



Memorandum

**TO: NEIGHBORHOOD SERVICES
& EDUCATION COMMITTEE**

FROM: Betsy Shotwell
Roxanne Miller

**SUBJECT: REPORT ON KEY LEGISLATIVE
ITEMS**

DATE: March 17, 2008

Approved

Date

3-24-08

RECOMMENDATION

Accept the staff memorandum and attached 2008 State Legislative Bill Matrix dated March 17, 2008, concerning pending State legislation in the Neighborhood Services City Service Area.

BACKGROUND

Included in the Neighborhood Services and Education Committee workplan for 2008 is the request for a Legislative Update to be brought forward to the Committee by the City Manager's Office of Intergovernmental Relations.

ANALYSIS

The 2008 State Legislative session convened in Sacramento on January 7, and the deadline for bills to be introduced in the State Legislature was February 22. Proposed legislation included in the attached matrix reflects bills introduced in Sacramento in the Neighborhood Services City Service Area. The next major bill deadline in the Legislature is May 2, which is the last day for fiscal committees to meet and report bills to the Floor of the Assembly and Senate. Bills that pass the Floor will be heard in the other house of the Legislature, working toward an August 31 deadline for final passage of bills and final recess of the 2008 Legislative session. The Governor will have until September 30 to sign or veto bills. Those bills signed into law will become effective January 1, 2009 unless otherwise specified. The attached matrix includes 2008 pending State legislation in the areas of neighborhood services and 2007 legislation carried forward. In cases where the City has taken a position, those positions are reflected. Legislation introduced during the 2008 session is being reviewed by City departments and will be brought forward to the Rules Committee and the City Council for consideration and adoption of City positions. The following 2007 and 2008 legislation is identified as a partial list of priority bills that will be of particular interest to San José this session.

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AB 1252 (Caballero) – Prop. 84: Statewide Park Development and Community Revitalization Act of 2007.

Relates to the Statewide Park Development and Community Revitalization Act of 2007 and specifies the procedure and criteria for awarding Prop. 84 grants.

Status: Senate Floor Inactive File.

Amended: 9/7/07.

City Position: Support with Amendments.

AB 1634 (Levine) – California Healthy Pets Act.

Prohibits any person from owning or possessing any cat or dog over the age of six months that has not been spayed or neutered, unless that person possesses an intact permit. Establishes an intact permit fee and requires the revenue from these fees to be used for the administration of the permit program. Provides a civil penalty for violation and requires penalty funds to be used for enforcement and spay, neuter and outreach programs. Authorizes one intact permit to allow for one male and one female to all the dogs to produce a single litter of offspring.

Status: Senate Committee on Local Government.

Amended: 7/3/07.

AB 2494 (Caballero) – Housing-Related Parks Program.

Requires the Department of Housing and Community Development to use funds allocated to provide grants for the creation, development or rehabilitation of park and recreation facilities to cities and counties that meet certain criteria and issues building permits for housing development consisting of newly constructed units that are affordable to very-low income households.

Status: Assembly Committee on Housing and Community Development. **Amended:** N/A.

AB 2989 (Fuentes) – Parks and Recreation.

Establishes the Outdoor Environmental Protection and Recreation Program for the purpose of increasing the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to education programs.

Status: Assembly Committee on Water, Parks and Wildlife.

Amended: N/A.

SB 46 (Perata) – Proposition 1C: Regional Planning, Housing and Infill Incentive Account.

Provides statutory framework for expenditure of \$850 million in the Regional Planning, Housing and Infill Incentive Account. Authorizes bonds to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. Establishes a competitive grant program for infill housing development and infrastructure needs. Establishes a competitive grant program for infill housing development and infrastructure needs. Requires the Pollution Control Financing Authority to allocate funds to infill projects.

Status: Assembly Committee on Appropriations.

Amended: 7/16/07.

City Position: Support with Amendments.

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SB 732 (Steinberg) – Prop. 84: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

Requires state departments that are to implement the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act to develop and adopt guidelines and regulations. Provides \$580 million in Prop. 84 funds for nature education and research facilities, reports regarding grant recipients, investor-owned utilities, and the funding of integrated regional water management plan projects or programs. Creates the Sustainable Communities Council and Fund to align transportation funds with regional strategies to reduce vehicular miles traveled and reliance on automobile use. Funding is subject to State budget appropriation.

Status: Assembly Floor Inactive File.

Amended: 9/7/07.

City Position: Oppose.

SB 1516 (Simitian) – Literacy Improvement and Public Library Renovation Bond.

Enacts the Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act, which authorizes the issuance of bonds for the purpose of financing library construction and renovation pursuant to a program administered by the State Librarian.

Status: Senate Committee on Education.

Amended: N/A.

SB 1674 (Torlakson) – Before and After School Programs.

Authorizes the administrators of the After School Education and Safety Program to operate during weekends. Requires a program participant that contracts with another agency to provide some or all of the program's services to ensure that the contract includes funds for reasonable indirect and administrative costs incurred by the contracting agency.

Status: Senate Committee on Education.

Amended: N/A.

OUTREACH

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This document will be posted on the City's website for the April 8, 2008 Neighborhood Services and Education Committee meeting where Council and the public have the opportunity to comment.

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EVALUATION AND FOLLOW-UP

The City Council will be informed as to the status of these measures as part of the regular Intergovernmental Relations legislative updates.

COORDINATION

This memorandum was coordinated with the Library, Parks, Recreation and Neighborhood Services, and Housing Departments, the City's Legislative Representative in Sacramento and the City Attorney's Office.

POLICY ALIGNMENT

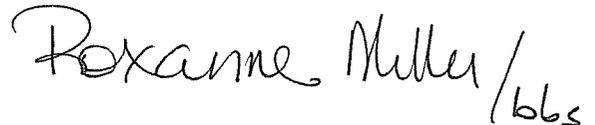
The measures identified in the attached bill matrix are reviewed based on the City of San Jose's 2008 Legislative Guidelines and Priorities adopted by the City Council on January 8, 2008 for possible City positions.

BUDGET REFERENCE

Not applicable.



BETSY SHOTWELL
Director, Intergovernmental Relations



ROXANNE MILLER
Legislative Representative

Contact: For more information contact Betsy Shotwell, Director of Intergovernmental Relations at 408-535-8270 or Roxanne Miller at 916-443-3946.

Attachment: March 17, 2008 State Legislative Bill Matrix re: Neighborhood Services CSA.

**Office of Intergovernmental Relations
Sacramento Legislative Office
2008 Legislative Matrix
2007- 2008 (Second Year) State Legislative Session
March 17, 2008**



NEIGHBORHOOD SERVICES AND EDUCATION

For additional information, contact Office of Intergovernmental Relations, Betsy Shotwell at (408) 535-8270 or betsy.shotwell@sanjoseca.gov; or Roxanne Miller at (916) 443-3946 or sjlegsac@pacbell.net.

Legislation with City Positions in Bold.

As the bill introduction deadline has just passed, we are continuing to review bills for inclusion in this Matrix.

III. NEIGHBORHOOD SERVICES

1. Neighborhood Services (Includes parks and recreation, open space, libraries, child care, senior programs, etc.)			
AB 31 (De Leon) Park Development and Community Revitalization. (Prop. 84)	Changes the name of the Urban Park Act of 2006, to the Statewide Park Development and Community Revitalization Act of 2007. Provides that a city, district, joint powers authority, specified nonprofit organization, or county is authorized to apply for local assistance program grants. Replaces the term "heavily urbanized county" with "critically underserved community" and expands the definition to include a community with less than three acres of usable parkland per 1,000 residents or is a disadvantaged community and can demonstrate to the Department of Parks and Recreation that the community has insufficient or no park and recreation facilities. Revises the criteria for awarding grants and requires the department to adopt guidelines and technical assistance for grant applicants. Provides that funds under Prop. 84 and this bond act shall be distributed to counties based on population.	Yes	Referred to Senate Committee on Rules. Last amended 9/7/07.
AB 628 (Price) Meal and Rest Periods: Pool Lifeguards.	Extends the protections regarding wages, hours and working conditions afforded by an order of the Industrial Welfare Commission to pool lifeguards who are employed by a city, county, or special district, to the extent the conditions are not in conflict with the provisions of a memorandum of understanding reached between an employer and a recognized employee organization.	Yes	Referred to Senate Committee on Labor and Industrial Relations. Last amended 1/7/08.
AB 1252 (Caballero) Statewide Park Development and Community Revitalization Act of 2007 (Prop. 84).	Relates to the Statewide Park Development and Community Revitalization Act of 2007 and specifies the procedure and criteria for awarding Prop. 84 grants.	Yes	Senate Floor Inactive File. Last amended 9/7/07. SUPPORT WITH AMENDMENTS.
AB 1472 (Leno)	Establishes the California Healthy Places Act of 2008, to develop policies and practices which	Yes	Referred to Senate Committee on

Bill Number (Author) Subject	Description	Fiscal	Status/ City Position
Public Health: Healthy Places Act of 2008.	minimize unhealthy environmental practices and optimize healthful environments, with the goal of adapting environmental policy to the demands of population growth and modern living. Requires the Department of Public Health to form a working group to identify and evaluate evidence on best practices affecting environmental health. The findings of the workgroup would be shared with local governments by 2010 and would form the basis for guidelines for planning and development purposes.		Appropriations Suspense File. Last amended 8/20/07.
AB 1634 (Levine) CA Healthy Pets Act.	Prohibits any person from owning or possessing any cat or dog over the age of six months that has not been spayed or neutered, unless that person possesses an intact permit. Establishes an intact permit fee and requires the revenue from these fees to be used for the administration of the permit program. Provides a civil penalty for violation and requires penalty funds to be used for enforcement and spay, neuter and outreach programs. Authorizes one intact permit to allow for one male and one female to all the dogs to produce a single litter of offspring.	Yes	Referred to Senate Committee on Local Government. Last amended 7/3/07.
AB 2494 (Caballero) Housing-Related Parks Program.	Requires the Department of Housing and Community Development to use funds allocated to provide grants for the creation, development or rehabilitation of park and recreation facilities to cities and counties that meet certain criteria and issues building permits for housing development consisting of newly constructed units that are affordable to very-low income households.	Yes	Referred to Assembly Committees on Housing and Community Development; and Water, Parks and Wildlife.
AB 2687 (Krekorian) Parks and Nature Education Facilities.	Requires the Department of Parks and Recreation to establish a program to offer grants, on a competitive basis, to eligible projects submitted by eligible nonprofit or publicly operated nonprofit organizations and public institutions, including natural history museums, aquariums, research facilities, or botanical gardens.	Yes	Referred to Assembly Committee on Water, Parks and Wildlife. Last amended 3/13/08.
AB 2949 (DeSaulnier) Involuntary Deposits: Abandoned Pets.	Provides that an involuntary deposit is made by the abandonment or leaving of a live animal in or about any premises or real property that has been vacated upon, or immediately preceding, the termination of a lease or other rental agreement or foreclosure of the property.	No	Referred to Assembly Committee on Judiciary.
AB 2954 (Lieber) San Francisco Bay Area Conservancy Program.	Authorizes the San Francisco Bay Area Conservancy Program to enter into joint powers agreements to further the purposes of the protection, restoration and enhancement of the San Francisco Bay, its waterfront, and adjacent areas flowing into the bay.	No	Referred to Assembly Committee on Natural Resources.
AB 2989 (Fuentes) Parks and Recreation.	Establishes the Outdoor Environmental Protection and Recreation Program for the purpose of increasing the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to education programs.	Yes	Referred to Assembly Committee on Water, Parks and Wildlife.
SB 46 (Perata) Regional Planning, Housing and Infill Incentive Account (Prop. 1C).	Provides statutory framework for expenditure of \$850 million in the Regional Planning, Housing and Infill Incentive Account. Authorizes bonds to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. Establishes a competitive grant program for infill housing development and infrastructure needs. Requires the Pollution Control Financing Authority to allocate funds to infill projects. Funding is subject to State budget appropriation.	Yes	Referred to Assembly Committee on Appropriations. Last amended 7/16/07. SUPPORT WITH AMENDMENTS.
SB 48 (Alquist) Community Development: Healthy Food Choices.	Requires the Department of Health Services to establish the Healthy Food Retail Innovations Fund to provide residents of underserved communities with retail food markets that would offer high quality fruit, vegetables and other healthy foods and encourage retail innovation. Requires the department to provide grants and loans for land acquisition, business plan development, feasibility studies, refrigeration units, outside technical assistance, and other startup costs.	Yes	Referred to Assembly Committee on Appropriations. Last amended 7/12/07.
SB 732 (Steinberg)	Requires state departments that are to implement the Safe Drinking Water, Water	Yes	Assembly Floor Inactive File.

Bill Number (Author) Subject	Description	Fiscal	Status/ City Position
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. (Prop. 84)	Quality and Supply, Flood Control, River and Coastal Protection Bond Act to develop and adopt guidelines and regulations. Provides \$580 million in Prop. 84 funds for nature education and research facilities, reports regarding grant recipients, investor-owned utilities, and the funding of integrated regional water management plan projects or programs. Creates the Sustainable Communities Council and Fund to align transportation funds with regional strategies to reduce vehicular miles traveled and reliance on automobile use. Funding is subject to State budget appropriation.		Last amended 9/7/07. OPPOSE.
SB 977 (Correa) Commission on Aging: Report: Infrastructure for Seniors.	Requires the Commission on Aging to conduct an independent review of specified data obtained by CSU, Fullerton, relating to the infrastructure needs of seniors in California and to submit a report to certain legislative committees and the CSU, Fullerton research team, containing its findings and recommendations pertaining to the review.	Yes	Passed to Assembly. Last amended 1/14/08.
SB 1516 (Simitian) Literacy Improvement and Public Library Renovation Bond.	Enacts the Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act, which authorizes the issuance of bonds for the purpose of financing library construction and renovation pursuant to a program administered by the State Librarian.	Yes	Referred to Senate Committee on Education.
SB 1674 (Torlakson) Before and After School Programs.	Authorizes the administrators of the After School Education and Safety Program to operate during weekends. Requires a program participant that contracts with another agency to provide some or all of the program's services to ensure that the contract includes funds for reasonable indirect and administrative costs incurred by the contracting agency.	Yes	Referred to Senate Committee on Education.
SB 1681 (Battin) State Surplus Property.	Requires the State to first offer surplus property to local agencies prior to being offered to private entities and prescribes the procedure for local agencies to obtain the property.	Yes	Referred to Senate Committee on Governmental Organization.