

CITY OF OAKLAND
Agenda Report

2007 NOV 15 PM 7:22

To: Council President Ignacio De La Fuente
Chairperson, Rules and Legislation Committee
From: Lupe Schoenberger, Rules Committee Legislative Analyst
Date: November 29, 2007
Re: An Informational Report Detailing Townsend Public Affairs's (TPA)
Lobbying Efforts on Behalf of the City of Oakland During the 2007 State
Legislative Session

SUMMARY

On November 1st, 2008, the Rules Committee reviewed the 2007 State Legislative Agenda year end report prepared by Townsend Public Affairs. The Committee requested that TPA prepare a report that gives more detail about their lobbying activities and accomplishments. The report is attached for the City Council's review.

RECOMMENDATION

Staff requests that the Rules and Legislation Committee accept the report

Respectfully submitted,



Lupe Schoenberger
Rules Committee Legislative Analyst



MEMORANDUM

To: City of Oakland
From: Townsend Public Affairs, Inc.
Date: November 6, 2007
Subject: 2007 State Government Advocacy Summary Report

Following the end of the first year of the 2007/2008 legislative session, Townsend Public Affairs, Inc. (TPA) is submitting this 2007 Year-End Report: State Advocacy Priorities for the City of Oakland to reflect the current status of our state government advocacy efforts on behalf of the City.

The main focus in the state legislature this past year was the implementation of the major accomplishments from last year: The 2006 State Infrastructure Bonds and AB 32, the Global Warming Solutions Act of 2006. It remains to be seen if consensus will be reached on healthcare and water infrastructure, though significant strides were made on appropriating and beginning to spend the 2006 infrastructure bonds. We responded in kind with the City of Oakland, working to secure funding, appropriations, and implementing language in several top priority transportation and housing programs. In addition, to help the City tackle some of the on-going challenges of public safety and development, we worked to develop and advocate for several major City-sponsored initiatives. The attached report will provide a summary of the full scope of work for the City and where we stand on on-going issues. To give you a quick summary of the highlights, please note the following:

1. **SB 67 (Perata):** Oakland's top priority legislation to reinstate the 30-day impoundment provisions for vehicles involved in sideshow-related activities was passed and signed.
2. **AB 508 (Swanson):** The controversial food stamps for ex-offender legislation sponsored by the City made it all the way through the legislative process, further than was expected, but was vetoed by the Governor at the last hour on the last day he had to act on bills.
3. **Prop. 1B Corridor Mobility Improvement Act Funding:** The City joined in the effort to secure over \$465 million in funding for regional transportation projects in Alameda County.
4. **Prop. 46/1C Affordable Housing Funding:** We worked with the City and local partners to secure over \$12 million in funding for affordable housing through Propositions 46 and 1C.
5. **Prop. 1B Local Streets & Roads Funding:** The City spearheaded the effort to expedite disbursement of \$550 million from Prop. 1B, providing \$6 million in FY08 for Oakland.
6. **Gang Prevention and Suppression Funding:** We led the effort to secure \$13 million in the budget for comprehensive programs to address gang violence in urban centers like Oakland.
7. **Infrastructure Bond Implementation:** Working with the City and similar interests in Sacramento, we made substantial progress on appropriating and beginning the regulation development and disbursement of significant transportation and housing bond funding that will be released through competitive programs starting in 2008.

The remainder of the report provides additional details on the activity conducted in support of the state advocacy agenda of the City of Oakland.

2007 STATE GOVERNMENT ADVOCACY REPORT

LEGISLATIVE PRIORITIES:

IMPLEMENTING LEGISLATION FOR THE 2006 STATEWIDE INFRASTRUCTURE BONDS:

Ensure that the City of Oakland's priorities are met by any legislation that would implement, amend, or affect any of the potential funding opportunities from the \$43 billion in statewide infrastructure bond measures approved by California voters in November 2006.

Background: On November 7, 2006, the voters of California approved approximately \$43 billion in general obligation bond funding to invest in the infrastructure of the state. Propositions 1B, 1C, 1D, and 1E will provide \$37.3 billion for transportation, housing and urban infill infrastructure including parks and transit-oriented developments, schools, and flood protection. Proposition 84, an initiative placed on the ballot by voter initiative, also authorizes \$5.4 billion for water quality, conservation, and park programs. Some of this funding was allocated by formula, some through existing programs, and some will be spent according to programs and criteria that were defined this year or will be defined in the 2008 session by the Governor and Legislature. TPA was and will continue to be actively involved in ensuring that the implementing legislation and the grant guidelines address the needs of Oakland. Given the magnitude of opportunities at the state level and the need in Oakland, securing funds from these measures must continue to be one of the top priorities for the City in the 2008 legislative session.

Status: The infrastructure bond implementation process has begun for a number of programs. TPA and the City of Oakland have been actively involved in the implementation of Proposition 1B and Proposition 1C. We successfully worked to secure the appropriation of significant funding from several important programs to the City in the FY08 budget: \$550 million from the Prop. 1B Local Streets and Road Program; \$300 million from the Prop. 1C Urban Infill program; and \$95 million from the Prop. 1C Transit Oriented Development program. We have since monitored all implementation workshops, submitted public comment, and advocated for changes to the programs so that the City is positioned to secure funding in the coming fiscal year.

TPA has been particularly active on the implementation of Proposition 1B. We worked with City staff on the Corridor Mobility Investment Account (CMIA), the Local Streets and Roads account, the State and Local Partnerships fund, and the Goods Movement Account. TPA, on behalf of the City of Oakland, coordinated efforts with the League of California Cities to ensure timely distribution of the local street and roads funding and the City of Oakland will receive \$13,005,603 in two allocations of approximately \$6 million, with the first coming in FY08. Lastly, at the request of the City, TPA has met with the Port of Oakland to ensure coordination of our legislative efforts to maximize the funding allocated to the City of Oakland.

Summary of Activity:

- For every one of the City's top priorities, our general work protocol begins by learning and understanding what the City wants to achieve, which involved in this case meeting with every City Department on an individual basis to identify the capital development priorities they have. For these initial meetings we provided a comprehensive briefing on the funding opportunities available and provided preliminary feedback on how the City's priorities match with the funding available.
- Following up on the initial briefing sessions with City staff, we conducted additional research on what the various legislators and agencies implementing the 2006 Infrastructure Bond funding had in mind for how they wanted to spend the funding, identifying the threats and opportunities at the state level of government that could affect the City's strategic capital improvement agenda.

- We then worked with City staff to develop legislative and regulatory input to propose to the various legislators, committees, and regulatory agencies. We would exchange language for letters and amendments until mutually agreed upon with the City. We then coordinate the submittal and dissemination of the language needed, conducting follow-up meetings with the legislators and staff.
- On the infrastructure bond funding, beginning in late 2006, TPA also began the process of building the "Big Ten" City coalition, engaging directly with the intergovernmental relations offices for cities with shared interests such as Los Angeles, San Jose, San Francisco, Fresno, and Santa Ana
- Throughout the year, we conducted briefing sessions with other interest groups including advocacy organizations representing interests within Oakland such as the advocate representing the developer of the MacArthur Bart Station. We share information and make sure that the City's position and the position of advocates pursuing funding for projects that are also City projects, coincides.
- In the case of the Proposition 1C TOD funding, for example, the initial draft guidelines proposed by the California Housing & Community Development Department (HCD) were very flawed and would have excluded many of the Oakland BART TODs. We conducted an analysis of the guidelines, shared our findings with the City, the City staff then prepared a draft letter of input, we provided feedback on this draft letter, and once finalized we distributed the letter to key staff for the original authors of the legislation and for HCD conveying the importance of modifying the TOD language so that it would not inhibit Oakland from competing. As an example of our advocacy efforts on this program, EVERY TOD project in the City of Oakland was excluded from applying in the initial TOD criteria because of a threshold related to the on-time performance of public transportation. TPA successfully worked with HCD to alter this requirement to work for the City of Oakland. The new regulations were just released and are a significant improvement over the initial draft.
- This same protocol described for the Prop. 1C TOD funding was what was implemented for every one of the infrastructure bond funds by TPA with the City.

CALIFORNIA ENTERPRISE ZONE PROGRAM: Ensure the continuation of the designation of Oakland as a California Enterprise Zone and the benefits associated with this designation.

Background: The California Enterprise Zone Program has been subject to extensive legislative, regulatory, and executive scrutiny and modifications in recent years. The California Department of Housing & Community Development (HCD) just concluded a process of redesignating 23 zones that expired in 2006 or will expire in 2007. Oakland's designation is scheduled to expire September 27, 2008, and since the EZ Program represents one of the City's strongest economic tools to attract and retain businesses, it is critical that Oakland be redesignated as well in the next application cycle. The City must ensure the continuation of its designation as an EZ and the optimal benefits and flexibility that come with the designation. We are actively ensuring that the benefits derived from the designation remain to the maximum extent possible, that Oakland continues as a zone, and that there is optimal flexibility for administering the zone

Status: In the 2007 session, TPA successfully worked with Senator Lowenthal to secure passage and signature of SB 341 to permit the City of Oakland to move forward on an Enterprise Zone application without completing a full Environmental Impact Report (EIR). Under the new legislation, applicants for designation may submit only an initial study with their application if their initial study shows that a full environmental impact report (EIR) is not required. Later, if the applicant becomes conditionally designated, it may submit either a negative declaration or mitigated negative declaration instead of the EIR previously required of all newly-designated enterprise zones. In addition to our work on SB 341, the City of Oakland was recently audited and TPA worked with the

Department of Housing and Community Development to ensure that Oakland staff was prepared for the audit and ready to address the State's concerns. The City of Oakland will be submitting an application by the November 16, 2007 deadline, at which point TPA will further ramp up our efforts to secure redesignation, which affords important benefits to businesses within the City.

Summary of Activity:

- We conducted an initial briefing session with the EZ coordinator for the City and overall economic development team, seeking input on what the City would like to see in general on the economic development and Enterprise Zone program front, providing a briefing to them in advance on the legislative and regulatory threats and opportunities at the state.
- We then met with the authors of the legislation affecting Enterprise Zones, including for example Senator Alan Lowenthal, author of SB 341, to convey the City's interest in having maximum flexibility with regards to the EZ program.
- The City sought our feedback on how best to prepare their application for redesignation and what priority issues to focus on so that the application will be ranked high by the state. We responded in kind and will, once the application is submitted, work to advocate that the City be redesignated as an EZ.
- We are in approximately weekly communication on numerous fronts with various staff members of the Housing & Community Development Department that oversees the EZ program, and we regularly check in with the staff regarding their perception of Oakland and their "hot button" issues regarding the EZ program. We share this feedback rapidly and regularly with the City and help the City staff respond effectively to maintain good standing with the state.

LEGISLATIVE MONITORING:

In the 2007 session, TPA monitored on behalf of the City all legislation related to the following priority topics and lobbied those bills that the City chose to take a position on. Attached to this report is the full legislative matrix including all bills of relevance to the City.

General Summary of Activity:

- We provide biweekly reports or more frequently as needed on any and all legislation that is introduced that could affect the City of Oakland.
- After a preliminary reading of the legislation, we provide written and verbal feedback to the City of how we see the bill potentially affecting their interests and what the political dynamics are surrounding the proposal.
- To gather feedback relevant to the City, we meet weekly with the League of California Cities, and regularly with Local Government Committee Staff, and Oakland state legislative delegation staff.
- City staff takes our reports and shares them with the appropriate Department staff. We then will occasionally engage with Department staff in a "back and forth" to further define the issue or issues surrounding the legislation.
- If the City decides NOT to take a position on the legislation at any given point, we continue to monitor the legislation in case it is amended in any way or in case its status changes in a way that could affect the City.
- If the City decides to take a position, we work with City staff to provide input for the analysis.
- Once the City has taken a position, we draft the corresponding letter of support or opposition or other position as the case may be.
- Once the position letter is finalized, we then distribute it to the relevant committee and legislative staff as well as the Governor's office as needed, briefing the members and staff in greater detail on the City's position.
- As the bill then proceeds through the committee process, we testify at every hearing making sure the City's position is well represented.
- We also participate in any unofficial discussions about the bill with fellow stakeholders, making sure Oakland's position is effective, informed, and well-represented.
- As needed, in specific cases, we also will assist legislators with talking points so that they can also effectively advocate for or against the legislation representing why it benefits or hurts the City.

Specific Summary of Activity:

- Work done by TPA with regards to legislation that the City takes a position on can vary significantly depending on the issue and how the City voices its position. There are bills, for example, where the City is asked to do a letter of support or opposition by another interest group. Often times, the Mayor may choose to do a letter. In these cases, we help provide an analysis as to the potential costs and benefits of engaging, draft the letter, and help distribute it as needed to the requesting agency. This protocol would apply to the following bills that the City took a position on as noted below: AB 1502 and SB 752.
- Other times, there are bills that the City becomes an active and significant voice on, for example SB 2 (Cedillo). In this case, TPA worked extensively with the City Council, Mayor's office, City Department Staff, City Attorney Staff, staff of the author of the bill, the staff of the committees through which the bill was passed, the Governor's office, the staff of Oakland's

state legislative delegation. Our role is as an advocate of the City's position and an advisor in helping to develop and state that position in the most effective manner. We helped conduct several analyses of different versions of the bill, and subsequently testified on behalf of the City in multiple committees, thoroughly briefing Oakland's state legislative delegation so that they could also understand and effectively factor in Oakland's position on legislation as they decided on their own.

- Ultimately, on SB 2, though it was not originally a City-sponsored bill, we became one of the lead lobbyists in Sacramento on the bill, with other cities including San Jose and Santa Monica looking to us for guidance on how best to oppose the bill. We invested significant resources in accurately and forcefully representing the City on this bill, seeking a veto by the Governor.
- Many of the additional 19 bills on which the City took a position in 2007 fall somewhere in between the level of activity conducted on SB 2 and AB 1502/SB 752. Overall, of the 22 bills on which the City has taken a position, we offer the following summary status points:
 - Six of the 22 bills were sent to the Governor for action.
 - 3 bills were signed; 3 vetoed; of these, 3 were acted upon in favor of the City's position and 3 in contrary to the City's position.
 - The remaining 16 bills are for the most part 2-year bills that we continue to monitor and advocate on for the City, or special session bills that are currently active.

Status of Bills on which the City took a Position: The following is a summary of the bills the City took a position on and a succinct summary of the status of the various topics of interest to the City:

	Bill	Oppose	Support	Status
1.	AB 21 (Jones): EITC		X	2 Year
2.	AB 45 (Swanson): OUSD Local Control		X	Vetoed
3.	AB 57 (Soto): Safe Routes to School		X	Signed
4.	AB 77 (Lieber): State Parole System Reform		X	2 Year
5.	AB 161 (Bass): Anti-Recidivism Grants		X	2 Year
6.	AB 167 (Bass): Cal WORKS Eligibility		X	2 Year
7.	AB 334 (Levine): Firearms: Loss and Theft		X IA*	2 Year
8.	AB 444 (Hancock): Vehicle Reg Fee for Congestion Relief		X	2 Year
9.	AB 658 (Bass) Crime: Homicide		X	Vetoed
10.	AB 1471 (Feuer): Firearms: Microstamping		X IA*	Signed
11.	AB 1502 (Lieu): Banking Development Districts		X	2 Year
12.	AB 1540 (Bass): Student Financial Aid		X	Signed
13.	AB 1648 (Leno): Police Records		X	2 Year
14.	SB 2 (Cedillo): Group Homes	X		Signed
15.	SB 46 (Perata): Proposition 1C Urban Infill Implementation		X IA*	2 Year
16.	SB 286 (Lowenthal): Transportation Bonds		X	Inactive
17.	SB 752 (Steinberg): CA Kids Invest. & Dvlpmnt. Savings Acct Act		X	2 Year
18.	SB 840 (Kuehl): Single Payer Health Care Coverage		X	2 Year
19.	SB 1019 (Romero): Police Records		X	2 Year
20.	SB X2 1 (Perata): 2008 Water Bond		X	Active
21.	SB X2 2 (Perata): Safe Drinking Water Act of 2008		X	Active
22.	SCA 12 (Torlakson): Local Government: Property Related Fees		X	2 Year

* IA (If Amended)

State Budget: Monitor and advocate for the City in the state budget process, including all relevant trailer bills.

- TPA was actively involved in the budget process including opposing the cuts to Cal Works and supporting new funding opportunities for anti-gang violence programs.

Redevelopment and Eminent Domain: Advocate for the City regarding proposals to modify redevelopment agency and eminent domain law.

- TPA closely monitored ACA 2 (Walters) and ACA 8 (De La Torre) which both addressed eminent domain issues, providing regular briefings to the City. Neither measure made it to the Governor's desk.

Transit Oriented Development: Support legislation that appropriates funds and/or offsets the cost for Transit Village planning, implementation, and construction, particularly replacement parking at the villages in the process of development and construction.

- TPA worked with the City of Oakland to submit feedback to the Department of Housing and Community Development on the draft guidelines for the TOD Housing Grant Program. Additionally, TPA provided the City with updates on AB 1091 (Bass), which was ultimately vetoed by the Governor.

Urban Infill: Support specifically defined CEQA exemption legislation without compromising environmental due diligence.

- TPA monitored the implementation of AB 32 to determine its impact on the CEQA requirements of local governments. Additionally, TPA provided the City with information on AB 29 (Hancock), SB 46 (Perata) and SB 86 (Budget Committee). SB 86 was signed by the Governor and is the general government trailer bill which allocated \$300 million of the \$850 million in funding in Proposition 1C for the implementation of the Urban Infill Incentives Program.

Flood Control and Storm Water Fees: Support legislation that would allow local governments more flexibility to achieve reductions in storm water and urban runoff pollution.

- TPA advocated for and the City of Oakland actively supported SCA 12 (Torlakson) related to Stormwater and urban runoff management fees.

Incentives for Green Business: Support legislation to create incentives for green business including energy and environmental technology and recycled material product development.

- TPA actively monitored legislative opportunities on this front, though ultimately no major green business incentive proposals came forward that the City decided to take a position on.

Crime and Violence Prevention: Support legislation that appropriates funds for violence prevention programs, which includes, but is not limited to, youth empowerment and after-school program-related legislation.

- TPA advocated for two bills supported by the City of Oakland, AB 161 (Bass): Anti-recidivism grants and AB 658 (Bass): Community Homicide and Violence Reduction Program, though both were unsuccessful in 2007. Also, in coordination with the Mayor's office, TPA worked with Senator Ridley-Thomas to ensure that his bill, SB 765: California Partnership for Urban Communities, would include the City of Oakland.

Utility User Taxes: Monitor legislation that addresses utility users taxes relative to intrastate, interstate and/or international telephone, cellular or wireless communication services.

- No legislation was introduced on this topic in 2007.

Affordable Housing: Support legislation that expands affordable housing opportunities.

- The City of Oakland did not take any positions on bills related to affordable housing though TPA did monitor the following bills which will all move in the 2008 session:
 - AB 232 (Price): Economic Opportunity Initiative Program
 - AB 1254 (Caballero): ERAF reduction for affordable housing
 - SB 303 (Ducheny): Land use planning
 - SB 934 (Lowenthal): Housing and infrastructure zones

Funding Priority for Housing Element Compliance: Support legislation that links a jurisdiction's eligibility for state funding to compliance with housing element policies.

- No legislation was introduced on this topic in 2007.

Residential Care Facilities: Support legislation that would grant the City more local control over certain residential care facilities. Oakland is the site of a disproportionate share of transitional housing. Some facilities are poorly run, causing problems for the neighborhoods in which they operate. The City of Oakland has limited control over their regulation and with more control could ensure that these facilities operate safely and effectively.

- On behalf of the City of Oakland, TPA actively worked to oppose SB 2 (Cedillo) related to land planning for emergency shelters. Unfortunately, this bill was signed into law by the Governor though the author promises to submit a bill in 2008 to "clean-up" the concerns of those opposed. TPA also monitored a number of bills which will all move through the legislative process in 2008:
 - AB 411 (Emmerson): Over-concentration of residential care facilities
 - SB 530 (Dutton): Location of drug and alcohol treatment facilities
 - SB 992 (Wiggins): Adult recovery maintenance facilities

Oakland Unified School District: Advise the Council of opportunities to support legislation to improve the quality of public education in Oakland schools and ensure local control.

- TPA worked with Assemblyman Swanson in support of AB 45 regarding the governance of Oakland Unified School District. The bill made it to the Governor's desk despite opposition from the State Superintendent but was ultimately vetoed by the Governor.

Franchise Tax: Oppose legislation that hampers the City's ability to generate franchise taxes. TPA will advise the Council on developments related to implementation of AB 2987.

- TPA monitored AB 1715 by the Utilities and Commerce Committee which "cleaned up" provision of AB 2987 regarding public infrastructure and video competition.

CITY-SPONSORED LEGISLATION:

Certain issues faced by the City can only be addressed with changes to existing state law. The following list summarizes the status of City-sponsored legislation pursued starting in 2007:

SB 67 (PERATA) SIDESHOWS: Develop and secure legislation that strengthens the ability of local jurisdictions to curb reckless driving exhibitions, commonly referred to as "sideshows". The City of Oakland has previously received state funding for abatement of sideshows but they remain a problem and more local control is needed, perhaps in the form of a "race legal" program as done in San Diego.

Status: *TPA successfully secured passage and signature by the Governor of SB 67 (Perata) which made permanent the provisions of SB 1489 (Perata) giving the City the ability to impound vehicles used in sideshows for 30-days. TPA coordinated its advocacy efforts with the cities of Stockton, Modesto, Fresno, Sacramento, and Elk Grove.*

Summary of Activity: Since the City was the sole sponsor of this legislation, TPA spearheaded the effort to ensure passage of this measure. These efforts included the following:

- Drafting the actual language of the sideshow legislation, which would later become SB 67.
- Developing a background sheet which was used to explain the problems associated with sideshows.
- Researching the history of the original legislative proposal including bill analyses, press accounts, court decisions and other related materials.
- Presenting the proposal to the Public Safety Consultant for Senator Don Perata for his authorship.
- Working with Councilman Larry Reid to draft a letter to Senator Don Perata to request he author the bill.
- Consulting with Legislative Counsel, the attorney for the Legislature, to ensure the proposal was drafted in a manner that accomplished the City's objective while written in a constitutional manner.
- Reviewed a number of California Supreme Court cases in relation to the proposed legislation
- Securing the authorship of Senator Perata who introduced the bill as SB 67.
- Ensuring the bill was drafted and introduced as an "urgency measure" so it could take effect prior to January 1, 2008.
- Coordinating three Sacramento Advocacy Days with the Oakland Police Department, the Office of Councilman Reid and Oakland Residents to educate legislators and staff on the importance of SB 67 to the City.
- Securing Assemblywoman Loni Hancock as the Assembly Floor Manager for SB 67 in order to present the bill to the entire body of the Assembly.
- Meeting with opposition including the California Attorneys for Criminal Justice in order to understand their concerns.
- Assuaging the concerns of Assembly Speaker Nunez and Assemblyman Swanson in order to assure the bill's passage off of the Assembly Floor.
- Delivering letters of support to committee consultants and committee members prior to the hearing.
- Monitoring similar legislation and legislative proposals that had a potential impact on the fate of SB 67.
- Developing talking points for the Mayor to use when discussing the measure with Governor Schwarzenegger.
- Coordinating a press event with the Governor's Office to announce the enactment of SB 67.
- Meeting with consultants, staff and interest groups in support of the legislation, including:
 - Senate Public Safety Committee Staff

- Assembly Public Safety Committee Staff
- Assembly Transportation Committee Staff
- Office of Speaker Fabian Nunez
- Office of Assemblymembers: Greg Aghazarian, Joel Anderson, Wilmer Amina Carter, Hector De La Torre, Mark DeSaulnier, Michael D. Duvall, Cathleen Galgiani, Martin Garrick, Shirley Horton, Guy S. Houston, Bob Huff, Betty Karnette, Fiona Ma, Pedro Nava, Anthony J. Portantino, Ira Ruskin, Jose Solorio
- Office of Senators: Dave Cogdill, Gilbert Cedillo, Bob Margett, Mark Ridley-Thomas, Gloria Romero
- Coordinating testimony and testifying on behalf of the City of Oakland at the following committee hearings:
 - Senate Public Safety
 - Assembly Transportation
 - Assembly Appropriations
- Securing letters of support from the following interested parties:
 - Association for Los Angeles Deputy Sheriffs
 - Automobile Club of Southern California
 - Beat 35Y South Hills Neighborhood Crime Prevention Council
 - California District Attorneys Association
 - California Peace Officers' Association
 - California Police Chiefs Association
 - California State Sheriffs' Association
 - District Attorney Investigators in Los Angeles County
 - Foothill Blvd, LLC
 - League of California Cities
 - Los Angeles Police Protective League
 - Martyn Larsen Media, Inc
 - Office of the Sheriff San Bernardino County
 - Peace Officers Research Association
 - Riverside Sheriffs' Association

AB 508 (Swanson) SUPPORT FOR PAROLEES: Develop and secure passage of legislation that would restore the ability of drug related felons to receive food stamps. The Personal Responsibility and Work Opportunity Reconciliation Act, passed in 1996 by the federal government, bars those with drug-related felony convictions from receiving federal cash assistance and food stamps during their lifetime unless their state opts out of the program. To date, California has chosen not to fully opt out of the food stamps exemption.

Status: TPA worked with Assemblyman Swanson to introduce AB 508, which would have allowed everyone, regardless of criminal history, access to food stamps. Though we secured the unprecedented passage of the bill through the Legislature, the Governor vetoed the legislation.

Summary of Activity: Since the City was the sole sponsor of this legislation, TPA spearheaded the effort to ensure passage of this measure. These efforts included the following:

- Drafting language for the introduction of the legislation allowing those on parole for drug related offenses to access foodstamps.
- Developing a background sheet which was used to explain the proposed policy to interested parties.
- Researching the history of the past legislative proposals, including bill analyses, press articles, veto statements and other relevant materials.
- Discussing the previous failed measures with the bill authors and sponsors in order to understand the arguments used to defeat the measure in the past.

- Presenting the proposal for potential authorship to Assemblyman Mark Leno, Assemblyman Sandre Swanson and Assemblywoman Loni Hancock.
- Consulting with Legislative Counsel, the attorney for the legislature, to ensure the proposal was drafted correctly.
- Securing the authorship of Assemblyman Swanson who introduced the bill as AB 508.
- Presenting the proposal for Senate floor management to Senator Perata, Senator Romero and Senator Steinberg.
- Providing talking points for Mayor Dellums to discuss AB 508 with Governor Schwarzenegger, Assembly Speaker Nunez and Senator Perata.
- Developing talking points for Assemblyman Swanson for use during the policy committee hearing and on the Assembly Floor.
- *Securing Senator Steinberg as the Senate Floor Manager for SB 67 in order to present the measure to the entire body of the Senate.*
- Disseminating letters of support to committee staff and committee members prior to the hearing.
- Coordinating and leading numerous conference calls with interested parties including:
 - Councilwoman Nancy Nadel
 - City and County of San Francisco
 - County of Alameda
 - Hunger Action LA
 - National Association of Social Workers
 - Western Center for Law and Poverty
 - Alameda County Food Bank
 - California Food Policy Advocates
 - California Association of Food Banks
- Meeting with opposition including the Department of Finance and the California District Attorneys Association to encourage a neutral position.
- Spearheading a letter writing campaign in an effort to encourage the Governor to sign the measure.
- Avoiding an effort to amend the bill and reinforcing the City of Oakland's desire for the full and complete opt out of the ban on food stamps for individuals convicted of drug related felonies.
- Meeting with the following consultants, staff and interest groups in support of the legislation:
 - Senate Health and Humans Services Committee Staff
 - Assembly Human Services Committee Staff
 - Office of Assemblymembers: Beall, Berryhill, Davis, DeSaulnier, Krekorian, Spitzer
 - Office of Senators: Alquist, Cogdill, Harman, Romero, Yee
- Testifying and coordinating testimony on behalf of the City of Oakland at the following committee hearings:
 - Assembly Human Services
 - Assembly Appropriations
 - Senate Health and Human Services
 - Senate Appropriations
- Securing letters of support from the following interested parties:
 - Alameda County Board of Supervisors
 - Alameda County Community Food Bank
 - Allied Fellowship Service
 - American Civil Liberties Union
 - Association of Alcohol and Drug Program Executives, INC
 - California Association of Addiction
 - California Association of Alcohol and Drug
 - California Catholic Conference
 - California Hunger Action Coalition

- Coalition for Effective Public Safety
- Drug Policy Alliance Network
- Program Executives, INC.
- Recovery Resources
- San Francisco Safe Communities Reentry Council
- Western Center on Law & Poverty

AB 960 (HANCOCK) PROBLEM LIQUOR STORES: Develop legislation that would provide local jurisdictions additional powers to mitigate or shut down nuisance liquor stores and to limit the types of products sold.

Status: *TPA worked with Assemblywoman Hancock to introduce AB 960 to address the over concentration of liquor stores and the problems associated with these liquor stores in the City of Oakland. This bill was held in its first committee but will be eligible to move through the legislative process in January of 2008.*

Summary of Activity: The City was the sole sponsor of this legislation, TPA worked closely with the City Attorney's office in an effort to pass this measure. While this legislation did not ultimately move out of committee, TPA's activities on the measure include the following:

- Consulting with Legislative Counsel, the attorney for the Legislature, to ensure the proposal was drafted in a manner that accomplished the City's objective while written in a constitutional manner.
- Developing a background sheet which was used to explain the problems associated with the over concentration of liquor stores in certain parts of Oakland.
- Presenting the proposal to several different Legislators in an effort to have them author the proposal.
- Securing Assemblywoman Hancock as the author of the proposal, which would be introduced as AB 960.
- Meeting with the Chief Counsel and Legislative Director of the Department of Alcoholic Beverage Control (ABC) to discuss their concerns with the legislation.
- Working with the Assemblywoman, Legislative Counsel, and ABC to determine if alternative language could be crafted to address the over concentration issue and was acceptable to ABC.
- Coordinating a Sacramento Advocacy Day with the City Attorney and community stakeholders prior to the bill being heard in committee.
- Attending meetings with the City Attorney and Assembly Governmental Organization staff and members, including:
 - Assemblymembers: Kevin De Leon, Noreen Evans, Lloyd Levine, Jim Silva, Alberto Torrico, and Van Tran
- Assisting with the coordination of testimony at the Assembly Governmental Organization committee hearing.
- Coordinating the request of a report from ABC on the over concentration of liquor stores and revocation of liquor licenses.
- Assisting with the coordination of an informational hearing of the Assembly Governmental Organization committee in Oakland on the topic of over concentration of liquor stores (to be held in early December).

AB 499 (SWANSON) SEXUALLY EXPLOITED MINORS: The following legislative proposals will be explored to address the pervasive and growing problem of prostitution and sexual exploitation in the City of Oakland: 1) Develop legislation that creates a definition for "sexually exploited minors" in order to facilitate data collection and tracking. 2) Develop legislation that extends a sexually exploited minor's holding time in Juvenile Hall to allow more opportunity for counseling intervention. 3) Develop legislation that allows sexually exploited minors the right to have an advocate such as the advocates that sexual assault victims are entitled to have 4) Develop legislation to clarify sections of Penal Codes 647 (a), 647 (b) and 236.1 as recommended by our District Attorney.

Status: TPA worked with Alameda County to co-sponsor AB 499 (Swanson) to address the sexual exploitation of minors in the City of Oakland. This bill was held in its first committee but will be eligible to move through the legislative process in January of 2008.

Summary of Activity: The legislation was introduced at the request of the County of Alameda and the City voted to take a more active role in the measure on June 5, 2007. The bill was held in the Assembly policy committee in order to give the author more time to work out the Constitutional issues surrounding the measure. Since the adjournment of session, the author has refocused on this measure and TPA will continue to work towards the successful passage of this measure. TPA's activities on the measure to date include the following:

- Testifying, on behalf of the City of Oakland, at the Assembly Public Safety Committee hearing.
- Participating in working group meeting with Oakland City staff, Alameda County staff and the Office of Assemblyman Sandre Swanson.
- Researching potential legislative solutions to provide services for sexually exploited minors.
- Securing the support of the California Commission on the Status of Women for this measure.

AB 516 (SWANSON) HEALTHCARE: Develop and promote legislative language within pre-existing legislative proposals to expand and improve the healthcare system in the State of California, focused first and foremost on ensuring coverage for all children in Oakland, then on additionally covering the poor and working poor, though ideally on achieving universal coverage. Build upon the health policy recommendations of The Way Out, the Final Report of the Dellums Commission of the Joint Center for Political and Economic Studies.

Status: TPA worked with Assemblyman Swanson to introduce AB 516 related to healthcare. This bill was to be used as a placeholder to develop an Oakland pilot program related to comprehensive healthcare reform. The legislature has yet to come to an agreement on healthcare reform. For the 2008 session, we will need to rethink our strategy on this legislative proposal.

Summary of Activity: AB 516 was introduced as a spot bill and did not move out of the Assembly Appropriations Committee in 2007 given the stall in the legislature on comprehensive healthcare reform. It will be eligible to move in early 2008 and TPA is working with City Staff and the City's community based healthcare providers as well as Assemblyman Dymally, Chair of the Assembly Health Committee to develop a successful bill proposal. TPA's work on this measure has included the following:

- Testifying, on behalf of the City of Oakland, at the Assembly Health Committee and the Assembly Appropriations Committee
- Participating in strategy sessions with staff from the City of Oakland, consultants from the Assembly Health Committee and staff from the Office of Assemblyman Swanson.
- Researching potential legislative opportunities to increase access to healthcare for residents of the City of Oakland.

POWER TO PROSECUTE MISDEMEANORS: Develop legislation to authorize a deputy city attorney to act as city prosecutor and prosecute misdemeanor offenses arising out of violations of state laws or municipal codes. Prosecutions would be strategic and focused on Community Policing efforts and improving the quality of life for Oakland residents.

Status: *The City of Oakland successfully obtained the authority to prosecute misdemeanors through local negotiations with the Alameda County District Attorney.*

FUNDING PRIORITIES:

The City Council and City staff identified projects eligible for current and future state grant funding opportunities. TPA engaged on multiple funding programs for the City in Sacramento in 2007 and was able to both secure significant funding and create new and on-going funding opportunities.

Funding Successes in 2007:

\$465 million from the Proposition 1B Corridor Mobility Improvement Act

On the first round of funding from Proposition 1B, the \$4.5 billion Corridor Mobility Improvement Act funding, though the City of Oakland could not be a recipient as the funding was routed to regional transportation agencies, we worked closely with the City of Oakland in advocating with the MTC and AC-CMA to secure funding for regional projects that would benefit the City. In the final allocation of funding, Northern California received \$1.8 billion, of which the Bay Area received \$1.28 billion, of which Alameda County including Oakland received \$465 million, by far the most successful showing for a region when compared to the share that we would get based on population and the initial staff recommendations, which had the Bay Area, for example, receiving only \$600 million.

Summary of Activity:

- We coordinated the invitation of top transportation legislative staff from Sacramento to visit Oakland and receive an in-depth briefing on the top priorities for Oakland for the CMIA.
- We met with City and regional transportation officials regarding the 880/23/29th project, developing a strategy to get this project funded within the CMIA, or in another Proposition 1B funding
- When the initial recommendations came out, we informed the City and helped develop a strategy to respond with the help of the Mayor.
- We drafted a letter and talking points for calls by the Mayor in support of the regional transportation project funding plan developed by the MTC.

\$12.1 million from Proposition 46 and 1C for Affordable Housing

In 2007, the California Department of Housing and Community Development awarded the City of Oakland and its local housing partners over \$12 million in funding for affordable housing through Proposition 46 and Proposition 1C. This funding allowed the City of Oakland to facilitate homeownership opportunities, develop and rehabilitate emergency and supportive housing for homeless families and support a project of the City's choosing as an incentive for successful housing development.

Summary of Activity:

- We prepared a comprehensive briefing on housing funding and submitted it to the City to disseminate to local partners and City staff.
- We hosted meetings and answered questions from city staff regarding the grant programs.
- Once applications to funding were drafted, we reviewed and helped further improve the applications for final submittal.
- After helping the City and local partners develop and submit the strongest applications possible, we developed a strategy to inform our local legislators and seek their support for full funding of Oakland projects.
- We directly engaged with the Housing and Community Development Department and top staff within HCD to convey the importance of this housing funding for the City.
- Once funding was announced, we informed the City and local partners of the successful team effort and helped coordinate the announcement of the funding success.
- After announcing the funding, we coordinated follow-up to inform and thank our legislative and administrative supporters.

\$6 million from Proposition 1B for Local Streets and Roads Funding

TPA worked closely with the League of California Cities to ensure rapid disbursement of the \$1 billion in funding for cities and counties from the Local Streets and Roads Account contained in Proposition 1B. The FY 2007/08 Budget Bill included a \$550 million appropriation from which the City of Oakland will receive \$13,005,603 in two allocations of a little over \$6 million, with the first coming in FY08.

Summary of Activity:

- This was a top priority for the City in terms of funding given the major back-log of local road maintenance. We thus made this issue a top priority for us in Sacramento, taking lead in building strong support for prioritizing front-loading of this funding versus other state bond funding.
- We worked with the author of SB 286, Senator Alan Lowenthal, to inform him early of Oakland's need for local road funding.
- We reported regularly to City staff on the competing dynamics in the budget process so as to inform the City's development of an analysis and position.
- Once the City took a position in support of SB 286 and the concept of maximum expediting of Prop. 1B local road funding, we testified at all hearings on the bill and the funding program, drafting talking points and position statements for allies and for representatives from the City to directly advocate for this funding.
- When the funding was threatened mid-way through the budget process, we coordinated the City efforts further with the League to express the City's opposition to reducing the amount of Proposition 1B local road funding appropriated in the budget.
- When competing interests move to push back on the Prop. 1B local road funding to open up the potential for appropriation or their top bond funding priorities, we rallied with other cities and the League to make sure Oakland's state legislators and legislative allies knew that the City would not accept the maximum amount of funding possible from this program.

\$1.1 million from the Proposition 40-funded California Cultural & Historical Endowment

The City of Oakland and the Oakland Redevelopment Agency applied for competitive grants from the California Cultural and Historical Endowment for the Peralta Hacienda and the Oakland Fox Theater, respectively. The Redevelopment Agency's application was recommended by staff and the City's application was not. Thus the only project for which TPA could advocate before the CCHE Board was the Redevelopment Agency's application. TPA ultimately helped the Oakland project secure \$1,064,250, which was one of the largest grants awarded statewide.

Summary of Activity:

- At the request of the Redevelopment Agency, we provided input and feedback on the development of the competitive grant application
- At the request of the Public Works Department and the Friends of the Peralta Hacienda, we provided feedback and input on the development of the competitive grant application.
- We monitored all CCHE hearings and provided regular reports back to the City and Redevelopment Agency on the process.
- Once staff recommendations were released, we prepared a one-page summary and call sheet in support of the Redevelopment Agency application that had been recommended to the Board for further consideration.
- We directly advocated with the public and legislative members of the Board, and worked with Senate President Pro Tem Perata and Assemblymember Sandre Swanson to advocate for funding for the Agency's project.

Development of New Funding Opportunities:

The following grant programs have not yet issued requests for proposal but TPA has been very active in developing the guidelines for the grant program to ensure the City of Oakland's priority projects are eligible for funding.

Anti-Gang Violence Prevention: The FY 2007-08 Budget appropriated new funding for local governments' anti-gang efforts, which is direct follow-up from the Governor's meeting earlier this year with the Mayor Dellums and other Mayors and police chiefs of several of California's most populous cities. \$9.5 million to the Office of Emergency Services (OES) to provide grants to cities and community based organizations as part of the Governor's California Gang Reduction, Intervention and Prevention Initiative. Additionally, the Governor directed the Workforce Development Agency to release \$2.8 million in discretionary Workforce Investment Act funds. TPA has been actively involved in the development of this new funding opportunity and we were able to designate Oakland, as a High Intensity Gang Area, thereby making the City eligible for the \$1 million in funding designated specifically for the Bay Area.

Goods Movement/Trade Corridor Improvement Fund (TCIF): The California Transportation Commission has been working on the development of guidelines for the TCIF program. Funds will be available for infrastructure improvements along federally designated "Trade Corridors of National Significance" or along corridors that have a high volume of freight movement. TPA has been actively working with Alameda County Congestion Management Agency and the Metropolitan Transportation Commission to coordinate our efforts to secure funding for the 880/23/29 project.

Urban Infill Incentives: The Department of Housing and Community Development has begun the stakeholder process for developing the grant guidelines for the \$850 million in Urban Infill Incentives Program from Proposition 1C. TPA was active in shaping the budget trailer bill language that provided \$300 million for the program this year.

Transit Oriented Development: TPA worked with Oakland staff to put together comprehensive feedback on the draft Transit-Oriented Development (TOD) guidelines published by the Housing & Community Development Department for the \$300 million in the Proposition 1C Housing Bond. This feedback was submitted to HCD Director Lynn Jacobs and communicated to Oakland's state legislative delegation for additional support.

Summary of Activity:

- TPA was one of the leading advocates for the anti-gang funding, directly coordinating with the cities of Los Angeles, Fresno, and Santa Ana. We helped build and maintain the statewide coalition. We advocated directly with the Governor, Budget Committee Leadership, and state legislative leadership to push for maximum funding for anti-violence and gang prevention programs that would directly work with the City of Oakland's programs. The testament to this effort was that when the Governor's gang initiative was announced, it was announced in Oakland with the participation of the Mayor and Council.
- On the TCIF funding, we worked very closely with City transportation staff and MTC to coordinate advocacy efforts with state legislative allies to make sure that this funding would prioritize the 880/23-29th project, Oakland's identified number major transportation funding priority that would work for this program. We also coordinated several meetings with the Port of Oakland given its interest in this fund. At one of the critical hearings early on in the process, we were able to secure the invitation to the City of Oakland to testify in the hearing. We helped draft the briefing material for the Mayor and Committee members for this hearing.
- The implementation of the TOD and Urban Infill programs has just begun. We have been keeping the City ahead of the curve on these programs, making sure that we and the City are informed in advance of the leanings of the HCD staff developing the programs, providing

input prior to the initial workshops. We have also participated with the City in all of the HCD workshops, helping develop and submit follow-up input to move the grant guidelines in the direction of favoring developments like the Bart TOD's in Oakland.

Annual Grant Funding Opportunities:

There are a number of grant programs that occur on an annual basis. The City of Oakland submits applications to the following programs on an annual basis and TPA has provided assistance as necessary.

Safe Routes to School: TPA provided City staff with information on the Safe Routes to School Program through Cal Trans. This program provides funding for the construction of facilities that enhance the safety of K-12 student that walk and/or bike to school. This includes funding for pathways, trails, sidewalks, and crossings near a school site. The City of Oakland is eligible to submit up to three applications which may be funded at up to \$900,000 per project.

Recreational Trails Program: TPA provided City staff with information on the Recreational Trails Program through the Department of Parks and Recreation. This grant program provides funding for the development and maintenance of public trails and there is no minimum or maximum on grant funding request.

Habitat Conservation Program: TPA provided City staff with information on the Habitat Conservation Program through the Department of Parks and Recreation which provides up to \$200,000 for habitat conservation projects.