

REQUESTS TO ADD URGENCY ITEM TO THE POLICY BOARD AGENDA

- 1) Requires Determination that the item is urgent and cannot be dealt with at a later meeting.
(2/3 vote - item came to attention after posting of agenda and within 72 hours of meeting)
- 2) Requires a 2/3 vote to add the item to the agenda for action.

ITEM 1

VI. F. Request for Letter of Support – Water Issues

Requested by: Supervisor Perea/Tony Boren

Urgency Status: Just notified of water meeting to be held in Washington, DC next week

Issue: Approve letter to Secretary of the Interior Salazar and Secretary of Commerce Locke calling for a state-federal partnership to address the crisis in the Delta.

Recommendation: Approve Letter of Support



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September 24, 2009

The Honorable Ken Salazar
Secretary of the Interior
1849 C Street, NW
Washington, DC 20240

The Honorable Gary Locke
Secretary of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

Dear Secretary Salazar and Secretary Locke:

The 15 cities and county who are members of the Council of Fresno County Governments' Policy Board (Fresno COG), are acutely aware of the problems facing the hub of our statewide water system in the Sacramento-San Joaquin Delta. The declining health of the ecosystem has led to historic restrictions in water supplies. The biological opinions of the U.S. Fish and Wildlife Service and the National Marine Fisheries Service are now essentially controlling California's water systems. There must be public confidence that all levels of government are addressing the challenges in the Delta in a fair and justifiable manner, and that every effort is being made to improve both the Delta ecosystem and the water delivery system.

The recent exchange of correspondence between you and Governor Arnold Schwarzenegger did not address an emerging concern from our Board and many other stakeholders in California, that the best available science was not applied in these biological opinions. This could result in reduced water deliveries by as much as 40 percent in future years. Water districts are estimating that the largest losses in supplies won't be in dry years, but in average and wet years. California cannot survive year after year in shortage or near-shortage conditions. We need coordinated action by state and federal levels of government.

For a state-federal partnership to address the crisis in the Delta, we request that you focus on **four near-term actions**:

1. The biological opinions for salmon, smelt, steelhead, and other species that are now constricting the water system.

- A re-consultation process should commence immediately. Reviewing whether science was appropriately applied in crafting new reasonable and prudent alternatives that result in restrictions on water project operations will promote public confidence.
- The Cal-Fed Independent Science program should conduct an expedited review of the biological opinion and evaluate whether scientific findings were accurately translated into operational restrictions of the State Water Project and Central Valley Project, taking into consideration, other known impacts from non native species and upstream discharges into the watershed.
- Operational decisions in the near-term should take maximum advantage of the discretion, within the biological opinion. For instance, restrictions on reverse flow in Old and Middle Rivers should be the maximum permitted under the smelt biological opinion. This one step

could result in a significant increase in available water supplies next year, saving tens of thousands of jobs.

2. The "2-Gates" Project to install new, temporary barriers at key locations in the Delta to reduce water operation/fish conflicts.

- The installation of these gates and the expanded monitoring of fish populations will provide valuable new information and could lead to greater water supplies with flexibility within the existing biological opinions. The Bureau of Reclamation needs to keep this project on a fast track. We urge you to work with Congress to secure adequate funding to acquire available state funding for this critical project.

3. The "Intertie" project for the California Aqueduct and Delta-Mendota Canal.

- The project to connect the two conveyance facilities of the State Water Project and Central Valley Project south of the Delta has finished environmental review and has completed permits. Construction should proceed for this shovel ready project on a fast-track basis. Connecting the two aqueducts will provide flexibility in water operation that could lead to greater water supplies without harming fish populations

4. The Bay Delta Conservation Plan (BDCP) environmental review process.

- While the BDCP and its emerging package of water system and ecosystem improvements will be the long-term solution for the Delta, completing this plan on time and in cooperation with the state is a near-term action. It is essential to keep the environmental review process on schedule.

We represent many of the communities that are feeling some of the greatest pain from the ongoing water crisis. While we realize that three consecutive dry years have led to the current shortage, the new water restrictions in the Delta have further curtailed the delivery of hundreds of thousands of acre feet of water. We also realize that a questionable set of environmental restrictions could be driving future shortage conditions, even in years with average and abundant rainfall. California is now unable to adequately capture water in wet years to survive the dry cycles. With these near-term actions in a state-federal partnership, we can help put the Delta and our water system on a path to recovery.

Sincerely,

Trinidad M. Rodriguez, Chairman
Council of Fresno County Governments
Mayor, City of Kerman

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County



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FAX

Agency: COG

To: Marla Day

FAX: 233-9645

Phone: 233-4148

From: Carrol Terrazas
Steve Samuelian

Date: 9-22-09

Re: COG-Sept Report

Pages (incl. cover sheet): 35

Comments:

- ☐ URGENT
- ☐ For Review
- ☐ Please Comment
- ☐ Please Reply
- ☐ Please Recycle

(This fax and any files attached are intended solely for the use of the individual or entity to which they are addressed. If you have received this e-mail in error, please notify the sender immediately)

**COG Report
September 2009**

Update on some of the activities recently at California Consulting, LLC.

MORE GRANT AWARDS:

Since our last Update on July 24, 2009 the following grant applications written by California Consulting, LLC grant writers have been approved and funded for our clients:

City of Delano, COPS Hiring Program \$423,134
City of Arvin, COPS Hiring Program \$198,501
City of Sanger, COPS Hiring Program, \$518,954
City of Huron, COPS Hiring Program, \$135,944
City of Parlier, COPS Hiring Program \$252,554
City of Salinas, COPS Hiring Program, \$3,837,546
City of Coalinga, Tree grant, \$33,066
McFarland Unified School District, USDA Rural Development, \$40,000
City of Taft, USDA Rural Development, \$63,000
City of Delano, Justice Assistance Grant, \$31,924
City of Delano, Neighborhood Stabilization grant \$733,210
City of Wasco, Neighborhood Stabilization grant \$303,592
City of McFarland, Neighborhood Stabilization grant \$149,629
City of Taft, Neighborhood Stabilization grant \$149,286
City of Lemoore, Justice Assistance Grant, \$39,300
City of Avenal, Office of Traffic Safety grant, \$5,437
City of Soledad, Office of Traffic Safety grant, \$16,429
Fresno County, Public Defender's Office Adjudication grant \$147,758
Kern County, Public Defender's Office Adjudication grant \$147,092
Fresno County, USDA Farmer's Market Grant, \$98,000

LOBBYING SUCCESS:

SB 716 - California Consulting's lobbying team worked successfully with COG's and key policymakers at the State Capitol to help amend SB 716. The amendments allow non-urban counties and cities to continue their use of Local Transportation Funds for streets and roads maintenance while fully addressing the unmet transit needs of their communities. After numerous meetings, conference calls, and trips to the State Capitol this important bill was successfully amended. We wish to thank the San Joaquin COG, Senator Wolk and her staff, Senator Lowenthal and his staff and others for working diligently with our office to bring about these amendments. Of particulate note, several State Legislators including Senate Majority Leader Florez, Senator Cogdill, and Assemblymembers Arambula, Galgiani, Gilmore, and Villines should be commended for their hard work on this issue. In light of the new amendments several cities and COG's that were previously strongly opposed to SB 716 have now adopted "neutral" positions on the legislation.

SB 375 - California Consulting has been engaged in the SB 375 issue for a long time. SB 375 requires each regional Metropolitan Planning Organization to develop a plan for achieving greenhouse gas emission reduction targets from cars and light trucks. There is money in the budget for implementation of SB 375 and California Consulting has been and will continue to be involved in the process for distribution of these dollars.

Water - We continue to be involved in the water issue that has consumed much of the Legislature's time over the last few months. No fewer than 5 Water bond bills were discussed and hotly debated during the recently concluded Legislative session. SB 3 (Wolk), SB 1 (Simitian), AB 1 (Huffman), SB 2 (Pavley), and AB 2 (Feuer/Huffman) all were introduced and discussed at

various levels. As well, a working group was formed of Senators and Assemblymembers from both political parties. An agreement on the water issue was not reached. There continues to be discussion about a potential "special session" on Water where legislators would be called back to the State Capitol to deal exclusively with this important issue. California Consulting will continue to monitor and advocate aggressively for the Valley and State's water needs.

SACRAMENTO MEETINGS:

Through California Consulting's regular meetings with State Legislators, the Governor's office, Cal-Trans and other key State agencies in Sacramento we are able to stay on the cutting edge of information coming out of the State capitol.

PROP. 84 IS OUT

The much anticipated parks and recreation Prop. 84 grant application is out and available. The application is due March 1, 2010. Our team has been reviewing the guidelines for months and has held more than a half dozen meetings in Sacramento with State Parks and Recreation staff members regarding this issue in the last 6 months. If you are currently a client of California Consulting, please contact us asap if you would like us to apply for Prop. 84 for your parks and recreation needs. If you are not a current client, feel free to contact us to discuss our services.

Quality Education Investment Act - QEIA - 'AT&T Yahoo! Mail'



Quality Education Investment Act - QEIA

Friday, September 4, 2009 11:18 PM

From: "steve samuelian" <ca-consulting@sbcglobal.net>

QEIA Background.doc (36KB), QEIA Lobby Day 09.02.09.doc (705KB),
QEIA Solution to Budget Problems.doc (36KB), QEIA Talking Points.doc (37KB)

California Consulting, LLC is working with Steve Rhoads at Strategic Education Services. See the attachments. Steve Rhoads is doing a great job lobby on the QEIA issue. This is a very serious and important issue for every school district that has QEIA schools.

After you read the attachments please let me know if you have any questions.

Thanks, Steve

Steve Samuelian
Manager
California Consulting, LLC
Central Valley Office
1530 E. Shaw Avenue, Suite 114
Fresno, CA. 93710
phone 559-244-0801
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<http://us.mc819.mail.yahoo.com/mc/showMessage?sMid=2&filterBy=&midIndex=2&mid=...> 9/4/2009

Quality Education and Investment Act Background Sheet

The Quality Education and Investment Act (QEIA) was created as a result of the CTA vs. Schwarzenegger lawsuit over the level of funding owed to schools from the suspension of Proposition 98 in 2004-2005. The QEIA program was established in 2006 to provide additional resources to eligible low-performing schools to reduce class sizes, provide additional resources and support to students, and increase student achievement. The program has been funded, until this year, with \$402 million in state general fund dollars, outside of Proposition 98 due to the fact it was part of a court settlement to repay schools for money owed from prior years.

The final (July) 2009-10 state budget included a complex one-time funding mechanism for QEIA. The QEIA budget funding mechanism works as follows:

Step One: QEIA districts will receive their QEIA funding as they always have, but with the funding coming from Prop 98 rather than the state general fund (non-98) side of the budget. This provides the state with roughly \$400 million in state general fund savings that was the ultimate goal of this agreement.

Step Two: In order to free up \$400 million in Prop 98 funds available to make these QEIA payments, the state had to reduce other Prop 98 spending. They do this by reducing QEIA district revenue limits by an equivalent amount.

Step Three: To keep these QEIA districts fiscally whole, they are "authorized" to "apply" to the state for federal funding to backfill the revenue limit cut made in Step 2.

Concerns:

The proposed revenue limit cuts to districts are cuts in unrestricted funding that must be made equally across all schools in a QEIA district – not just at QEIA schools (due to federal comparability requirements under Title 1).

Currently, the identified federal backfill dollars to repay this cut are restricted federal dollars (state set aside dollars for School Improvement Grants (SIG) and Title One) that can only be used at eligible Title 1 and/or Program Improvement schools. It is unclear whether a school district can use federal funds to backfill the revenue limit cuts in non-Title 1 schools.

In addition, it is not clear that there are currently sufficient (state set aside) federal dollars available to fully fund the revenue limit cut or that using these federal funds to backfill the revenue limit cuts will avoid federal "supplement not supplant" restrictions. Lastly, it is unclear what will happen to QEIA schools that are not Title I schools and therefore not eligible for those federal funds to replace revenue limit funds.

School districts need to have assurances from both state and the federal officials that this funding swap is both possible and without penalties. School districts should be held harmless from any possible federal sanctions should this funding swap become unsuccessful.

Quality Education and Investment Act A Solution to a Budget Problem

Background

The QEIA program was established in 2006 to provide additional resources to eligible low-performing schools to reduce class sizes, provide additional resources and support to students, and increase student achievement. The program has been funded, until this year, with \$402 million in state general fund dollars, outside of Proposition 98 due to the fact it was part of a court settlement to repay schools for money owed from prior years. The final (July) 2009-10 state budget included a new one-time funding mechanism for QEIA for the budget year. The purpose of the new and complex funding proposal was to free up state general fund dollars to avoid additional reduction in the human services budget.

Problem

This complex funding mechanism for QEIA impacts 488 schools in 138 school districts. This complex funding mechanism:

- Reduces only QEIA district revenue limits by an amount equivalent to \$402 million
- Authorizes QEIA districts to "apply" to the state for federal funding to backfill the revenue limit cuts
- There is no guarantee that school districts will be eligible for federal funds
- The federal funds are restricted dollars being used to backfill unrestricted dollars

Solution

The legislature needs to ensure that the integrity and overall components of QEIA are maintained. Further, our most needy students and schools should not be faced with additional challenges that impact their educational achievement and fiscal solvency. Any solution to ensure that QEIA districts are held harmless must meet the following principles:

- The revenue limit must be restored
- School districts must be made whole as promised.
- School districts must be held harmless from any federal sanctions
- No solution should be at the expense of non-QEIA school districts
- Federal Funding cannot solve this problem

Suggested Talking Points
QEIA Day – Wednesday, September 2nd
Sponsored by ACSA, CTA and SES



Introductions



Inform them about your school district and the cuts you have had to make.



Explained what Section 39 of AB 2 4x does:

- ✓ Reduced the school district revenue limit
- ✓ Does protects QEIA school funding
- ✓ Our school district is at risk
- ✓ Backfill with School Improvement Grants (SIG)



Explain why it does not work

- ✓ It is probably illegal. It may jeopardize future federal funds.
- ✓ Regulations are not even approved
- ✓ Funds will not reach the state until January at best
- ✓ Places the school district in great jeopardy
- ✓ Impact of the revenue limit reductions are disastrous



The revenue limit must be restored



The general fund loss can be offset by the expected categorical program savings for 2009-10.



It has been **41 days** since the AB 2 4x passed the legislature. There are only 9 days left to this session.



We have been given promises that this issue will be resolved. We have been shown nothing!



Our children and our community deserve to know how this issue is going to be handled. We do not want to find out after the session is over.

Letter to Cynthia Bryant of Prop 84 funds - 'AT&T Yahoo! Mail'

Page 1 of 1



Letter to Cynthia Bryant of Prop 84 funds

Friday, September 4, 2009 6:09 PM

From: "steve samuelian" <ca-consulting@sbcglobal.net>

To: "Carrol Terrazas" <carrol.ca-consult@sbcglobal.net>

SGC.pdf (559KB)

See attached letter from CALCOG on important issue related to Prop. 84 fund distribution. Let me know if you have any questions. Thanks. Steve



CALIFORNIA ASSOCIATION OF COUNCILS OF GOVERNMENTS

MEMBER AGENCIES

Association of Bay Area Governments
 Association of Monterey Bay Area Governments
 Butte County Association of Governments
 Calaveras Council of Governments
 Coachella Valley Association of Governments
 Contra Costa Transportation Authority
 Council of Fresno County Governments
 Council of San El Dorado County Governments
 El Dorado County Transportation Commission
 Humboldt County Association of Governments
 Kern Council of Governments
 Kings County Association of Governments
 Lake County/El Dorado Planning Council
 Los Angeles County Metropolitan Transportation Authority
 Merced County Transportation Commission
 Mendocino Council of Governments
 Merced County Association of Governments
 Metropolitan Transportation Commission
 Orange County Transportation Authority
 Placer County Transportation Planning Agency
 Sacramento Area Council of Governments
 San Bernardino Associated Governments
 San Diego Association of Governments
 San Joaquin Council of Governments
 San Luis Obispo Council of Governments
 Santa Barbara County Association of Governments
 Santa Cruz County Regional Transportation Commission
 Shasta County Regional Transportation Planning Agency
 Southern California Association of Governments
 Stanislaus Council of Governments
 Tahoe Regional Planning Agency
 Transportation Agency for Monterey County
 Tulare County Association of Governments
 Tuolumne County Transportation Council
 Ventura County Transportation Commission
 Western Riverside Council of Governments
CONSTITUTIONAL MEMBERS
 California State Association of Counties
 League of California Cities

September 8, 2009

Cynthia Bryant
 Chair
 Strategic Growth Council
 1400 Tenth Street
 Sacramento, CA 95814

RE: Criteria for Awarding Proposition 84 Funds Model Development and Data Gathering

Dear Ms. Bryant:

The California Association of Councils of Governments (CALCOG) would like to commend each member of the Strategic Growth Council and your staff on doing an excellent job drafting criteria for awarding Proposition 84 funds in such a short time frame. Your staff should also be commended for giving everyone an opportunity to comment on the Draft Criteria in a conference call conducted on September 3.

CALCOG members, both individually and as a group, have analyzed and commented upon the Draft Criteria. They also developed specific ideas about how the \$12 million could be distributed among the eligible agencies.

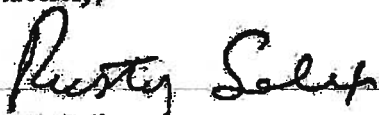
SACOG Executive Director Mike McKeever and SACOG Director of Research and Analysis Gordon Garry both should be highly commended for working with the MPOs in compiling their funding requests. The requests from most MPOs are found in the attached memo from SACOG.

The CALCOG members agree with the fund allocation in the SACOG memo. Members also agree that the individual applications will conform to the allocation. And most importantly, that the members all have as the primary goal of these funds to make the modeling improvements in time to use them in the first round of SCS/APS.

I do want to point out that the Santa Barbara County Association of Governments, while not listed in the SACOG memo, has indicated it plans to submit an application for funds under this program.

We also want to mention that it is important that the Household Travel Survey should go forward. It is a crucial tool used by the state and regions alike. As a result, a portion of the \$12 million should be dedicated to this project. CALCOG is currently working with Caltrans to determine the specific cost of the survey.

Sincerely,



Rusty Selix
Executive Director

CC: Members of the Strategic Growth Council

SB3X 12(Steinberg), the QEIA fix bill - 'AT&T Yahoo! Mail'



SB3X 12(Steinberg), the QEIA fix bill

Thursday, September 10, 2009 7:02 PM

From: "steve samuelian" <cs-consulting@sbcglobal.net>

QEIA Per ADA Allocation.xls (38KB), Categories of Children.doc (36KB),
Chart 09.10.09.doc (25KB)

See attachments and the message below. Please help! We are working with Steve Rhoads to provide a coordinated effort on this endeavor.

Thanks. Steve Samuelian

This is important. We need you to contact legislators and legislative staff to urge them to support SB 3X 12(Steinberg), the QEIA fix bill. Yes, the number of the bill has changed. The bill will not be in print until tomorrow. You should refer to the bill as the QEIA fix bill. The bill number will have no meaning to anyone. Please take the time to make the calls today and tomorrow.

The bill will be amended tomorrow in the Senate, sent to Assembly Appropriation, sent to the Assembly floor, and then sent back to the Senate for the final vote. This is all going to be done in one day. That is why it is extremely important to call, email, and fax the legislators and their staff ASAP. Thank you.

Stephen Rhoads

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srhoads@strategicadvocates.com
Phone: 916-441-3909

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QEIA School Districts

**Because of AB 2 4x, the Revenues of the School Districts are reduced
by their QEIA Allocations**

(This reduction will impact all schools in the district)

District Name	County Name	2008-09 QEIA Allocation 2009-10 Revenue Limit Reduction	District Revenue Limit Cut Per ADA
Hayward Unified	Alameda	\$569,200	\$29
Livermore Valley Joint Unified	Alameda	\$309,100	\$10
Oakland Unified	Alameda	\$4,701,100	\$108
San Leandro Unified	Alameda	\$238,600	\$28
	Alameda Total	\$5,806,000	
Chico Unified	Butte	\$230,200	\$17
Oroville City Elementary	Butte	\$283,400	\$101
	Butte Total	\$502,600	
Piecington Unified	Colusa	\$241,200	\$1
	Colusa Total	\$241,200	
Antioch Unified	Contra Costa	\$785,700	\$40
MT Diablo Unified	Contra Costa	\$4,486,000	\$133
Pittsburg Unified	Contra Costa	\$2,740,700	\$238
West Contra Costa Unified	Contra Costa	\$5,319,000	\$183
	Contra Costa Total	\$12,331,600	
Del Norte County Unified	Del Norte	\$240,900	\$58
	Del Norte Total	\$240,900	
Lake Tahoe Unified	El Dorado	\$302,200	\$75
	El Dorado Total	\$302,200	
Canby Unified	Fresno	\$672,600	\$112
Central Unified	Fresno	\$226,600	\$12
Exchange-Burnham Joint Unified	Fresno	\$312,500	\$75
Fresno Unified	Fresno	\$1,527,000	\$217
Garden Plains Unified	Fresno	\$364,700	\$210
Kings Canyon Joint Unified	Fresno	\$784,900	\$83
Madera Unified	Fresno	\$644,700	\$228
Merced Unified	Fresno	\$1,306,600	\$398
	Fresno Total	\$20,169,000	
Klamath County Joint Unified	Humboldt	\$316,600	\$836
	Humboldt Total	\$316,600	
Calaveras Unified	Imperial	\$700,100	\$18
Font Elementary	Imperial	\$67,100	\$26
Meadow Valley Elementary	Imperial	\$21,500	\$125
San Pasqual Valley Unified	Imperial	\$58,400	\$22
West Imperial Union Elementary	Imperial	\$232,700	\$75
	Imperial Total	\$2,080,300	

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District Name	County Name	2008-09 QEIA Allocation	2009-10 Revenue Limit Reduction	District Revenue Limit Cut Per ADA
Big Pine United	Inyo	\$59,000		\$59,000
	Inyo Total	\$59,000		
Bakersfield City	Kern	\$1,779,300		\$1,779,300
Bakersfield Elementary	Kern	\$859,700		\$859,700
West Union High	Kern	\$1,774,000		\$1,774,000
Wentworth Elementary	Kern	\$388,500		\$388,500
McFarland United	Kern	\$1,610,000		\$1,610,000
Moave United	Kern	\$144,500		\$144,500
Road Union Elementary	Kern	\$148,000		\$148,000
Richards Union Elementary	Kern	\$627,300		\$627,300
Teh City	Kern	\$810,200		\$810,200
Wasco Union Elementary	Kern	\$345,500		\$345,500
	Kern Total	\$21,260,300		\$21,260,300
Corcoran Joint United	Kings	\$1,687,900		\$1,687,900
Hanford Elementary	Kings	\$1,815,900		\$1,815,900
Reedley United	Kings	\$175,900		\$175,900
	Kings Total	\$3,679,700		\$3,679,700
Albion United	Lake	\$143,700		\$143,700
	Lake Total	\$143,700		\$143,700
Alhambra United	Los Angeles	\$972,300		\$972,300
Arroyo Valley United	Los Angeles	\$1,595,500		\$1,595,500
Compton United	Los Angeles	\$1,668,300		\$1,668,300
East Whittier City Elementary	Los Angeles	\$371,600		\$371,600
El Monte City Elementary	Los Angeles	\$1,752,800		\$1,752,800
Forest View United	Los Angeles	\$1,123,200		\$1,123,200
Leimert Park Union	Los Angeles	\$3,368,700		\$3,368,700
Long Beach United	Los Angeles	\$1,268,100		\$1,268,100
Los Angeles United	Los Angeles	\$141,800,000		\$141,800,000
Los Angeles	Los Angeles	\$287,300		\$287,300
Lyndwood United	Los Angeles	\$2,890,000		\$2,890,000
Montebello United	Los Angeles	\$1,871,600		\$1,871,600
Paramount United	Los Angeles	\$1,697,100		\$1,697,100
Pasadena Unit	Los Angeles	\$736,900		\$736,900
	Los Angeles Total	\$173,345,400		\$173,345,400
Madison United	Madison	\$1,450,100		\$1,450,100
	Madison Total	\$1,450,100		\$1,450,100
San Rafael City Elementary	Marin	\$241,900		\$241,900
	Marin Total	\$241,900		\$241,900

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(This reduction will impact all schools in the district)

District Name	County Name	2008-09 QEIA Allocation 2009-10 Revenue Limit Reduction	District Revenue Limit Cut Per ADA
Round Valley Unified	Mendocino	\$170,000	\$471
Ukiah Unified	Mendocino	\$342,300	\$56
	Mendocino Total	\$512,300	
Gustine Unified	Merced	\$182,300	\$100
Hilmar Unified	Merced	\$107,800	\$48
Merced City Elementary	Merced	\$356,100	\$33
Planada Elementary	Merced	\$324,800	\$420
	Merced Total	\$971,000	
Chualar Union Elementary	Monterey	\$230,500	\$739
Greenfield Union Elementary	Monterey	\$1,002,600	\$408
King City Union	Monterey	\$525,500	\$224
Salinas City Elementary	Monterey	\$1,448,100	\$195
Salinas Union High	Monterey	\$881,100	\$68
Santa Rita Union Elementary	Monterey	\$363,700	\$126
Soledad Unified	Monterey	\$642,700	\$155
	Monterey Total	\$5,094,200	
Napa Valley Unified	Napa	\$515,900	\$31
	Napa Total	\$515,900	
Anaheim Union High	Orange	\$6,202,200	\$195
Capistrano Unified	Orange	\$382,800	\$8
Fullerton Elementary	Orange	\$496,900	\$38
Orange Unified	Orange	\$1,809,500	\$82
Placentia-Yorba Linda Unified	Orange	\$383,700	\$15
Santa Ana Unified	Orange	\$11,086,500	\$201
	Orange Total	\$20,361,600	
Alvord Unified	Riverside	\$1,732,600	\$91
Banning Unified	Riverside	\$1,365,300	\$291
Coachella Valley Unified	Riverside	\$7,392,800	\$421
Desert Sands Unified	Riverside	\$1,899,500	\$69
Jurupa Unified	Riverside	\$806,500	\$41
Moreno Valley Unified	Riverside	\$4,439,600	\$127
Palo Verde Unified	Riverside	\$1,057,200	\$299
Perris Elementary	Riverside	\$1,358,200	\$249
Romoland Elementary	Riverside	\$294,000	\$112
San Jacinto Unified	Riverside	\$339,600	\$38
	Riverside Total	\$20,683,300	
Del Paso Heights Elementary	Sacramento	\$493,700	\$284
Natomas Unified	Sacramento	\$305,700	\$28
North Sacramento Elementary	Sacramento	\$602,100	\$120

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**Because of AB 2 4x, the Revenues of the School Districts are reduced
by their QEIA Allocations**

(This reduction will impact all schools in the district)

District Name	County Name	2008-09 QEIA Allocation 2009-10 Revenue Limit Reduction	District Revenue Limit Cut Per ADA
Rio Linda Union Elementary	Sacramento	\$244,100	\$23
River Delta Joint Unified	Sacramento	\$108,400	\$50
Sacramento City Unified	Sacramento	\$7,697,600	\$167
	Sacramento Total	\$9,451,600	
Hollister	San Benito	\$417,300	\$73
	San Benito Total	\$417,300	
Colton Joint Unified	San Bernardino	\$1,020,600	\$44
Fontana Unified	San Bernardino	\$2,325,600	\$59
Lucerne Valley Unified	San Bernardino	\$386,000	\$245
Needles Unified	San Bernardino	\$264,000	\$246
Ontario-Montclair Elementary	San Bernardino	\$4,760,500	\$206
Rialto Unified	San Bernardino	\$8,864,300	\$321
San Bernardino City Unified	San Bernardino	\$15,080,100	\$286
	San Bernardino Total	\$32,701,100	
Chula Vista Elementary	San Diego	\$1,648,900	\$62
Escondido Union Elementary	San Diego	\$496,200	\$27
Grossmont Union High	San Diego	\$2,086,000	\$89
Mountain Empire Unified	San Diego	\$171,000	\$108
San Diego Unified	San Diego	\$3,438,200	\$28
San Ysidro Elementary	San Diego	\$352,100	\$71
South Bay Union Elementary	San Diego	\$1,163,300	\$147
Sweetwater Union High	San Diego	\$720,900	\$18
Vista Unified	San Diego	\$297,300	\$12
	San Diego Total	\$10,373,900	
San Francisco Unified	San Francisco	\$4,343,000	\$82
	San Francisco Total	\$4,343,000	
Lodi Unified	San Joaquin	\$1,920,900	\$65
Stockton Unified	San Joaquin	\$2,031,100	\$56
	San Joaquin Total	\$3,952,000	
Ravenswood City Elementary	San Mateo	\$984,700	\$210
Redwood City Elementary	San Mateo	\$595,300	\$72
	San Mateo Total	\$1,531,000	
Santa Barbara Elementary	Santa Barbara	\$297,200	\$54
Santa Maria Joint Union High	Santa Barbara	\$2,392,000	\$330
Santa Maria-Bonita Elementary	Santa Barbara	\$249,900	\$20
	Santa Barbara Total	\$2,939,100	
Alum Rock Union Elementary	Santa Clara	\$1,910,100	\$143

QEIA School Districts

***Because of AB 2 4x, the Revenues of the School Districts are reduced
by their QEIA Allocations
(This reduction will impact all schools in the district)***

District Name	County Name	2008-09 QEIA Allocation 2009-10 Revenue Limit Reduction	District Revenue Limit Cut Per ADA
San José Unified	Santa Clara	\$1,335,100	\$44
	Santa Clara Total	\$3,245,200	
Pajaro Valley Unified	Santa Cruz	\$3,072,500	\$167
	Santa Cruz Total	\$3,072,500	
Redding Elementary	Shasta	\$197,200	\$56
	Shasta Total	\$197,200	
Happy Camp Union Elementary	Siskiyou	\$89,600	\$654
	Siskiyou Total	\$89,600	
Fairfield-Suisun Unified	Solano	\$1,194,300	\$55
Vallejo City Unified	Solano	\$3,073,500	\$187
	Solano Total	\$4,267,800	
Petalum City Schools	Sonoma	\$171,400	\$22
Santa Rosa City Schools	Sonoma	\$274,400	\$16
	Sonoma Total	\$445,800	
Keyes Union	Stanislaus	\$338,000	\$259
Modesto City Elementary	Stanislaus	\$320,100	\$20
Turlock Unified	Stanislaus	\$442,000	\$33
	Stanislaus Total	\$1,100,100	
Yuba City Unified	Sutter	\$649,700	\$52
	Sutter Total	\$649,700	
Cutler-Orosi Joint Unified	Tulare	\$1,626,800	\$413
Dinuba Unified	Tulare	\$1,830,300	\$331
Farmersville Unified	Tulare	\$1,036,900	\$446
	Tulare Total	\$4,494,000	
Hueneme Elementary	Ventura	\$419,600	\$54
Oxnard Elementary	Ventura	\$4,179,500	\$281
Santa Paula Elementary	Ventura	\$857,600	\$243
	Ventura Total	\$5,456,700	
Washington Unified	Yolo	\$316,500	\$46
	Yolo Total	\$316,500	
Marysville Joint Unified	Yuba	\$354,500	\$36
	Yuba Total	\$354,500	
Grand Total		\$382,077,200	

**The Following shows the State-wide Impact on
Selected Group of Students if SB3X 12(Steinberg) is
not Passed**

Disadvantage Children - Students eligible for the federal free or reduced lunch program are cut by an average of \$92 per child. This is 2.6 times greater than the cut for children who are not eligible (\$35 per child)

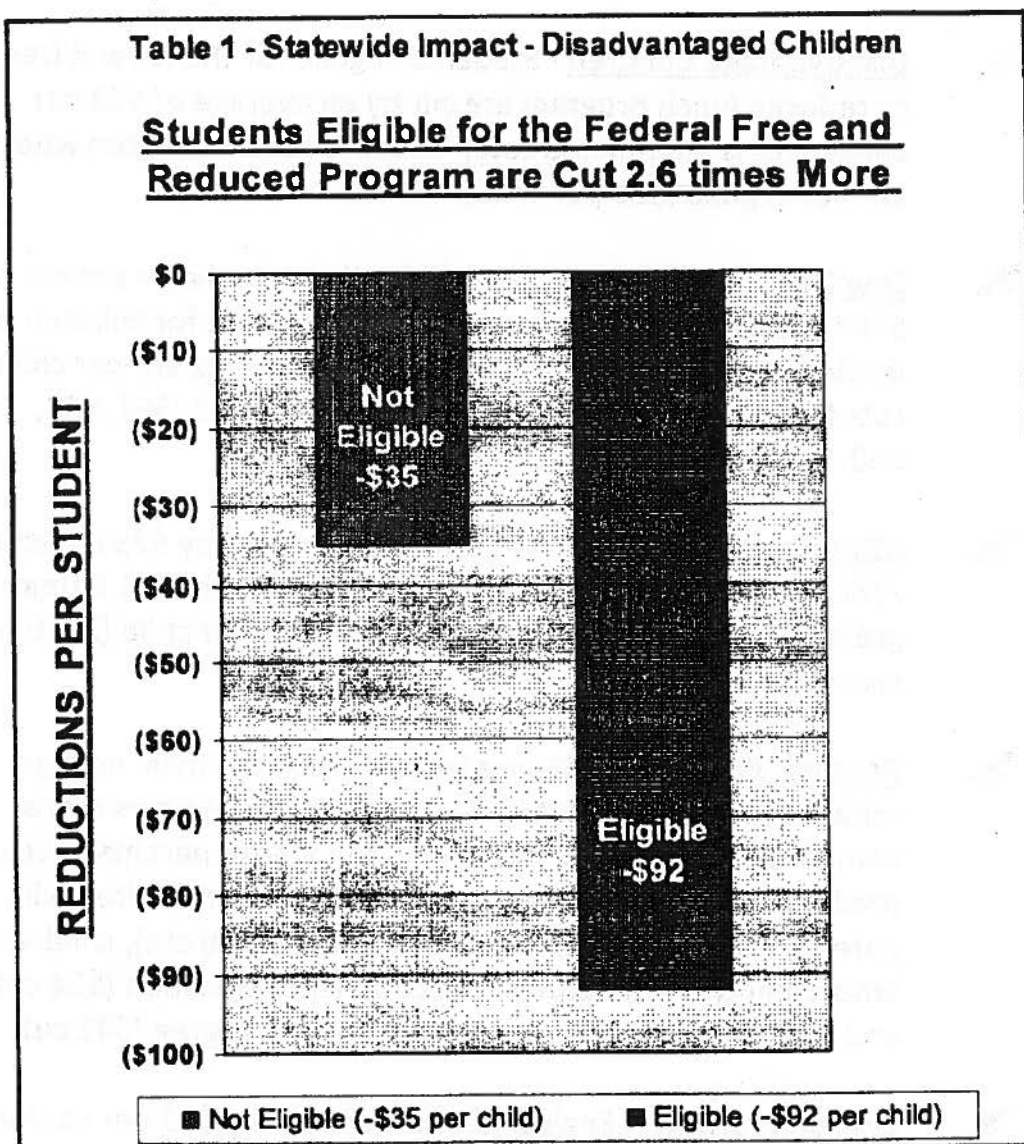
Low Decile Schools - Children in Decile One schools are cut by \$157 per child. This is almost ten times the cut for children in decile ten schools (\$16 per child). The following are per child cuts for each of the ten deciles: \$157, \$137, \$93, \$67, \$52, \$33, \$32, \$29, \$22, and \$16 per child.

Minority Differences - White children are cut by \$26 per child, African-American children are cut by \$83 per child (3.2 times greater), and Latino children are cut by \$90 per child (3.5 times greater)

Parental Education - Students whose parents have no high school education are cut by \$107 per child (3.2 times more) compared to \$33 per child for children whose parents have a graduate education. The other categories are: children with parents that have a high school education (\$76 cut), children whose parents have some type of college education (\$54 cut), and children whose parents have a college degree (\$42 cut)

English Learners - English learners are cut by \$91 per student (1.7 times) compared to non-EL students (\$55 cut per student).

Table 1 shows the statewide impact on students who are eligible for the Federal Free and Reduced Lunch Program if SB 3X 12 (Steinberg) is not passed.



Final Language - 'AT&T Yahoo! Mail'

Page 1 of 1

**Final Language**

Thursday, September 10, 2009 9:12 PM

From: "steve samuellan" <ca-consulting@sbcglobal.net>

To: "Carrol Terrazas" <carrol.ca-consult@sbcglobal.net>

SB 84 DOC091009.pdf (144KB)

Attached is the final language. The bill will be taken up later today. Stephen Rhoads has done a fantastic job working on this project. Steve

09/10/2009 12:08 FAX 3163182147

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30159

09/10/09 12:31 PM
RN 09 23542 PAGE 1
Substantive

**AMENDMENTS TO SENATE BILL NO. 84
AS AMENDED IN ASSEMBLY SEPTEMBER 4, 2009**

Amendment 1

In line 2 of the heading, strike out "Leno" and insert:

Steinberg

Amendment 2

Below line 2 of the heading, insert:

(Principal coauthor: Assembly Member Bass)
(Coauthors: Senators Florez, Hancock, and Romero)
(Coauthors: Assembly Members Brownley, Carter, De Leon, Torlakson, and V. Manuel
Perez)

Amendment 3

Strike out lines 1 to 3, inclusive, of the title, and insert:

An act to amend Section 39 of Chapter 2 of the Fourth Extraordinary Session of the
Statutes of 2009, relating to education finance, and making an appropriation therefor.

Amendment 4

On page 2, before line 1, insert:

SECTION 1. Section 39 of Chapter 2 of the Fourth Extraordinary Session of
the Statutes of 2009, is amended to read:

Sec. 39. (a) (1) The sum of four hundred two million dollars (\$402,000,000)
is hereby appropriated from the General Fund to the Superintendent of Public Instruction
for the 2009-10 fiscal year to be allocated to schoolsites selected to participate in the
Quality Education Investment Act program pursuant to Section 52055.730 of the
Education Code. Local educational agencies shall receive funding, on behalf of funded
schools, at the rates established pursuant to subdivisions (a) and (i) of Section 52055.770
of the Education Code. Local educational agencies and school sites receiving this
funding shall comply with all of the requirements of the Quality Education Investment
Act program specified in Article 3.7 (commencing with Section 52055.700) of Chapter
6.1 of Part 28 of Division 4 of Title 2 of Part 28 of the Education Code.

(2) Notwithstanding Section 52055.770 of the Education Code, for purposes of
making the computations required by Section 8 of Article XVI of the California
Constitution, the appropriation made by this subdivision shall be included in the "total
allocations to school districts and community college districts from General Fund
proceeds of taxes appropriated pursuant to Article XIII B," as defined in Section 41202
of the Education Code for the 2009-10 fiscal year.

08/10/2009 12:08 FAX 8183192147

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RN 09 23542 PAGE 2
Substantive

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(3) Notwithstanding any other provision of law, the appropriation made in this subdivision shall be in lieu of the appropriation required by subparagraph (B) of paragraph (2) of subdivision (c) of Section 52055.770 of the Education Code for the 2009-10 fiscal year.

(b) For each school district and chartering authority receiving an allocation pursuant to subdivision (a), the Superintendent of Public Instruction shall reduce its revenue limit determined pursuant to Section 42238 of the Education Code or its general purpose entitlement determined pursuant to Section 47633 of the Education Code, as applicable, for the 2009-10 fiscal year by the amount of the allocation received pursuant to subdivision (a). However, the reduction shall occur only upon determination by the Superintendent of Public Instruction and the Director of Finance that an equivalent amount of additional federal or state funds that may be used by school districts and chartering authorities for the same purposes as funds received pursuant to Sections 42238 and 47633 of the Education Code have been made available to that school district or chartering authority.

(c) Notwithstanding any other provision of law, local educational agencies that participated in the Quality Education Investment Act Program in the 2009-10 fiscal year may, on behalf of eligible schoolsites, apply to the State Department of Education for grants provided to the state pursuant to subdivisions subsections (a) and (g) of Section 1003 of Title I of the Elementary and Secondary Education Act (20 U.S.C. Sec. 6303 et seq.) and for moneys reserved by the state pursuant to subdivision subsection (g) of Section 1003 of Title I of the Elementary and Secondary Education Act. The State Department of Education shall award grants to schoolsites during the 2009-10 fiscal year from funds provided pursuant to subdivision subsection (a) or subdivision subsection (g), as appropriate, of Section 1003 of Title I of the Elementary and Secondary Education Act, which apply for these funds pursuant to this subdivision and meet all of the eligibility requirements for the receipt of these funds.

(d) The Superintendent of Public Instruction and the Director of Finance shall report to the Legislature the amount of the reductions specified in subdivision (b), if any, that will not be eligible for restoration with available federal funding by March 1, 2010.

(e) The Superintendent of Public Instruction shall use sixty-four million eight hundred seventy-two thousand dollars (\$64,872,000) in one-time carryover funds provided to the state under subsection (a) of Section 1003 of Title I of the Elementary and Secondary Education Act (20 U.S.C. Sec. 6303 et seq.), as appropriated pursuant to Provision 7 of Item 6110-134-0890 of Chapter 1 of the Third Extraordinary Session of the Statutes of 2009, in combination with other available funds, for the purpose of awarding grants to local educational agencies that participate in the Quality Education Investment Act Program in the 2009-10 fiscal year.

(f) It is the intent of the Legislature that the first priority for a source of funding to restore the reductions specified in subdivision (b) shall be federal funds.

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09/10/09 12:31 PM
RN 09 23542 PAGE 3
Substantive

Amendment 5

On page 2, strike out lines 1 to 28, inclusive, and strike out pages 3 to 6, inclusive

- 0 -

Public Update - Title 1, Part A Waivers - 'AT&T Yahoo! Mail'

Page 1 of 1

**Public Update - Title 1, Part A Waivers**

Thursday, September 10, 2009 2:02 AM

From: "steve samuella" <ca-consulting@sbcglobal.net>

To: "Carrol Terrazas" <carrol.ca-consult@sbcglobal.net>

The purpose of this update is to provide information about the Title I, Part A Waivers process and its current status.

The American Recovery and Reinvestment Act (ARRA) has provided significant new funding for programs under Title I, Part A of the Elementary and Secondary Education Act (ESEA). The ARRA has targeted \$10 billion nationwide to local educational agencies (LEAs) for schools receiving Title I, Part A funds to help improve teaching and learning for students most at risk of failing to meet academic achievement standards. In July of 2009, Secretary of Education Duncan of the U.S. Department of Education (ED) invited states to participate in the submission of specific waivers pertaining to Title I, Part A of ESEA. This invitation detailed information about the types of waivers that could be submitted, which entities may submit a waiver, waiver contents and requirements, duration, and acceptable formats for submission (see www.ed.gov/programs/titleiparta/title-i-waiver.doc).

ED has invited states to submit waivers of Title I, Part A statutory and regulatory requirements related to providing parents with 14 day notice of their public school choice options when their school has been newly identified for program improvement (PI); supplemental educational services (SES) and public school choice; the prohibition on approving schools and LEAs in PI as SES providers; maintenance of effort; and to allow an LEA to use Title I funds to offer SES in addition to public school choice to eligible students in Title I schools in the first year of PI.

ED has also invited states to submit waivers related to the use of ARRA funds including: allowing exclusion of Title I, Part A ARRA funds in "set-aside" calculations, in determining the per-pupil amount of SES, and carryover limitations.

California intends to apply for each waiver on behalf of its LEAs. The waiver is intended to provide increased flexibility, increase the quality of instruction for students, and improve the academic achievement of students. The waiver application is reviewed and acted on by the State Board of Education (SBE) prior to submission to ED. A public notice and comment period is included as part of the SBE waiver application process. The SBE is scheduled to review and act on the waiver application at its September 16-17, 2009 meeting. Upon SBE approval, ED will receive California's request for Title I, Part A waivers later in September 2009.

The California Department of Education (CDE) is preparing an application process for those LEAs seeking Title I, Part A waivers. The LEA waiver application will be made available by the CDE to interested LEAs following ED approval. The LEA Waiver Application will include, specific to each waiver, statutory assurances, assurances of meeting waiver conditions, and as required, a narrative statement by the applicant LEA describing its obligations.

24

We wanted to bring the attached letter from California Department of Parks and Recreation to your attention. Pay particular attention to the section regarding Prop 84. The Prop 84 application is now officially out and available and is due March 1, 2010. The Prop 84 grant is a historic opportunity to fund parks and recreation in California.

If you are a current California Consulting, LLC client please contact us if you would like our team to pursue any of these grant opportunities for you. If you are not a current California Consulting, LLC client feel free to contact us to inquire about our services.



State of California • The Resources Agency

Arnold Schwarzenegger, Governor

DEPARTMENT OF PARKS AND RECREATION • P.O. Box 942896 • Sacramento, CA 94296-0001
(916) 653-7423

Ruth Coleman, Director

September 1, 2009

**RE: California State Parks (CSP) Proposition 84 Local Assistance Grants:
Statewide Park Development and Community Revitalization Program of 2008
and Nature Education Facilities Grant Program**

Dear local officials and interested parties,

CSP's Office of Grants and Local Services (OGALS) is pleased to provide important updates about the following new competitive grant programs from the Proposition 84, 2006 Bond Act.

- Statewide Park Development and Community Revitalization Program of 2008
- Nature Education Facilities Grant Program

**Statewide Park Development and Community Revitalization Program of 2008
(Statewide Park Program)**

This new competitive grant program was created by Assembly Bill 31 (De Leon) Chapter 623, Statutes of 2008. There will be two rounds awarding \$368,000,000 to critically underserved communities throughout California. The 2009/10 Budget Act appropriated \$184,000,000 for the first competitive round.

ROUND ONE APPLICATION DEADLINE IS MARCH 1, 2010

Applications for the \$184,000,000 first competitive round must be post marked or hand delivered to OGALS no later than March 1, 2010.

Application Guide – April 1, 2009

The final version of the Statewide Park Program Application Guide, dated April 1, 2009, is available at www.parks.ca.gov/grants. The Application Guide provides all application requirements and instructions. OGALS recommends that applicants start using the Project Selection Criteria and Technical Assistance beginning on page 26 as a project location and concept planning guide.

Technical Assistance Workshops

OGALS will hold technical assistance workshops throughout the state starting in October 2009. Attendees are encouraged to ask questions about application requirements, including project selection criteria. The workshop schedule and locations will be announced soon through a separate notice and will also be posted on www.parks.ca.gov/grants. Applicants are also encouraged to contact Viktor Patiño at vpati@parks.ca.gov or (916) 651-8598 for technical assistance.

Page Two

Nature Education Facilities Grant Program

This new competitive program will award \$93,000,000 in grants for development of nature education facilities, buildings, structures and exhibit galleries that present collections to inspire and educate the public and for marine wildlife conservation research equipment and facilities. The 2009/10 Budget Act appropriated \$93,000,000. Funding was made available through the Parks and Nature Education Facilities chapter in Proposition 84 as set forth in Public Resources Code Division 43, Chapter 8, §75063 (b).

Release of Draft Application Guide

The Draft Application Guide is available on our website at www.parks.ca.gov/grants

Public Hearings

OGALS will hold four public hearings at the locations and times noted on the enclosed flyer. The purpose of the meetings is to allow the public to provide comments on the proposed guidelines. These comments will help to assist OGALS in developing user-friendly guidelines that effectively meet the program's legislative intent. There is no cost to attend the public hearings and RSVPs are not required.

Start of Public Comment Period

The public comment period begins September 1, 2009, and ends October 1, 2009. OGALS must receive all comments by October 1, 2009. Interested parties may send OGALS comments on the draft guidelines by mail, email, or fax.

Mail: Sandy Berry
California Department of Parks and Recreation
Office of Grants and Local Services
PO Box 942896
Sacramento, CA 94298-0001

Email: sberr@parks.ca.gov

Fax: Attn: Sandy Berry
Fax: (916) 653-6511

Final Nature Education Facilities Application Guide and Technical Assistance Workshops

At the conclusion of the public comment period, OGALS will publish the final guide and then hold technical assistance workshops throughout the state. These workshops will answer questions about grant program application and administrative requirements.

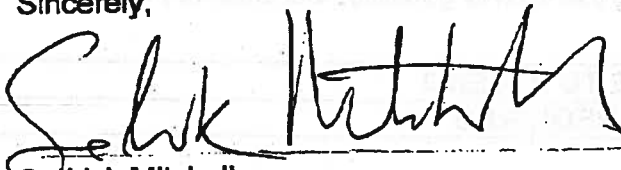
Applications for grant funds will be due approximately three months after OGALS publishes the final Application Guide.

Page Three

We encourage you to check our website at www.parks.ca.gov/grants for further updates about the Statewide Park Program, Nature Education Facilities Program, or annual grant programs.

We look forward to working with you on these exciting new programs to improve the quality of life for communities throughout California.

Sincerely,



Sedrick Mitchell
Deputy Director, External Affairs

Enclosure

cc: Patti Keating, Chief, Office of Grants and Local Services



**CALIFORNIA STATE PARKS
OFFICE OF GRANTS AND LOCAL SERVICES
NATURE EDUCATION FACILITIES (NEF) PROGRAM GUIDE
PUBLIC HEARING SCHEDULE**

The purpose of each public hearing is to allow the public to provide comments on the proposed guidelines. These comments will help to assist OGALS in developing user-friendly guidelines that effectively meet the program's legislative intent.

NO CHARGE TO ATTEND

NO RSVP REQUIRED

SACRAMENTO AREA

Effie Yeaw Nature Center
2850 San Lorenzo Way
Carmichael CA 95609

**Monday
September 14, 2009
1:30p.m. - 4:30p.m.**

BAY AREA

Oakland Zoo
Marian Zimmer Auditorium
9777 Golf Links Rd
Oakland CA 94605

**Thursday
September 24, 2009
9:30a.m. - 12:30p.m.**

FRESNO AREA

Chaffee Zoo
Falk Education Building
894 W. Belmont Avenue
Fresno, CA 93728

**Wednesday
September 16, 2009
9:30a.m. - 12:30p.m.**

LOS ANGELES AREA

Steinmetz Park Senior Center
1545 South Stimson Avenue
Hacienda Heights, CA 91745

**Thursday
October 1, 2009
9:30a.m. - 12:30p.m.**

Greatest Hits" memo (SLG Committee) - 'AT&T Yahoo! Mail'

Page 1 of 1

YAHOO! MAIL
Classic**Greatest Hits" memo (SLG Committee)**

Wednesday, September 16, 2009 11:57 PM

From: "steve samuelian" <ca-consulting@sbcglobal.net>

To: "Carrol Terrazas" <carrol.ca-consult@sbcglobal.net>

1 File (94KB)



Greatest ...

Now that the legislative session has ended see attached the latest list of bills that impact local government. This is a very informative list from the Senate Local Government Committee. A new list will be put out by the Committee once the Governor is done with signing and veto's.

Thanks. Steve Samuelian

Senate Committee on Local Government
Senator Patricia Wiggins, Chair
State Capitol, Sacramento, California 95814
(916) 651-4115
www.sen.ca.gov/locgov

September 14, 2009

TO: People Interested in Local Government, Public Finance, and Land Use
FROM: Senator Patricia Wiggins
SUBJECT: Local Government Bills During 2009

Because you are interested in public finance, land use, redevelopment, and governance topics, I want you to know about some of the more interesting bills that the Senate Local Government Committee worked on during 2009.

The Governor has until October 11 to act on the bills that the Legislature passed this year. An urgency bill takes effect when it's chaptered; regular bills will take effect on January 1, 2010.

These brief summaries cover a selection of the 75 bills that the Committee has reviewed. If you want to read the Committee's bill analysis or get a copy of a bill, please go to the Legislature's official website www.leginfo.ca.gov. You can also use that website to retrieve other bill analyses, official histories, voting records, and any veto messages.

LOCAL FINANCE & INFRASTRUCTURE

SB 27 (Hancock) prohibits counties and cities from entering into specified agreements to rebate local sales tax proceeds. Status: Signed; Chapter 4, Statutes of 2009.

* **SB 80 (Senate Budget Committee)** shifts \$350 million in property tax increment revenues from redevelopment agencies to schools. Status: Senate Floor; concurrence in Assembly amendments failed, reconsideration granted, two-year bill.

SB 99 (Senate Local Government Committee) imposes additional transparency and accountability requirements on public agencies that provide conduit financing. Status: Governor's Desk.

SB 279 (Hancock) authorizes Mello-Roos Act financing for water conservation, energy efficiency, and renewable energy improvements on any real property. Status: Governor's Desk.

SB 676 (Wolk) increases or eliminates the statutory limits on 11 local fees. Status: Governor's Desk.

SB 684 (Cogdill) and **SB 85 (Cogdill)** modify the property tax allocation formulas to increase annual allocations to specific counties. Status: SB 684 - Assembly Appropriations Committee; two-year bill. SB 85 - Senate Floor; two-year bill.

SCA 12 (Liu) exempts stormwater and urban runoff management fees or charges from voter approval requirements. Status: Senate Floor; two-year bill.

* **AB 14xxxx (Assembly Budget Committee)** and **AB 15xxxx (Gaines)** rely on Proposition 1A (2004) to borrow \$1.935 billion in property tax revenues from counties, cities, and special districts to help the State General Fund. Status: Signed; Chapters 13 & 14, Statutes of the 2009 Fourth Extraordinary Session.

* **AB 24xxxx (Bass & Blakeslee)** and **AB 30xxxx (Assembly Budget Committee)** divert and later repay \$971 million in Highway Users Tax Account (HUTA) revenues from counties and cities to help the State General Fund. Status: Assembly Floor; concurrence in Senate amendments died without a vote.

* **AB 26xxxx (Assembly Budget Committee)** shifts \$1.7 billion in property tax increment revenues from redevelopment agencies to schools in 2009-10 and another \$350 million in 2010-11 to help the State General Fund. Status: Signed; Chapter 21, Statutes of the 2009 Fourth Extraordinary Session.

AB 474 (Blumenfield) authorizes contractual assessment financing for water efficiency improvements on real property. Status: Governor's Desk.

AB 1388 (Hernandez) authorizes counties, cities, and special districts to sell general obligation bonds at negotiated sales. Status: Governor's Desk.

LOCAL POWERS & GOVERNANCE

SB 43 (Alquist) authorizes a joint powers agency (JPA) to use a unique, no-bid design-build process to build a professional football stadium in the City of Santa Clara. Status: Governor's Desk.

SB 101, SB 102, and SB 103 (Senate Local Government Committee) are the annual Validating Acts. Status: The Governor signed SB 101 as Chapter 2, Statutes of 2009 (urgency). SB 102 and SB 103 are on the Governor's Desk.

SB 106 (Senate Local Government Committee) requires school district, community college district, and county board of education officials to receive the same ethics training as other local government officials. Status: Assembly Appropriations Committee; two-year bill.

SB 113 (Senate Local Government Committee) is the annual Local Government Omnibus Act, making 39 relatively minor and noncontroversial changes to the state laws affecting local agencies' powers and duties. Status: Governor's Desk.

SB 250 (Florez) requires dogs and cats to be spayed or neutered under certain circumstances. Status: Assembly Floor inactive file; two-year bill.

SB 694 (Correa) requires competitive bidding on certain types of local public works contracts. Status: Senate Local Government Committee; two-year bill.

AB 18 (Knight) extends city councils' deadline to fill vacancies by appointment by 30 days and clarifies councilmembers' terms of office in new cities. Status: Governor's Desk.

AB 155 (Mendoza) and * **SB 88 (DeSaulnier)** require a local public entity to obtain approval from CDIAC to file a federal bankruptcy petition. Status: AB 155 - Senate Local Government Committee; two-year bill. SB 88 - Senate Rules Committee; two-year bill.

AB 715 (Caballero) permits cities and counties to post approved ordinances on their websites in lieu of publishing the ordinances in general circulation newspapers. Status: Senate Local Government Committee; two-year bill.

AB 772 (Ammiano) authorizes counties to issue local identification cards that meet statutory criteria. Status: Governor's Desk.

LAND USE PLANNING & DEVELOPMENT

SB 12 (Simitian) creates the Delta Ecosystem and Water Council with authority over planning and development decisions in the Sacramento-San Joaquin river delta. Status: Senate Floor; Conference Committee report pending; two-year bill.

SB 194 (Florez) enacts the Community Equity Investment Act of 2009 with special provisions for development in disadvantaged fringe, island, and legacy communities. Status: Senate Appropriations Committee; two-year bill.

SB 457 (Wolk) creates the Delta Stewardship Council with authority over planning and development decisions in the Sacramento-San Joaquin river delta. Status: Assembly Water, Parks and Wildlife Committee; two-year bill.

* **SB 458 (Steinberg)** expands the Delta Protection Commission's role, and creates the Sacramento-San Joaquin Delta Conservancy and the Sacramento-San Joaquin Delta Conservancy Fund. Status: Conference Committee report pending on the Senate and Assembly Floors; two-year bill.

SB 505 (Kehoe) expands the fire safety planning requirements in local general plans' safety elements. Status: Governor's Desk.

SB 737 (Negrete McLeod) restores the requirement that every county with a public use airport must have an Airport Land Use Commission, with exceptions. Status: Senate Appropriations Committee; two-year bill.

AB 45 (Blakeslee) authorizes (and in some circumstances requires) cities and counties to permit the installation of small wind energy systems that meet statutory criteria. Status: Governor's Desk.

* **AB 81xxx (Hall)** exempts the approval of a professional football stadium in the City of Industry from requirements of the Planning and Zoning Law and CEQA, nullifies pending lawsuits, and prohibits future lawsuits. Status: Senate Rules Committee; two-year bill.

AB 300 (Caballero) requires the reduction of a proposed development's anticipated water demand based on voluntary water demand management measures. Status: Senate Natural Resources and Water Committee; two-year bill.

AB 333 (Fuentes) and **AB 1084 (Adams)** extend the life of existing tentative subdivision maps by two years. Status: AB 333 - Signed; Chapter 18, Statutes of 2009. AB 1084 - Governor's Desk.

AB 338 (Ma) exempts cities and counties from statutory voter approval requirements for forming and financing of Infrastructure Financing Districts (IFDs) that finance public transit facilities in transit villages, and increases the maximum area of a transit village development district. Status: Governor's Desk.

AB 494 (Caballero) exempts leases of agriculturally-zoned land for farmworker housing from the Subdivision Map Act. Status: Governor's Desk.

* **AB 602 (Evans)** changes the statute of limitations deadline for filing land use lawsuits involving affordable housing. Status: Senate Rules Committee; two-year bill.

AB 666 (Jones) requires county supervisors, when approving subdivisions in fire-prone areas, to find that adequate fire protection exists. Status: Governor's Desk.

REDEVELOPMENT

* **SB 4xx (Cogdill)** allows redevelopment officials to use the design-build contracting method for 10 public works projects. Status: Signed; Chapter 2, Statutes of the 2009 Second Extraordinary Session.

SB 93 (Kehoe) limits redevelopment officials' spending on public works outside of redevelopment project areas. Status: Governor's Desk.

* **AB 27xxx (Evans)** allows redevelopment officials to extend their project areas' time limits by 40 years in return for shifting 10% of their property tax increment revenues to a new state account to securitize a multi-billion state bond issue. Status: Assembly Floor; concurrence in Senate amendments died without a vote.

LAFCOs & BOUNDARY CHANGES

SB 215 (Wiggins) requires LAFCOs to consider regional transportation plans, including sustainable communities strategies, before they act on boundary changes. Status: Governor's Desk.

AB 528 (Silva) clarifies the reporting requirements for political contributions and spending on proposed boundary changes. Status: Signed; Chapter 113, Statutes of 2009.

AB 853 (Arambula) expedites city annexations of unincorporated fringe communities and unincorporated island communities. Status: Senate Local Government Committee; two-year bill.

AB 1582 (Assembly Local Government Committee) makes six changes to the state laws affecting LAFCOs. Status: Signed; Chapter 155, Statutes of 2009.

* This bill did not come to the Senate Local Government Committee.

INTERIM HEARING

On September 28, the Senate and Assembly Local Government Committees will hold a joint interim hearing in Sacramento on the long-term impacts of the Military Base Conversion Redevelopment Law. For more information about the hearing, call the Committee at (916) 651-4115.

To: Council Area of Governments (COGs) developing Regional Blueprints

From: The Center for Creative Land Recycling (www.cclr.org)

Subject: Interest of COGs to participate in a Proposed Grant application to the U.S. Environmental Protection Agency for Revolving Loan Funds (RLF)

Action Requested: Interested Council of Governments (COGs) are requested to respond to the items below by September 17, 2008 to ignacio.dayrit@cclr.org or 415-398-1080x107.

1. Interest in participating in a coalition COG grant application to the U.S. EPA for brownfields remediation funds
2. Internal process and timing for participating in the grant application
3. Interest in participating as the lead grant applicant
4. Internal process and timing for participating as the lead grant applicant
5. Contact person and information

Background: Brownfields are real property, the redevelopment of which is inhibited by the presence or perception of contamination. The U.S. Environmental Protection Agency (EPA) provides grants to eligible entities to facilitate the redevelopment of brownfield sites. Grants are in the form of assessment grants, revolving loan fund (RLF) grants and cleanup grants. This proposal pertains to the RLF grants. The grant application deadline is October 16, 2009. The grant guideline can be found at <http://www.epa.gov/oswer/docs/grants/epa-oswer-orcr-09-06.pdf>.

COGs are eligible entities. Eligible entities also include local government, government entity created by legislature, redevelopment agency, or the State. A coalition of two or more eligible entities may submit one grant proposal under the name of one of the coalition participants for up to \$1,000,000 per eligible entity. There is a 20% cost share requirement (discussed below). The lead grant applicant and eventual cooperative grant recipient (CAR) must administer the grant, will be accountable to EPA for proper expenditure of the funds, and will be the point of contact for the other coalition members. All coalition members must submit a letter to the lead grant applicant in which they agree to be part of the coalition.

RLF grants provide funding for a grant recipient to capitalize a revolving loan fund from which to provide loans and subgrants to carry out cleanup activities at brownfield sites. Funds may be used to clean up sites contaminated with petroleum and/or hazardous substances. The grant period is five years. The brownfields grant will be awarded in the form of a cooperative agreement.

At least 60 percent of the awarded funds to capitalize and implement a revolving loan fund. An RLF grant recipient may use no more than 40 percent of the awarded funds for subgrants and may not subgrant to itself. The RLF CAR may subgrant to other coalition members and may use its funds to award cleanup subgrants to other eligible entities for brownfields cleanups on sites owned by the subgrantee.

In addition to direct costs associated with the cleanup of a brownfield site, grant funds may also be used for programmatic management of the grant, such as required performance reporting, construction oversight, environmental monitoring of cleanup work, and funds management. Ten

percent of its grant funds for health monitoring, monitoring and enforcement of any institutional control, and other related program development and implementation activities (e.g., writing local brownfields-related ordinances) to effectively oversee assessments and cleanups described in an EPA-approved work plan. A portion of any brownfields grant or loan may also be used to purchase environmental insurance. Grant funds cannot be used for administrative costs, such as indirect costs, of grant administration with the exception of financial and performance reporting.

Proposed Grant Application: This proposal is to form a coalition of California Council of Governments to obtain RLF grant funds to serve their member jurisdictions, with priority given to growth areas developed from the Caltrans Blueprint Grant, or other COG board-approved criteria. The coalition will be memorialized by a memorandum of understanding which will specify fund distribution, management, priorities and program goals. One of the coalition COGs will serve as the CAR. The COGs may determine independently the type of projects to prioritize (i.e., mixed-use, open space, housing, commercial, etc.).

Role of the CAR. The CAR will execute the agreement with the EPA, provide day-to-day management activities, periodic progress and financial reporting. An RLF administrator can assist the CAR carry out the responsibilities.

Role of the coalition members. The responsibilities of a coalition member include:

1. Execution of a cooperative agreement
2. Provide notice to member jurisdictions of the availability of grant funds.
3. Provide direction to the coalition of the priority areas in their jurisdiction
4. Participate in the loan committee, which sets loan fund goals, recommends approval of loans, and other goals of the coalition

Role of CCLR: The Center for Creative Land Recycling (CCLR or "see clear") is a nonprofit organization focused on creating sustainable and equitable communities by encouraging responsible patterns of land use and development. Our mission is to reduce energy consumption and reverse global climate change by facilitating land recycling and brownfield redevelopment through creative public, private, and nonprofit partnerships. CCLR has the experience and expertise in managing RLFs throughout California. CCLR is a strategic partner in the CalReUSE assessment loan program and brownfields cleanup grant program. CCLR staff has also managed EPA RLF grants, and will serve as the RLF administrator for the proposed coalition COG grant. The services of CCLR may be paid through a subgrant from RLF grant proceeds and/or loan fees from prospective lenders/grantees. CCLR time may also be credited as cost share for the grant.

Benefits to participating in the coalition:

1. Jurisdictions within each COG will have access to loan or grant funds to remediate sites within a COG's priority growth area, thus promoting infill.
2. The grant will bring much needed brownfields funding to California.
3. In addition to funding, COGs and their member jurisdictions can avail of in-kind technical assistance provided by CCLR

Please respond by September 17, 2009, indicating your interest in participating in the grant application. Please contact Ignacio Dayrit at 415-398-1080 or Ignacio.dayrit@cclr.org

Date

Henry Gardner
Executive Director
Association of Bay Area Governments
101 Eighth St.
Oakland, CA 94607

Dear Mr. Gardner,

The _____ is pleased to sign on as a coalition member of the Association of Bay Area Governments (ABAG) Brownfields Revolving Loan Fund (RLF). Through our participation, _____ undertakes a unique partnership that will encourage the cleanup of brownfield sites within our own local communities.

The _____ is an eligible entity pursuant to the grant guidelines. It is (if a county, 'a "local government" as defined under 40 CFR Part 31'; if a COG, 'is a "Regional Council or group of General Purpose Units of Local Government"').

_____ is dedicated to improving the economic and environmental health of _____ residents through the cleanup and remediation of brownfields. Brownfields blighting neighborhoods throughout California offer opportunity for new development that can benefit local areas and are crucial to encouraging sustainable development.

We also support the participation of the Center for Creative Land Recycling (CCLR, or "see-clear", a non-profit organization with extensive experience in managing brownfield programs, as a strategic partner.

Directing loans and subgrants to growth or priority areas facilitates the development of infill and smart growth. We look forward to participation in the development of additional criteria if and when the grant is received. Such criteria may include the type(s) of projects to prioritize (i.e., mixed-use, open space, housing, commercial, etc.).

A grant from the EPA to the coalition will provide _____ with the following benefits:

1. Coalition members will have access to loan or grant funds to remediate sites within a priority growth area, thus promoting infill;
2. The grant will bring much needed brownfields funding to California;
3. In addition to funding, coalition members can avail of in-kind technical assistance provided by CCLR.

A RLF award to the coalition will provide _____ much needed funds for local brownfield cleanup and redevelopment. We look forward to our partnership with ABAG and CCLR to help our communities achieve their economic and environmental revitalization goals.

Sincerely,

cc: Kenneth Moy, ABAG Legal Counsel
Kenneth Kirkey, ABAG Planning Director
Herbert Pike, ABAG Finance Director
Ignacio Dayrit, CCLR

Importance: High

Curt Pringle, Chairman
Tom Umberg, Vice-Chair
Russell Burns
David Crane
Rod Diridon, Sr.*
Fran Flores*
Richard Katz
Judge Quentin L. Kopp*
Lynn Schenk
*past chair

ARINC



CALIFORNIA HIGH-SPEED RAIL AUTHORITY

FOR IMMEDIATE RELEASE CONTACT: Kris Deutschman
September 23, 2009 916-444-8801

Board Votes to Include \$4.5 Billion for High-Speed Train Projects In California's Federal Stimulus Funding Application

Proposal backed by support from regions throughout the state

Sacramento – The California High-Speed Rail Authority on Wednesday unanimously approved an application for more than \$4.5 billion in federal stimulus funding for engineering, design and construction on the state's high-speed train system – generating an investment of \$9.1 billion when state matching funds are added.

Governor Arnold Schwarzenegger is expected to formally submit California's bid by the federal government's Oct. 2 deadline for states to seek a share of \$8 billion set aside for high-speed train development under the American Recovery and Reinvestment Act.

"California is a leading contender for this federal funding because our true high-speed rail system is further along than any other project in the country," said Authority Board Chairman Curt Pringle. "Plus, we can double the value of the federal government's dollars by matching them with state bond funds approved by California voters last year, we can break ground before the federal government's deadline, and we can show that our early projects can stand alone as important improvements in their own right."

The Board approved a detailed package of dozens of engineering, environmental review, design-build, train control and electrification projects among every section of the 800-mile system.

The state's application includes:

- \$1.28 billion for San Jose to San Francisco, including station improvements, grade separations, electrification and safety state-of-the-art "positive train control" in an upgraded, shared alignment with Caltrain.
- \$466 million for Fresno to Merced, including right-of-way acquisition, grade-separations,

utility relocation, environmental mitigation, earthwork, guideway structures and track.

- \$819.5 million for Bakersfield to Fresno, including right-of-way acquisition, grade-separations, utility relocation, environmental mitigation, earthwork, guideway structures, track relocation and new track.

- \$2 billion for Los Angeles to Anaheim, including high-speed train facilities at Los Angeles Union Station (LAUS), Norwalk Station, and the Anaheim Regional Transportation Intermodal Center (ARTIC); right-of-way acquisition, grade-separations, utility relocation, environmental mitigation, earthwork, guideway structures, tunneling, and track work.

Community, business and government leaders from around the state packed the hearing room in support of California's application. The mayors of San Jose, Fresno and Fullerton were among those who called on the Authority Board to approve the application package.

~~Assemblywoman Cathleen Galgiani, author of the legislation that placed Proposition 1A, the successful high-speed train bond act on the ballot last November, told the board she wholeheartedly supports the Authority's recommendation.~~

"Our application is very competitive – the only true high-speed system in the country capable of travel up to 220-miles an hour," said Galgiani, who represents a Central Valley district. "It will bring badly needed jobs and economic activity to the state immediately."

The Authority Board also received dozens of letters of support for the application from local governments and agencies, business groups and other organizations around the state.

The full staff recommendation for stimulus funding is available at:

<http://www.cahighspeedrail.ca.gov/library/Default.aspx?ItemID=8648> .

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925 L Street, Suite 1425 • Sacramento, CA 95814 • 916.324.1541 • fax 916.322.0827

www.cahighspeedrail.ca.gov



LEGISLATIVE UPDATE

SB: 406: Land Use – Environmental Quality

BACKGROUND

Provided by Candice Steelman, Chair, VALLEY LEGISLATIVE AFFAIRS COMMITTEE (VLAC)

SB 406 (DeSaulnier) Land Use: Environmental Quality

The legislative session ended mid-September and will reconvene Jan. 4, 2010. In the meantime, several hundred bills are awaiting the Governor's signature, which he has until Oct. 11 to sign or veto. One of those still pending is SB 406, a cleanup bill for SB 375. SB 406 gives metropolitan planning organizations (MPO) that have a sustainable communities strategy (SCS) the ability to request that the Department of Motor Vehicles attach a \$1-\$2 fee to vehicle registrations to be used for SCS planning. This bill squeaked through both houses by a slim margin.

While most of the focus and amendments have been on the fee and how it was to be collected, the bulk of the bill deals with the greatly expanded duties of the Planning Advisory and Assistance Council (PAAC), which is under the Office and Planning and Research within the Governor's office. The PAAC will add 12 members, seven from regional planning organizations, one of which is from the San Joaquin Valley Regional Policy Council.

This bill adds to the membership of PAAC, the following members:

Seven representatives of regional planning organizations.

One member of the State Air Resources Board (ARB).

One member of the California Transportation Commission (CTC).

One member of the State Energy Resources Conservation and Development

One member appointed by the Speaker of the Assembly

One member appointed by the Senate Committee on Rules.

Rationale for Support: Provides a permanent and necessary funding source for the regional and local planning required to successfully implement SB 375 through DMV fees. Currently, the San Joaquin Valley's MPO's are requesting one-time funding through Prop 84, which will not be sufficient to complete the technical work necessary to address Blueprint and Sustainable Communities Strategy work. The administration and coordination of the SB 406 funding stream is facilitated by the 12 member PAAC, including a member from the San Joaquin Valley Regional Policy Council, who are in a position to advise the Strategic Growth Council on the best methods to accomplish reduction of traffic congestion and support affordable housing. Fees from DMV revenue are to be used for staffing and technical costs associated with compliance of SB 375 to identify strategies to address greenhouse gas issues, and more efficient land use patterns.

Opposition: No formal public opposition by MPO's has been initiated as there is an understanding that AB 32 and SB 375 are state mandated, and a funding source must be identified in order to carry out the necessary work to meet the requirements that will be forthcoming from the Planning Advisory and Assistance Council (PAAC). The only philosophical argument addressed primarily by San Diego Association of Governments, and Southern California Association of Governments has been that an increase in vehicle fees puts additional burden on the cost of vehicle ownership in California, an unpopular public policy in the current economic environment.

Measure C Citizen Oversight Committee – List of current members and applicants in a selection matrix by required category

X = Current Oversight Committee Members whose terms have not expired

* = Previous Member, term expired, wants to renew for a second term

Current Member	Six public at large members (pick 4)	BoS District # - (Must pick one per district from the following 3 categories:)					FCMA (Pick 2 more for a total of 5)			Uninc. Rural East of 99 (pick 1)		Uninc. Rural West of 99		City Outside FCMA, (pick 1 to complete remaining term)		Seven Community Organizations (Pick 4)	Current Member
													Qualifies for both at-large and community organization				
X	Kuldip Kaleka	1				X						Ray C. Knight	Firebaugh Downtown Revitalization	X			
X	Dr. Harold M. Price	2	Fresno	X								Marc Johnson	Sanger Chamber of Commerce	X			
	Robert Reid	2	Clovis									Nicholas Paladino	Fresno Cycling Club	X			
	Kelly Bray	2	Fresno									Mary Savala	League of Women Voters	*			
*	Shawn David Carlson	3	Fresno														
	Tony Canales	5	Clovis														
*	Toni Pacini	4						Sanger	X			Toni Pacini	National Woman's Political Caucass				
	Dennis Manning	4	Clovis														
*	John Clements	4						Reedley	X			John Clements	Public School District - Transportation	*			
	John Donaldson	5				Fresno											
	Michael Sigala	5	Clovis														
*	Thomas Lang	5	Fresno						X			Thomas Lang	Aquarius Aquarium	*			
	Vong Mouanoutoua	5	Clovis						X			Vang Mouanoutoua	Lao Evangelical Church of Fresno				
*	Cynthia Matson	5	Clovis						X			Cynthia Matson	California State University Fresno	*			
	Jack "Wayne" Brandt	5				Reedley											
	Muriel Zahler	5				Fresno											

