

South Bay Cities Council of Governments- Legislative Briefing Minutes of April 11, 2013

Briefing with Legislative District Staff- Minutes

SBESC Theatre
20285 S. Western Ave, Torrance, CA 90501

The meeting was called to order by Chair Franklin @ 8:10 a.m.

Flag Salute & Call to Order & Introductions

The following Elected Officials and Board members were in attendance

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| James Dear, Carson | James Goodhart, Palos Verdes Estates |
| Elito Santarina, Carson | Bea Dieringer, Rolling Hills |
| Suzanne Fuentes, El Segundo | Judy Mitchell, Rolling Hills Estates |
| Olivia Valentine, Hawthorne | Pat Furey, Torrance |
| Ralph Franklin, Inglewood | Steve Napolitano, Supervisor Knabe |

The following people were also in attendance

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| Michael Davies, Senator Feinstein | Sam Pedroza, LACSD |
| Aaron Wilensky, Congressman Waxman | Jeff Kiernan, League of CA Cities |
| Rachel Zaiden, Congressman Waxman | Patricia Donaldson, SBACC |
| Jennifer Zivkovic, Senator Lieu | Marcy Hiratzka, SBCCOG |
| William Orton, Senator Wright | Kim Fuentes, SBCCOG |
| Matt Stauffer, Assemblyman Bradford | Lisa Rodriguez, SBCCOG |
| Veronica Ledesma, Assemblyman Hall | Rosemary Lackow, SBCCOG |
| Stan Myles, AQMD | Catherine Showalter, SBCCOG |
| Rafael Zuniga, Board of Equalization | Steve Lantz, SBCCOG Transp. Consultant |
| Matthew Garth, CA Assoc. of Realtors | Matthew Horton, SCAG |
| Michael Goodson, Hawthorne City Manager | Eleanor Jones, Torrance |

SBCCOG Work Program Update

SBCCOG Staff followed Chair Franklin's introduction with a brief update on the SBCCOG's recent activities:

- **Transportation** - Steve Lantz, Transportation Consultant to the SBCCOG, reported that about 40 projects are underway, totaling \$190 million dollars over the next 5 years. Most projects are still in the design phase or are still finalizing their funding agreements, but Measure R signage in the South Bay should become more frequent and visible, as 2013 progresses. The SBCCOG is closely following the LAX connector projects to the Metro Green and Crenshaw Lines, and the LAWA Specific Plan Amendment Study reports. There has been a lot of controversy on the change of location of the northern runway at LAX. Luckily, the project of building a people-mover that would meet the rail lines is not gathering negative attention. The SBCCOG is also following the progress of Metro staff's recommendations of how to accelerate funds for Measure R,. Mr. Lantz relayed some general findings of the Metro's ExpressLanes pilot program on the I-110. The ExpressLanes are being well-used, but the mixed-flow lanes are not speeding up as they were expected to. This pilot (also on the I-10) will continue for a year. The Harbor Gateway Transit Center has undergone improvements from Metro (landscaping, restrooms, LED lighting, sheriff station.) Chair Franklin added that the Metro South Bay Service Council (in particular) advocated for the HGTC's maintenance and amenities. SBCCOG Executive Director, Jacki Bacharach, distributed a Car2go fact sheet, urging everyone to support the Car2go model of car sharing, which is in the process of being endorsed and adopted in several South Bay cities.
- **Environmental Services Center** – Catherine Showalter talked about how the SBESC is assisting cities with their energy and climate action plans. The SBESC is also monitoring Proposition 39 (Tax Treatment for Multistate Businesses. Clean Energy and Energy Efficiency Funding. Initiative Statute.) Schools are looking into Prop 39 for monies for energy projects. At the recent meeting with Wiseburn USD, SBESC staff learned that California's IOUs were asked questions by the State Legislature on how the State could most effectively invest the Fund to meet the goals of Prop 39. The IOUs jointly prepared a proposal to answer the State Legislature's questions and provide recommendations that focus on energy efficiency improvements in California K-12 schools, colleges, universities and other

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public facilities. The proposal is entitled Prop 39: Creating Jobs and Saving Energy by Leveraging the IOUs' Infrastructure. The South Bay Partnership (SBCCOG/SBESC) is mentioned when the IOUs (SCE/SCG) state they can leverage existing programs. Information on the proposal is available on request. Ms. Showalter also distributed the list of community events (which is larger than usual, due to April being Earth month), as well as lists of workshops for homeowners, business, and city staff on energy and water conservation.

- **General Assembly Feedback** – Kim Fuentes gave a brief summary on the SBCCOG's 14th Annual General Assembly on February 22, 2013 in Carson. The theme was "At What Cost? The Unintended Consequences of Declining Revenues." 250 people attended and the SBCCOG received great feedback via evaluations. The SBCCOG learned that people enjoyed legislative staff booths featured and available in the exhibit hall in the morning, before the speakers and panels. Most attendees remained throughout the entire event. Michael Davies from Senator Feinstein's office said that he appreciated being invited to interact with people in a booth representing the Senator in the morning. Bill Orton from Senator Wright's office said that he thought it was beneficial to have Congresswoman Waters and Assemblyman Muratsuchi there that morning to mingle with attendees.
- Two upcoming events, co-hosted by the SBCCOG, were mentioned in particular: Water 101 Course for Elected Officials, and City/Legislative Staff at West Basin Municipal Water District Recycling Center in El Segundo on May 1; Brown Bag It! A Working Lunch for Small Businesses co-hosted by the Governor's Office of Business and Economic Development at the Holiday Inn in Torrance on May 2. Flyers for both events were distributed.
- A map of the recently finalized SBCCOG boundaries was also distributed. LA County and City territories have been expanded within the SBCCOG boundaries.

Federal Office Updates

Staff gave updates on Legislators' priorities and what issues are being heard in each district (responses included):

- **Senator Feinstein-** Michael Davies: the Senator has been focused on gun safety legislation (the *Safe Communities, Safe Schools Act of 2013* is on the U.S. Senate floor today) and immigration reform (for the past several weeks, the Senator has hosted a series of meetings between Senators Marco Rubio (R-Fla.), Michael Bennet (D-Colo.) and Orrin Hatch (R-Utah), along with farm worker representatives and a wide range of agricultural employers. The agreement includes three key provisions on farm worker wage levels, caps on agricultural guest worker visas and protections for U.S. workers.) On April 12, 2013, her staff announced that an agreement had been reached addressing immigrant farm workers in the upcoming comprehensive immigration reform bill. El Segundo Councilwoman Fuentes commented that sequestration is still an issue for this region (aerospace industry). We need to be ready to defend ourselves against North Korea. Mr. Davies said that the Senator is definitely tracking sequestration. He has had meetings with the U.S. Customs & Border Protection Director in Los Angeles. They do not want cargo to be held up at the ports or long lines at customs areas in international airports. Mr. Davies also reminded everyone that the Senator is the Chair of the Senate Intelligence Committee and is aware of international activities. Steve Napolitano, representing County Supervisor Knabe, said that a big concern for the South Bay community is BRAC. The President's FY2014 budget proposal calls for a new round of BRAC (Base Realignment and Closure). This closure could have a \$6 billion dollar impact in the South Bay and is the region's biggest economic engine after the ports. Steve Lantz acknowledged the Senator for including in the President's FY14 budget a proposal for the funding of the Wilshire Subway. Chair Franklin, representing the City of Inglewood, said that airports are being evaluated as to whether or not they will remain open.
- **Senator Boxer-** SBCCOG Chair Franklin read a letter from Senator Boxer to the SBCCOG, listing her updates. The Senator has been receiving letters from many California officials concerning the proposal to shift the fiscal burden to states and cities by eliminating tax-exempt status of municipal bonds. Senator Boxer shares these concerns and recently joined a group of U.S. Senators in writing to the President about these concerns, stating that elimination of the municipal bond tax exemption would jeopardize important services provided by local governments. Jeff Kiernan of the League of California Cities highlighted a section of the Federal Update handout he distributed encouraging cities to contact their congressional representatives to urge them to maintain the tax-exempt status for municipal bonds. This issue was not a part of the President's budget.
- **Congressman Waxman-** Aaron Wilensky and Rachel Zaiden reported that the Republican leadership of the House hopes that hot-button issues will be started in the Senate with bipartisan support. With

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the official unveiling of the President's budget, the Congressman realizes that that will be the focus in the House for the next few months. He is concerned over sequestration and hopes to help mitigate this during the budget conversations. The Congressman also hopes that the Senate and House will pass a gun control bill and bipartisan immigration bill as well. Ms. Zaiden announced a Congressional art competition at the Manhattan Beach Cultural Arts Center on April 30.

State Office Updates

Staff gave updates on Legislators' priorities and what issues are being heard in each district (responses included):

- **Senator Wright-** Bill Orton spoke about RDA bill SB470 (Wright.) This bill allows cities and counties to use some of the Community Redevelopment Law's financing, property sale, and brownfield cleanup powers to promote economic development. Mr. Orton relayed that local government's responses need to be heard. If the League, SBCCOG, and cities are willing to support it, The Senator would appreciate it. Regarding AB 1486, CEQA discussions are still happening in Sacramento. This bill would, until January 1, 2017, exempt from CEQA the design, site [land] acquisition, construction, operation, or maintenance of approximately 90, 180-foot towers with several antennas for land mobile radio systems and 255 long term evolution broadband mobile data system 70 foot monopoles with antennas and microwave dishes. The Senator is a co-author of this bill. He is also waiting to see if Governor Brown will change the education funding formula. The Legislature is facing big policy pushes as the result from results of the recession. Finally, Mr. Orton distributed the Senator's 2013 Legislation Summary.
- **Senator Lieu-** Jennifer Zivkovic reported that the Senator is concerned about governor's formula for education as well. He has frequently heard the concern from local districts that could be affected by the elimination of funding for regional occupational centers. Located in Torrance, the 46-year-old Southern California Regional Occupational Center (SoCal ROC, or SCROC) is in jeopardy because of Governor Brown's proposed school-funding overhaul. The Governor's budget proposal calls for the folding of current career technical education funding in a 9-12th grade span adjustment. The Senator does not want there to be winners and losers, and is concerned about what funds would be spent on in lower-income areas. Ms. Zivkovic also mentioned that Senator Lieu is spearheading legislation that would impose severe penalties on anyone who engages in a rapidly-growing practice of "swatting" that can not only be costly to local law enforcement agencies and governments but also be dangerous. Under Senate Bill 333, which would apply to all cases of false 911 reports, a person convicted of making a fake emergency report would be held liable for all costs associated with the response by law enforcement. Estimates range from several thousand dollars to over \$10,000 per episode. This bill is sponsored by the LA County Sherriff's Department. Ms. Zivkovic distributed flyers for the Senator's next (live internet) Town Hall meeting on April 24 at 7pm. The public discussion will be about the California State Budget. El Segundo Councilwoman Fuentes commented that, regarding the redistribution of educational funds, vocational schools are just as important as universities. Palos Verdes Estates Councilman Goodhart said that he supports the Senator's efforts to keep occupational centers funded. He added that not every child needs to go to college, and that the community needs vocational centers to produce skilled workers. Rolling Hills Estates Councilwoman Mitchell agreed with Councilman Goodhart and said that she has heard of other countries that focus on vocational training and see it as a good thing. She added that a lot of money is being spent on administrative costs, and this might not be the most useful way to use educational funds. Administrators make double what teachers make, and they outnumber teachers. Eleanor Jones from the City of Torrance's City Manager's Office said that cities and organizations should not wait for Legislators to reach out for support on this.
- **Assemblyman Hall-** Veronica Ledesma distributed a biography page on the Assemblyman, for those who are still unfamiliar with him, as he is fairly new to the SBCCOG territory. She reported that the Assemblyman is working on AB 352, a bill that would require that persons licensed pursuant to the provisions described above to provide residential foster care to a child maintain a smoke-free environment in the home in which the child resides, including the garage and bathrooms, and in all motor vehicles used to transport the child. Because a violation of the act, or the willful or repeated violation of any rule or regulation promulgated under the act, would be a crime, the bill would impose a state-mandated local program. Another bill that Assemblyman Hall has sponsored is AB 974. Existing law prohibits the transfer of a person needing emergency services from one hospital to another for any nonmedical reason unless prescribed conditions are met. A knowing and intentional violation of those

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provisions is a crime. This bill would require that, prior to a transfer of a patient for a nonmedical reason, the hospital ask the patient if there is a preferred contact person who should be notified, and make a reasonable attempt to contact that person and alert him or her about the proposed transfer, and, if the patient is not able to respond, require that the hospital make a reasonable effort to ascertain the identity of the preferred contact person or the next of kin and alert him or her about the transfer. Because a knowing and intentional violation of these requirements would be a crime, this bill would impose a state-mandated local program. Finally, AB 332, concerning adult-film workplace safety, would require an employer engaged in the production of an adult film to adopt prescribed practices and procedures to protect employees from exposure to, and infection by, sexually transmitted diseases, including engineering and work practice controls, an exposure control plan, hepatitis B vaccinations, medical monitoring, and information and training on health and safety. A fact sheet on this bill was distributed. Ms. Ledesma announced that on June 1, there will be a health fair in Wilmington, co-hosted by Congresswoman Hahn and LA City Councilman Buscaino. A consumer-protection workshop for seniors and the disabled is being held on April 19 at the Wilmington Senior Center. The Assemblyman's Office is requesting shredders from anyone who may have one to spare. This workshop will teach people how to protect themselves from scams, real estate fraud, and other issues. A flyer was distributed for this workshop, and also for a State of the Region Address Luncheon at The Proud Bird restaurant on May 10. The keynote speaker is CA Controller, John Chiang, and Co-Sponsors of this event include Assemblyman Hall and other South Bay elected officials. El Segundo Councilwoman Fuentes said that it may be difficult to find and qualify good candidate foster parents who do not smoke. AB 352 might bring about unintended discouraging consequences. Ms. Ledesma clarified that the foster parents may smoke, but not inside the house, and not if children are present.

- **Assemblyman Bradford-** Matt Stauffer distributed the Assemblyman's 2013 Legislative Bill Package. He also distributed a fact sheet on AB 264, a bill allowing more local government flexibility when meeting to discuss urgent threats or security matters. The bill lists the security officials with whom meetings may be exempted from the Brown Act, under specific conditions. Mr. Stauffer also distributed a flyer on the Assemblyman's budget interactive town hall meeting scheduled for May 11 at 11am at Inglewood City Hall. Assemblyman Bradford is opposed to the LAX runway expansion project would move the north runway 260 feet closer to homes in Westchester and Playa del Rey. He joins many other elected officials and constituents who are concerned that the costly project would only serve to increase noise and air pollution in neighboring communities, create a traffic nightmare in the region during construction, and dramatically disrupt the daily operations of local businesses. Chair Franklin said that the pollution generated from LAX affects cities within the flight corridor, and they receive funds to address the sound and pollution for their constituents. Cities adjacent to but not IN the flight corridor do not receive such funds. Chair Franklin also said that South Bay cities deal with strong water runoff and are in need of enforcement and funds to address all the state mandates. Financial assistance from Sacramento is needed (offset costs or amend what the CPUC stated.) Chair Franklin said that the SBCCOG will be sending a letter to the Assemblyman, regarding its concern for utility companies (specifically Southern California Edison) needing to be accountable for blackouts.
- **Board of Equalization-** Rafael Zuniga distributed the legislative agenda for FY13-14, which includes some of the bills that BOE Chair Horton is sponsoring. The BOE cannot draft legislation, but can support and sponsor it. Issues among those proposals listed were: Pet Medicines (SB 688), Medical Marijuana Licensing Act, Counterfeit Retail Sale (AB 575), Criminal Tax Evasion/Human Trafficking (AB 576), and the Volunteer Income Tax Assistance Resolution (SCR 12). Mr. Zuniga expressed the hope that the SBCCOG member cities and organizations would support the bills listed. Palos Verdes Estates Councilman Goodhart asked how local sales taxes for online purchases are being distributed to cities. Mr. Zuniga said that the "Amazon tax" (as a result of AB 155) requires retailers to collect the use tax from the consumer. Retailers are always responsible for paying the sales tax but are allowed to reimburse themselves by collecting it from the buyer of the tangible personal property. Online retailers were not required prior to AB 155 to collect the use tax but now it is mandatory. Most cities receive the local sales tax at 1%. Steve Lantz asked how the BOE decides how/where the money is allocated (i.e.: a warehouse versus a municipality.) Mr. Zuniga said that in-store purchase sales tax is based on the zip code of where the sale is made. If a person buys something online, they are charged the sales tax based on where they take possession of that item upon delivery. State tax, District tax, and Local tax are combined to bring most cities to 9%. Once the retailer remits those funds to the BOE, the BOE sends the local funds to the cities. Kim Fuentes asked if Amazon kiosk cities receive that tax. Mr. Zuniga confirmed that those cities do receive that tax because the buyer takes possession

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of the item at the kiosk.) Vehicle sales are based on the home of the resident. Chair Franklin thanked Chair Horton for the creation of the Volunteer Income Tax Assistance (VITA) Program, a cooperative effort with the IRS, Franchise Tax Board, and BOE, in partnership with various public and private agencies, to provide income tax assistance and information on services to low and moderate income individuals, the disabled, and the elderly. Volunteers are trained to prepare basic income tax returns at VITA sites and returns take up to 30 minutes to prepare. Mr. Zuniga said that there is a joint resolution that the BOE is pushing forward (Calderon and Perez) for a tax credit that is not being claimed by people who do not file taxes. The BOE recently hosted an event at which over 150 returns were prepared at CSU Dominguez Hills. It is estimated that in LA County approximately \$370 million dollars are being lost in this credit, due to people not claiming it.

City Issues Identified for Discussions and Dialogue

City Councilmembers and others in attendance were given the chance to voice their concern for the issues that most affect their city and the South Bay:

- Rolling Hills Councilwoman Dieringer wanted the legislators to know that the community is concerned about problems associated with AB 109, including: efforts to repeal AB 109, plans to increase local custodial facilities to eliminate or reduce the widespread early release of convicted criminals back into our communities, proposals to provide actual tracking of and some accountability for those criminals released pursuant to the AB 109 program, planned legislation that would provide an exception to the current AB 109 rules by allowing the Court to impose actual state prison confinement for those AB 109 prisoners who commit new state prison ineligible violations of law within a year of their AB 109 release from a local facility. Councilwoman Dieringer also wanted to know whether or not there are any proposals to increase court funding so that more courthouses and courtrooms in our community (and LA County as a whole) do not have to be closed.
- El Segundo Councilwoman Fuentes said that El Segundo is concerned about early earthquake warning detection. The City passed a resolution to ask congressional and state representatives to seriously consider this issue.
- On behalf of County Supervisor Knabe, Steve Napolitano listed the important issues in the 4th Supervisorial District. Regarding storm water run off, Mr. Napolitano thanked those who opposed the Clean Water Clean Beaches Initiative. While the Supervisor supported the intention of the initiative, he did not support the way that it was being executed. The County's Department of Public Works is going back to the drawing board. New ideas will be brought back to the LA County Board of Supervisors in 2014. Regarding realignment, Mr. Napolitano reiterated that AB 109 transfers responsibility for supervising certain kinds of felony offenders and state prison parolees from state prisons and state parole agents to county jails and probation officers. But the mental health of County offenders who are released early (in order to accommodate offenders from the State,) and their crimes committed prior to this bill are not taken into account (only their most recent crime is accounted for.) The County still lacks the resources needed to maintain the State's influx and requires more fiscal relief. Regarding BRAC, Mr. Napolitano said that county airports will be affected by sequestration. The Supervisor supports giving Ontario Airport to the City of Ontario, versus keeping it under LAWA. The Cities of Palmdale and Ontario are the only cities in LA County who would like more air traffic.
- Representing the Sanitation Districts of LA County, Sam Pedroza announced that he is also a member of Claremont's City Council, and said that the San Gabriel Valley COG is involved in transferring Ontario Airport's ownership to the City of Ontario. He said that the Ontario Airport is meant to share the impact of the airspace with LAX so that the pollution and noise cannot all be attributed to LAX. He suggested that the SBCCOG get involved in this topic to help nudge the discussion.
- Representing the League of California Cities, Jeff Kiernan highlighted League-sponsored AB810 (Muratsuchi.) This bill would require the Attorney General to examine the feasibility of an inter-county criminal offender database that would be accessible to local law enforcement agencies, including municipal police departments, for the purpose of facilitating and enhancing local law enforcement operations by ensuring readily available information on criminal offenders. The bill would require the Attorney General to consult with specified entities and would require the Attorney General to report its findings by July 1, 2014. Rolling Hills Councilwoman Dieringer added that this is only a study that is not even due until summer 2014, and that she remains concerned about criminals being released in the meantime. Besides distributing the League's Federal Update, Mr. Kiernan also distributed an

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Economic Development Tools Legislation sheet, Affordable Care Act Workshop fact sheet, and NO on AB 1059 fact sheet.

- Chair Franklin promoted AQMD's Electric Lawn Mower Exchange Program. The closest location for South Bay constituents is on May 4 in Long Beach. Flyer distributed.

Public Comment

Matt Horton announced that SCAG will send its leg priorities to Jacki Bacharach for distribution.

Adjournment

There being no further business, Chair Franklin adjourned the meeting at 9:30 a.m. until July 11, 2013 at 8:00 a.m.