC 40802 (2) (b) (1) rather than being forced to use functional classification, streets that are local in design would be considered "local" regardless of functional classification and would be exempt from having to comply with the requirement to conduct an engineering and traffic survey to set the speed limit.

Density Bonus Law

The City supports changes to the current State Density Bonus law that will restore local control. These changes should allow cities to maximize their ability to protect local quality of life and retain the unique character of their communities. The City supports special consideration in meeting the State Density Bonus law for cities like Pasadena that have consistently invested in affordable housing projects/programs. Cities that have achieved appropriate housing goals, demonstrated commitments to affordable housing, complied with zoning requirements, etc. should not be penalized by the imposition of

State law which diminishes local authority. The City supports compliant cities being granted relief and/or flexibility in response to the State Density Bonus law with greater regulatory attention focused on non-compliant jurisdictions to address their affordable housing needs.

Bay Delta Conservation Plan

Pasadena supports the Bay Delta Conservation Plan and regulatory initiatives that develop and accomplish the Delta's co-equal goals (i.e. - improving water supply reliability and protecting and restoring the health of the Delta estuary). The City opposes efforts to mandate a state water public benefits charge unless funds remain within local community.

Pasadena supports state and federal funding for water ecosystem projects that are cost-effective. Direct beneficiaries and cost causers should fund their fair share of infrastructure project costs that provide long-term benefits to the state and its inhabitants.

Telecommunications

In 2009, California enacted legislation that shifted franchising of video service providers from the local to the state level. While the legislation largely preserved local governments' ability to regulate placement of telecommunications infrastructure in the public rights-of-way, cities lost control in several other areas of telecommunications regulation. Clean-up legislation may be necessary in the upcoming legislative session. In addition, states other than California have adopted legislation that prohibits cities from providing telecommunications services, as well as legislation to limit regulation of private-sector telecommunications firms' use of the public rights-of-way.

The City supports legislation clarifying regulation of video service providers to preserve: Public Educational & Government (PEG) funding and channels; cities' rights to collect and audit franchise fee payments; local regulation of placement of telecommunications infrastructure in the public rights-of-way; and local government input in the state franchising process.

The City opposes any legislation that would further diminish the City's ability to make future decisions to offer telecommunications services directly or to control the use of the public rights-of-way by the telecommunications industry.

Workers Compensation

Recent improvements to the workers' compensation system were the result of many individual efforts seeking to resolve specific issues. The system needs additional work to continue to move toward fair and equitable programs.

The City supports legislation that would control medical and legal costs. The City opposes legislation that would repeal the recent workers compensation reforms, or that would exempt public safety employees from those reforms.

Employee Compensation and Terms of Employment

The City supports local control over employment decisions not already preempted by State law. Each year the legislature introduces numerous bills which have the effect of eroding local control over employment, including such things as compensation and benefits, collective bargaining agreements, and employee rights and privileges. Inasmuch as each city is unique, it is important to maintain local control over the discretionary nuances of employment that are not already regulated by State or federal law or regulation. The City opposes legislation that would preempt local control over employment, compensation and benefits, collective bargaining and employee rights and privileges. More specifically, the City opposes any bill to establish citizen compensation commissions or committees, or such compensation commissions or committees of combined membership with private citizens and any other persons or entities, when said commission or committee is charged with regulating local decision making with regard to compensation of local officials or employees.

The City also opposes any bill that would limit local control over determining its own pension plans, pension financing, or the right to contract with the State Public Employment Retirement System for appropriate pension formulae and benefits available under State law. The city will continue to be proactive in tracking changes to the recently passed pension reform bill to protect and enhance the positive aspects of the recent changes and to ensure the maximum flexibility in local decision making for the city and its employees.

Support for Affordable Housing

The City has implemented an aggressive and creative program to maximize the use of resources for the creation of housing for low and moderate-income individuals and families, including the implementation of an effective citywide inclusionary housing ordinance.

The City supports legislation that would provide additional resources for the development of affordable housing programs and/or expand code enforcement programs to protect existing housing stock. The City supports legislation that would require municipalities to provide assistance to homeless individuals that reside within their jurisdictions either directly or through the financial support of homeless service agencies that provide services within or directly adjacent to their jurisdictions. The City opposes new regulations that would create cumbersome processes or other obstacles to the development of affordable housing and/or the provision of homeless services, as well as any new legislation that would abridge or limit local regulatory mechanisms designed to increase affordable housing production (e.g., inclusionary housing programs).

Expanded Health Coverage

In Pasadena, an estimated one out of every four residents does not have adequate health coverage. Some are uninsured children who are eligible, but not enrolled in available programs. Many are working poor whose employers do not provide insurance or have reduced their coverage due to increasing health care costs. People who are uninsured and underinsured face significant barriers in obtaining needed health services, often leading to

needless death, disability, and increased costs of care. Social, economic, racial and ethnic factors also contribute to significant health disparities. To address these issues, the City supports legislation to improve health coverage in a comprehensive manner provided adequate funding and cost controls are in place. Expansion in health insurance programs would also help to reduce the burden of unreimbursed care provided by local emergency services, which has led to a crisis in the emergency medical system in Los Angeles County.

The City recognizes that several health care reform mechanisms have been introduced by the Governor and in the Legislature. The City supports enhancement to state sponsored health care mechanisms consistent with the set of principles approved in October 2009 by the Pasadena City Council to guide comprehensive health care reform:

- Reduce long-term growth of health care costs for families, individuals, businesses and government;
- Protect families from bankruptcy or debt because of health care costs;
- Guarantee choice of doctors, hospitals and health plans and the choice of a private or public health care plan;
- Invest in prevention and wellness;
- Improve patient safety and quality of care for all Americans;
- Maintain coverage when someone changes or loses a job;
- Assure affordable, quality health coverage for all Americans;
- End barriers to coverage for people with pre-existing medical conditions;
- Eliminate fraud, waste, and abuse in government health programs;
- Hold insurance and drug companies accountable by ensuring that people are not overcharged for prescription drugs, or discriminated against for pre-existing conditions;
- Support public hospitals and other providers in the health care safety net so that those who fall through the cracks of expanded health coverage may still receive care, and so that surge capacity is available in case of public health emergencies; and so that the cultural competencies achieved by providers serving diverse populations are preserved and enhanced in a reformed health care system.

The City also encourages the state government to provide resources to strengthen the existing public health infrastructure by: 1) helping to address the growing number of uninsured individuals without access to care; 2) developing effective and coordinated community mitigation, preparedness, and response systems for bioterrorism, emergence of new infectious disease threats and other public health emergencies, and 3) assisting with the reduction of health disparities, examination of environmental influences on health and wellness, and expansion of substance abuse recovery programs.

Protection of Children against Sexual Predators

Although the Police Department continues to monitor registered sex offenders, not all released offenders comply with registration requirements. The failure of offenders to register, places an additional strain on Police Department resources due to the resultant need for investigations and the issuance of warrants.

The City supports legislation to increase periods of incarceration for people who commit sex crimes against children, as well as additional law enforcement tools to track sex registrants after they are released from prison.

Incorporate the Region's Needs in Emerging Climate Change and Sustainability Programs

As Climate Change legislation is being developed and implemented the City of Pasadena supports legislation that provides funding for infrastructure needed to support Transit Oriented Development (TOD). Support efforts to encourage smart growth and TOD that preserve the authority of local agencies. Support initiatives that promote demand management and other green house gas reduction strategies. Support legislative efforts which advocate for the connection between sustainable community strategies and funding for the projects and programs needed to support increased non-auto travel.

Group Homes

The City supports legislation that would provide increased oversight by the State and/or reduce the potential for over-concentration of group homes within a defined geographic area. The City also supports neighborhoods and has concerns regarding residential care facilities that serve as "sober living" homes. Since federal law classifies recovering drug and substance abusers as handicapped and allows unrestricted location of group homes for the handicapped, local governments have little control over the placement of these sober living facilities in their communities. While the City does not oppose the presence of residential group homes in Pasadena, we believe that, like any other home or business, we should have some say over their placement within the community.

Funding Priorities

Metro Gold Line Foothill Extension Phase 2B

The second phase of the Gold Line is a much-anticipated addition to the transportation system throughout the San Gabriel Valley and beyond. Phase 2B of the Gold Line Foothill Extension will extend the light rail line from Azusa to Montclair. This extension will relieve congestion in the area and provide a greater modal choice for residents of the San Gabriel Valley. The City also supports funding and/or legislation that would expedite the completion of Phase 2B of the Metro Gold Line Foothill Extension. The City advocates that San Gabriel Valley cities continue to have a role in the administration of the construction of the Gold Line.

Completion of the 710 Freeway

Many of the major north/south arterial streets in the southwest portion of the City are operating at capacity during peak hours with overflow traffic spilling onto residential streets. In March 2001, Pasadena voters passed an uncodified initiative known as Measure A. This measure resulted in an ordinance passed by the Pasadena City Council which in parts indicates that (1) The policy of the City of Pasadena favors completion of the 710 Freeway between the 1-210 and Freeway and the I-10 Freeway, and (2) This ordinance shall not be repealed or amended except by a vote of the people. The California Department of Transportation's (Caltrans) Notice of Determination for the previous Environmental Impact Report (EIR) associated with the originally contemplated surface transportation project to complete the 710 freeway was withdrawn by a vote of the California Transportation Commission on April 8, 2004.

The Metropolitan Transportation Authority (Metro) and Caltrans are the lead agencies responsible for preparation of all environmental documents related to the current proposals for the SR710 Extension project. Metro is completing an Alternatives Analysis prior to preparing an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) that will ultimately result in the selection of a locally preferred alternative that will attain the project goal of reducing traffic congestion in the study area for the project, which is generally bordered by State Route 2 and Interstates 10, 210 and 605. Metro's current plans anticipate completing the Final Environmental Document in April 2015 with Metro adopting a Record of Decision (ROD) by May 2015. City staff continues to represent Pasadena as a Participating Agency for the SR710 EIS, and continues to represent Pasadena on the Technical Advisory Committee for the SR710 EIR and will return to City Council with further recommendations as information becomes available.

In August 2012, the City Council supported Senate Bill 204 and its associated amendments which would authorize the development of a Local Alternative Transportation Improvement Program (LATIP) to facilitate the sale of excess property owned by Caltrans for the State Route 710 Study Area in Los Angeles County.

Protection of the State Water Project

The State Water Project is the primary drinking water source for more than 18 million Southern Californians. 61% of Pasadena Water and Power's water supply is imported from the Metropolitan Water District of Southern California, whose primary water source comes from the State Water Project. The City supports funding opportunities and legislation that will improve the State Water Project in the following areas:

- Water quality
- Water supply
- Water conveyance and facilities

Integrated Regional Water Management Plan (IRWMP)

Long term water resources management planning is a major concern for the state. The City supports grant funding for programs, projects and implementation. The IRWMP is a regional effort that will address water supply and water quality needs and objectives by integrating strategies and projects that may include water conservation and recycling, desalination, conjunctive use, flood management, storm water and urban runoff quality, wastewater quality, habitat restoration and protection, wetland enhancement and creation, recreation, open space, sustainable urban watershed and other water resources management initiatives.

Reclaimed Water

The City supports all legislation and funding that supports the implementation, construction and use of reclaimed water as an alternative water supply for irrigation, landscape and industrial purposes. The City supports funding opportunities for the implementation and construction of a reclaimed water distribution system.

Reservoir Rehabilitation

The City's 2002 Water System Master Plan has identified the City's reservoir facilities as being potentially subject to seismic damage from an earthquake occurring in the Sierra Madre fault system. Rehabilitation of the City's reservoir facilities will increase the water system's reliability and water quality. The City will seek state funding assistance with seismic rehabilitation of water facilities.

Safe Drinking Water

Regulations on safe drinking water are becoming increasingly stringent on local jurisdictions with water departments and local and regional water districts. The City seeks funding to assist it in meeting safe drinking water requirements as regulations become ever more stringent. The City supports funding opportunities for contaminated groundwater treatment facilities in order to comply with new water quality regulations. The City supports legislation that revises water quality testing standards that are based on scientific data.

Energy Efficiency and Demand Reduction

The City believes that energy efficiency and demand reduction programs provide a significant amount of energy savings and peak demand reduction. The City supports

funding opportunities and incentives for the evaluation and initiation of new cost-effective demand reduction programs to offset residential and commercial energy use and costs.

Green Job Training

In conjunction with the City Water and Power Department and the City's commitment toward energy efficiency and environmental quality, the City is interested in exploring any opportunities to integrate green skills and certifications into existing traditional utility jobs, including "career pathway" programs and promoting job training for green industries, including smart grid and solar industries.

Public Health Services

As one of three cities in the state with its own public health department, the City provides infectious disease surveillance and control, community health assessment and planning, health promotion and policy development, direct clinical services, and environmental health protection and enforcement activities. The Public Health Department plays a critical role in identifying and responding to outbreaks of disease and other threats to the public's health, including threats from a bioterrorist incident or other emergency.

The City supports any funding that strengthens core public health capacities in all relevant areas and opposes any cuts to funding. The City also supports the practice of designating the award of specific funds directly to local health jurisdictions, rather than through county distribution processes. The City supports continued state funding to local health department jurisdictions in support of preparedness, response, and recovery activities in the event of an infectious disease occurrence such as a pandemic influenza.

Soundwalls

The process for prioritizing soundwall projects needs to be changed to allow the flexibility to address areas of greatest community concern and highest decibel reading. In 1998, the responsibility for soundwall projects was transferred from Caltrans to the Metropolitan Transportation Authority (MTA). The MTA changed the prioritization criteria to focus on high occupancy vehicle (HOV) related projects first, which exhausted all available funding. Projects of community concern, frequently with higher decibel readings, will not qualify for funding for an unknown number of years. The City would like to see legislation to amend the priority criteria for soundwalls to address areas of community concern.

City Parks

Pasadena recently adopted a citywide Park Master Plan that identified a need for park land across the city as well as acquiring open space. There are 24 parks in the City of Pasadena. Presently, there are approximately $70 million in unfunded park projects in the City's Capital Improvement Budget. These projects include implementing park master plans for our regional, community and neighborhood parks. In addition, the City is also home to the Arroyo Seco. The Arroyo Seco is on the western edge of the City of Pasadena and extends 8 miles through the City. This segment is a part of a longer 22 mile

corridor that makes up the entire Arroyo Seco, a major tributary of the Los Angeles River. It is the City's largest natural open space and physically described as a deeply cut canyon linking the San Gabriel Mountains to the Los Angeles River. Pasadena supports legislation that directs state bond funds to assist with the completion of park projects and the acquisition of additional parkland and open space.

Public Libraries

The City of Pasadena supports continued funding for California's public libraries. The programs delineated in Governor Brown's budget for 2013 included only $4.7 million to support adult literacy and the library consortia located throughout the state which provide low cost regional continuing education, materials delivery to borrowing libraries, and negotiated vendor rates. Maintaining funding at this very basic level ensure no further reduction in IMLS (federal) funding, but does not provide adequate support levels for either the California State Library or public libraries. Municipal and other local funding entities are called upon to make up the losses incurred by this budget reduction.