



AGENDA
BOARD LEGISLATIVE COMMITTEE

Friday, June 24, 2011
12:45 p.m., Peralta Oaks Board Room

The following agenda items are listed for Committee consideration. In accordance with the Board Operating Guidelines, no official action of the Board will be taken at this meeting; rather, the Committee's purpose shall be to review the listed items and to consider developing recommendations to the Board of Directors.

AGENDA

<u>STATUS</u>	<u>TIME</u>	<u>ITEM</u>	<u>STAFF</u>
(R)	12:45 p.m.	I. STATE LEGISLATION / ISSUES A. NEW LEGISLATION a. AB 484 (Alejo) – Allowing Non-profits to hold and manage endowments (Monterey Transportation Authority). b. SB 436 (Kehoe) – Allowing Non-profits to hold and manage endowments (CCLT). c. AB 576 (Dickinson) – Finance Plan for Delta Stewardship. d. SB 200 (Wolk) – Bay Delta Conservation Plan Requirements. e. SB 536 (DeSaulneir) – Oakley Power Plant Legislation. f. AB 1106 (Archadjian) – Public Agency Relief for Occupational Safety and Health Fines. g. SB 769 (Fuller) – Mountain Lions: display or exhibition	Doyle/Pfuehler
(I)		B. ISSUES a. State Budget b. Redistricting (State and Federal)	Doyle/Pfuehler
		2. STATUS OF RECOMMENDATIONS	
(I)		3. STATE PARK DISCUSSION 4. FEDERAL LEGISLATION / ISSUES A. NEW LEGISLATION / NA	Doyle/Pfuehler
(I)		B. ISSUES a. Community Transformation Grants b. Debt Limit – Budget Cuts	Doyle/Pfuehler
		5. PUBLIC COMMENTS	
		6. CORRESPONDENCE & ARTICLES	

Board of Directors

- (R) Recommendation for Future Board Consideration
- (I) Information
- (D) Discussion

Future 2011 Meetings:	July 15, 2011	October 21, 2011
	August 19, 2011	November 18, 2011
	September 16, 2011	December 16, 2011

Legislative Committee Members:

Ted Radke, Chair, Doug Siden, Ayn Wieskamp, Beverly Lane, Alternate
 Erich Pfuehler, Staff Coordinator

Distribution/Agenda Only

Afton Crooks
 Michael Kelley
 Stana Hearne
 Peter Rauch
 Johan Klehs
 Judi Bank
 Ted Radosevich
 Mimi Waluch

Distribution/Agenda Only

Dan Levy
 Pete Wilson
 Robert Follrath, Sr.
 Fred W. Lopez
 Yolande Barial
 Bruce Beyaert
 Norman LaForce
 Rick Parmer

Distribution/Full Packet

Board of Directors
 Bob Doyle
 Carol Johnson
 Dave Collins
 John Escobar
 Mike Anderson
 Tim Anderson
 Kristin Vorderbrueggen

Distribution/Full Packet

Allen Pulido
 Shelly Lewis
 Tyrone Davis
 Nancy Wenninger
 Carol Victor
 Pat O'Brien
 Ann Grodin
 Sharon Corkin

Distribution/Full Packet

Hulet Hornbeck
 Dr. George Manross
 Glenn Kirby
 Di Rosario
 Jon King

TO: Board Legislative Committee
(Chair Ted Radke, Doug Siden, Ayn Wieskamp and
Alternate Beverly Lane)

FROM: Robert E. Doyle, General Manager
Erich Pfuehler, Government Relations and Legislative Affairs Manager

SUBJECT: Board Legislative Committee Meeting

WHEN: Friday, June 24, 2011 12:45 p.m.
Lunch will be served

WHERE: Board Room, Peralta Oaks

Items to be discussed:

I. STATE LEGISLATION / ISSUES

A. NEW

a. **AB 484 (Alejo): Allowing Non-profits to hold and manage endowments (Monterey Transportation Authority).**

This bill clarifies that endowment funds set aside for the long-term management of mitigation lands conveyed to a nonprofit organization can be held, managed, invested and disbursed by the nonprofit.

The author introduced this bill to facilitate environmental review and permitting of transportation infrastructure projects. The author notes currently an agency proposing construction of a major transportation infrastructure project that will result in habitat loss is typically required to purchase and manage in perpetuity land or conservation easements to offset the project's environmental impacts. The permit and certification process can be lengthy and add unknown costs to the project, particularly since the cost of the mitigation is tied to land values at the time of purchase. Under current law, lands required to be set aside as mitigation can be transferred to a nonprofit organization for management as a result of enactment of AB 2746 in 2006, but the law lacks clarity as to whether the endowment funds for long-term management can also be conveyed to the nonprofit.

The author cites a specific example in Monterey County – the U.S. 101 Prunedale Improvement Project. The endowment amount to manage the required mitigation lands has yet to be determined for this project. The author believes this bill, by authorizing the management funds to be held by a nonprofit organization, would help expedite these kinds of projects. The bill is sponsored by the Transportation Agency for Monterey County and the County of Monterey.

Staff recommendation: Watch

b. **SB 436 (Kehoe): Allowing Non-profits to hold and manage endowments (California Council of Land Trusts).**

This bill authorizes state and local agencies to transfer to a nonprofit any endowment funds set aside for long-term management of land acquired as environmental mitigation related to a development project, if the interest in the land is transferred to a qualified nonprofit

organization (land trust). This bill also authorizes a state or local agency to provide funds to a land trust to acquire land or easements that satisfy the agency's mitigation obligations. It allows ten nonprofits to be certified to take on mitigation funds on behalf of the state. It also requires fiscal oversight by the State Controller rather than Department of Fish and Game. The bill's provisions sunset on January 1, 2022. This bill is sponsored by the California Council of Land Trusts and supported by the Bay Area Open Space Council, Save Mt. Diablo, The Nature Conservancy, Tri-Valley Conservancy and the Trust for Public Land. Since the bill clearly authorizes ten nonprofits to be certified to take on mitigation endowment funds but does not specifically include local governments, it is not clear the District would benefit from the bill as written. District advocates and staff are working on ensuring local governments can hold these endowments.

Staff recommendation: Support, if amended to include local governments.

c. **AB 576 (Dickinson): Finance Plan for Delta Stewardship.**

This bill would allow the Delta Stewardship Council to adopt a fee on water supply contractors to fund a portion of the planning and administrative costs of the Council. It would codify the “beneficiary pays principle” and provides that negative impacts resulting from “past, present and future” water exports should be borne by those directly benefiting from exports. It basically tries to make southern California pay for stewardship activities and planning. In achieving the “coequal goals” funds will be spent to protect and enhance the unique cultural, recreational and natural resources of the Delta while securing a more reliable water supply. The District could benefit from these funds. This legislation is sponsored by the Delta Counties Coalition and opposed by the Metropolitan Water District of Southern California.

Staff recommendation: Watch

d. **SB 200 (Wolk): Bay Delta Conservation Plan (BDCP) Requirements.**

This legislation establishes specific criteria and assurances that will enable the state to meet its “co-equal goals” for the Delta as established by a package of laws, enacted in November 2009. Those goals are to provide a more reliable water supply for California—and to protect, restore and enhance the Delta ecosystem. The bill would provide unequivocal commitments to maintain water quality within the Delta in order to support vital Delta agriculture, recreation and drinking water. Additionally, the bill would ensure communities within the Delta have access to adequate water supplies—and would encourage the development of alternative water supplies in regions that rely on imported Delta water. It would also call for improvements in the efficiency of the State and Federal projects within the Delta. The bill, supported by the Delta Counties Coalition, would also:

- Require specific operational criteria, planning and other measures which would support recovery of Delta fish species and protect beneficial uses of water. These operational criteria must be in place prior to construction of any new water conveyance infrastructure in the Delta.
- Establish enforceable flows and reductions in Delta water exports to protect water quality and other environmental conditions in the Delta, the Suisun Marsh and the San Francisco Bay.

The BDCP has a Habitat Restoration Program Technical Team looking at prioritizing habitat restoration opportunities. If a water bond eventually moves forward, it will likely include funds for restoration efforts. Staff want to ensure District restoration efforts are prioritized and that we are eligible for funds.

Staff recommendation: Watch

e. **SB 536 (DeSaulnier): Oakley Power Plant Legislation.**

The California Energy Commission has approved a proposal to construct a 600 megawatt power plant to be located within a redevelopment project area in the City of Oakley. The property tax which could normally be collected from the area where the power plant will be located will be directed to a redevelopment authority. Through exemptions written into SB 536, the local school and fire districts which service the area will still receive their share of property tax. Staff originally thought the power plant would not be sited on property where the District collects property taxes. After looking into it further, the site is in the District's jurisdiction of property tax collection. Due to some active work by Advocate Houston, the District was also able to ensure that "any special district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of the Public Resources Code" would continue to receive the base tax revenue received in the 2010-11 fiscal year. The District will continue to receive approximately \$144,000 per year in base property taxes based on an assumed project cost of \$500 million and the current tax rate for the area.

When a redevelopment area (RDA) is established, state law allows redevelopment agencies to use a portion of the property taxes to pay down the debt the redevelopment agency incurred to improve the area. Taxing entities, such as the District, which serve the project area continue to receive tax revenues they were receiving the year the redevelopment project was formed (the base year). Those revenues are passed through the redevelopment agency to the District. Other than the school, fire and Section 5500 districts, no other local agency within the Oakley RDA will receive their traditional pass through. The California Special Districts Association and District Finance staff worry about the precedent this bill sets for future pass through revenue.

Staff recommendation: Watch

f. **AB 1106 (Archadjian): Public Agency Relief for Occupational Safety and Health Fines.**

This bill allows any county, city, special district, public authority, public agency, or joint powers authority to apply for a refund of civil penalties assessed for violations of occupational safety and health laws if the conditions have been corrected. Risk Management staff has been tracking this bill and would like the District to support. The bill is supported by the California Special Districts Association, as well as the California Association of Joint Powers Authorities, CSAC Excess Insurance Authority and the Regional Council of Rural Counties. It may negatively impact the Department of Industrial Relations Division of Labor Standards Enforcement as fines represent a portion of their budget, but the refunds could benefit the District.

Staff recommendation: Support

g. **AB 769 (Fuller): Allowing Display and Exhibition of Legally-possessed Mountain Lion Carcasses for Scientific or Education Purposes.**

This bill allows legally-possessed mountain lion carcasses to be prepared for display or exhibition for scientific or education purposes at a non-profit or government-owned museum or at an educational institution. The California Wildlife Protection Act (CWPA) of 1990 specifically protects mountain lions in the state. It is unlawful to take, injure, possess, transport, import or sell any part of a mountain lion. The 1990 law requires a 4/5ths vote

to change any of its provisions. The CWPA does not specifically permit mountain lion carcasses obtained after 1990 to be used for any purpose. In recent years, the Department of Fish and Game has not allowed use of legally-possessed mountain lions for museum or educational purposes. In 2008, a museum in the Northern Mojave Desert was not allowed to display a mountain lion killed by a motor vehicle. As a response, this bill has been introduced and developed by a collaboration of stakeholders – including the Mountain Lion Foundation. While it is not considered overly controversial, it does require a 4/5th vote so it still faces a challenge. Ecological Services staff would like the District to support the bill.

Staff recommendation: Support

B. ISSUES

a. **State Budget**

As of this writing (6-16), things are very much in flux. The legislature passed a majority-only budget on June 15th only to see Governor Brown veto it on June 16th. The Democrats budget was questionable on a number of levels, but it would have kept in place ¼ of the 1 cent sales tax which is set to expire July 1st, added \$12 to the vehicle registration fee, required online retailers to collect sales taxes and charge \$150 fee to “habitable” structures in state fire responsibility areas (SRAs). All of which would have likely faced a court challenge by the Howard Jarvis Taxpayers Association. It also reconstituted redevelopment agencies (RDAs) in a manner which could have led to the District receiving more property tax from RDA zones. Given the Governor’s veto, however, the Democrats majority-only budget passed on the 15th is mostly moot. The Governor did not veto all of the trailer bills, and stated the collection of sales tax from online retailers a “common sense idea.” Hours after vetoing the budget, Governor Brown said he’ll “move heaven and earth” for a budget deal by getting four Republicans to agree to it. He has until the end of the month to do so before the budget deadline is officially crossed. As an aside but related matter, State Controller John Chiang stated he must analyze the budget bills passed on the 15th to determine if they met the voter-approved Proposition 25 requirements for legislators to get paid. There is no requirement that the Governor sign the budget in order for legislators to get paid under Prop. 25. Staff and advocates will provide additional verbal reports about the budget as things are likely to change between the time of this writing and the legislative committee meeting on June 24th.

b. **Redistricting (State and Federal)**

The California Citizens Redistricting Commission unanimously approved their first draft district maps on June 10, 2011. The new proposed maps will have an impact on the East Bay state and federal delegations. Staff will share maps with Legislative Committee members at the meeting, but the following summary should better explain potential impacts to the East Bay.

Assembly: The west Alameda County district currently held by **Sandr  Swanson** remains much the same, but shifts south to include San Leandro. The new central Alameda County district includes most of **Mary Hayashi**’s district of Hayward, Union City and Castro Valley. The new southwestern Alameda County district, currently mostly served by **Bob Wieckowski**, includes Newark, Fremont, Milpitas and some of San Jose. The new east Contra Costa County district, currently held by **Susan Bonilla**, will stretch from Martinez to Brentwood and include Concord. The new central Contra Costa district, which is basically **Joan Buchanan**’s seat, will include Walnut Creek, Orinda, Moraga and the Tri-Valley. The new west Contra Costa district, currently held by **Nancy Skinner**, will stretch from Piedmont to Martinez along the Bay. The most significant change, other than the

more centralized Buchanan seat, is the East Bay delegation may actually pick up an Assembly seat in Oakley. The new Solano County district, currently represented by **Mariko Yamada**, would essentially stretch over the Delta into east Contra Costa County.

State Senate: There will be a shoreline district from Hercules down to San Leandro, which is principally **Loni Hancock's** district. There will also be an "east counties" district, most of which is currently served by **Mark DeSaulneir**, that will include Martinez, Orinda, Moraga, Walnut Creek, Concord, Brentwood, Antioch and the entire Tri-Valley. The district largely served by **Ellen Corbett** would no longer include her hometown of San Leandro, but would stretch from Hayward to north San Jose and include Union City, Newark, Fremont and Milpitas. Again, Oakley is lumped into a more North Bay Solano County district which is mostly represented by **Noreen Evans**.

Congress: This is where the more dramatic changes occur. A shoreline district from San Pablo and Richmond down to Alameda is established, mostly **Barbara Lee's** district. A San Leandro, Hayward, Union City, Dublin, Pleasanton, Livermore district is created which is partially served by **Pete Stark** and partially served by **Jerry McNerney** (with Castro Valley, currently in Barbara Lee's district, and Livermore, in John Garamendi's). A far south Alameda County / Santa Clara County seat is created partially served by **Pete Stark** and **Zoe Lofgren**. A Contra Costa district ranging from San Pablo to San Ramon to Pittsburg, including Martinez, Concord and Walnut Creek is created and probably the seat for which **George Miller** would run. Antioch, Oakley and Brentwood are all put into a district with northern San Joaquin County which is partially served by **John Garamendi** and **Jerry McNerney**. Unless Stark retires, he, McNerney and Garamendi all have some decisions to make if these maps stay much the same. McNerney may have to run against Stark or Garamendi if he wants to stay in office. The San Leandro, Hayward, Union City, Dublin, Pleasanton, Livermore district could also be favorable enough for **Bill Lockyer** and/or **Ellen Corbett** to make a run.

2. STATUS OF RECOMMENDATIONS

3. STATE PARK DISCUSSION –

Staff and consultants will discuss the state park closures and future funding options for state parks.

4. FEDERAL LEGISLATION / ISSUES

A. NEW N/A

B. ISSUES

a. **Community Transformation Grants**

The U.S. Health and Human Services Centers for Disease Control (CDC) and Prevention recently announced a \$102 million federal "community transformation" grant program to improve health conditions in communities. The grants were authorized as part of the recent Health Care Reform law. The goal is to reduce risk factors responsible for the leading causes of death and disability, and to prevent and control chronic diseases in the nation. Specific goals are to demonstrate changes in: weight, proper nutrition, physical activity, tobacco use, and emotional wellbeing and overall mental health. Active living and healthy eating are among the three main focus areas.

Grant awards will range from between \$50,000 to \$10 million. 75 grants will be awarded and the average award will be \$1.36 million. Capacity building grants will be smaller than

implementation grants. Funds will be awarded on or before September 30, 2011. It is supposed to be a \$900 million, five-year program, but given the budget climate in D.C. additional appropriations seem unlikely.

The federal Department of Health and Human Services actually has a Healthy People 2020 initiative. Among the four overarching goals of the Healthy People 2020 Initiative is to create social and physical environments that promote good health for all. Community Transformation Grant awardees must address this goal. Awardees must demonstrate “social and physical environments that support healthy living and ensure that healthy choices are the easy choice.”

District staff participated on a call led by the CDC in which they emphasized the strength and breadth of collaborative efforts will be given strong priority. They admitted there is no way for potential applicants to know beforehand how many other potential collaborative partners would be in their county until the Letters of Intent (LoI) are filed. They encourage applicants to state clearly in the LoI that their intent to apply could be posted on the CDC’s website so others in their county could know how many potential partners they have to work with.

The District sent a LoI at the deadline, June 6th, which is an attachment to this staff memo. In the letter, the District emphasized the Kids Challenge and the Healthy Parks, Healthy People Initiative. Subsequently, staff has developed a budget to roll out the Kids Challenge, on behalf of the Regional Parks Foundation and the District, through all school districts in both counties, with the aide of State Superintendent Tom Torlakson. The District would work with both County Public Health Departments and hire a consultant to work on implementation with the school districts. Staff is seeking to include this proposal as a part of an overall Community Transformation Grant application for our region. The District clearly has a role to play, but also does not have the capacity to achieve all of the health-related objectives of the grant program. Preliminary discussions with county health officials have been positive. Given the diverse range of potential partners in the East Bay and the strength of our Congressional delegation (Barbara Lee sits on the CDC’s funding committee and Pete Stark is the ranking member on their Ways and Means authorizing subcommittee, as well as George Miller ranking on the Education and Workforce Committee which oversees health care), we have a real competitive chance. Further, there is actually money appropriated for this year – and it’s hard to see any new opportunities in the foreseeable future. By submitting the LoI, we have secured eligibility and now staff is exploring possible partnerships for an application.

b. Debt Limit – Budget Cuts

With 2012 appropriations bills already moving through the House, White House budget talks are basically where they began six months ago: Republican demands for deep cuts from domestic spending and foreign aid. Senate Democrats — and a good many House Republicans, privately — are hoping for a breakthrough soon so Congress can avoid a repeat of April’s high drama over a government shutdown. But even after concessions by President Barack Obama, the two sides remain more than \$1.1 trillion apart over the next 10 years, and Senate Republicans have yet to step forward to help broker a deal between the administration and the House GOP.

In the interim, the half-dozen 2012 appropriations bills moving in the House illustrate the pitfalls ahead. A \$72.5 billion military construction and veterans affairs bill, reflecting only modest cuts, is expected to pass easily. Fast on its heels is a \$17.25 billion agriculture and

rural development measure, which has had to absorb a \$2.67 billion reduction on top of what was an almost \$3.4 billion cut in April from 2010 funding. Amid rising world food prices, however, the bill's manager, Rep. Jack Kingston (R-Ga.), appears to be having second thoughts about his proposed 26 percent, \$487 million cut in overseas food aid. The committee markup of the \$530 billion Pentagon bill adds \$17 billion on top of new military spending approved in April. So appropriators are finding it difficult to implement the types of cuts their leadership has been suggesting publicly.

Most independent budget analysts would argue the three major components of a deficit reduction plan are appropriations cuts, new revenues, and savings from entitlements, with the chief focus on government-backed health care for the elderly and the poor. Taking any one of these three out of the mix affects the remaining two, which is what has happened so far.

Having invested so much political capital in health care reform — and paid the price in November's elections — Obama and Democrats are reluctant to make new changes in programs like Medicare, yet the end result is exposing appropriations for the President's agenda to more cuts. At the same time, the Republicans' refusal to consider revenues pushes the GOP into a position where it must consider more severe options than it would otherwise want.

The cuts from domestic appropriations and foreign aid are far in excess of the amounts recommended last December by a presidential debt commission, which enjoyed substantial support from Senate Republicans. In the case of Medicare, for example, House Budget Committee Chairman Paul Ryan (R-Wis.) has demanded much more dramatic changes than in the past — and as a result, has put his party in a more difficult political situation.

Federal Reserve Chairman Ben Bernanke recently urged congressional Republicans to support an increase in the debt ceiling ahead of the early August deadline set by Treasury Sec. Tim Geithner, saying they are using the “wrong tool” to cut spending by linking it with the debt limit.

Senate Minority Leader Mitch McConnell (R-Ky.) stressed that Republicans must use the debt ceiling vote to get spending cuts. “The key to success, in my view, is for everyone involved to view the debt limit vote as an opportunity — an opportunity to reduce Washington spending now and to save taxpayers trillions of dollars over the long term,” he said. “It is also an opportunity to prevent the fiscal crisis that we all see coming, a crisis that would devastate jobs, trigger a massive foreclosure crisis and delay the economic recovery even more. ... I have insisted that failing to make tough choices now poses a far greater threat to our nation's long-term prosperity than failing to raise the debt limit.”

House Majority Leader Eric Cantor has explicitly stated he prefers a single debt ceiling vote for this Congress — not a series of short-term extensions, as some have suggested.

But much depends on the final deal between Obama and Speaker John Boehner (R-Ohio). To date, the President has left the negotiating to Vice President Joe Biden. He has been meeting with Senators Daniel Inouye (D), John Kyl (R) and Max Baucus (D); Representatives Eric Cantor (R), James Clyburn (D) and Chris Van Hollen (D) and the Administration's Tim Geithner, Jack Lew and Gene Sperling.

Republicans' threats to block a vote on raising the debt ceiling until they reach a deal with the White House and Congressional Democrats on spending cuts could end up backfiring and doing serious economic damage.

With regard to TIGER II funds, so far discussions have focused on cuts to this year's appropriations (FY 2012) and subsequent years. Neither staff nor advocate Peter Umhofer has picked up hints about transportation rescissions, but all funding is presumed to be on the table. In the past, conservative Members of Congress have focused on unspent funds as a place to cut.

5. PUBLIC COMMENTS

6. CORRESPONDENCE AND ARTICLES

- a. "Veto: Governor keeps hunting for GOP votes", Sacramento Bee, June 17, 2011
- b. "First lady pumps president's re-election campaign", SFGate.com, June 14, 2011
- c. "Michelle Obama continues president's fundraising momentum in Bay Area", Contra Costa Times, June 14, 2011
- d. "Brown continues call for tax extensions", Contra Costa Times, June 14, 2011
- e. "Contra Costa Times editorial: Once again, California lawmakers late with a real budget", Inside Bay Area, June 13, 2011
- f. "GOP attacks bill that would ease local tax votes", The Orange County Register, June 12, 2011
- g. "10 bills to watch in California's Legislature", Sacramento Bee, June 12, 2011
- h. "District proposal likely to bring interesting races", The Modesto Bee, June 11, 2011
- i. "Draft California congressional maps promise more competition". Sacramento Bee, June 1, 2011
- j. "Release of new maps creates political 'tsunami'", Mercury News.com, June 10, 2011
- k. "Many ideas suggested for handling state park costs", SF Gate.com, June 5, 2011
- l. "Lisa Vorderbrueggen: One Bay Area workshop takes one on the chin", Contra Costa Times, June 4, 2011
- m. "Filmmaker trying to save state parks \$1 at a time", SF Chronicle, June 7, 2011
- n. "Steinberg's local tax bill has become a state budget bargaining chip", Sacramento Bee, June 5, 2011
- o. "FPPC has new approach: getting rid of the gorilla", Capitol Alert, May 23, 2011



2011/12 Status of Recommendations

The following is a record of bills that the board has taken action on.

1. **[ACA 4 \(Blumenfield\)](#) Local government financing: voter approval. (12/06/2010)**
Status: 5/11/2011 In committee: Set, first hearing. Hearing cancelled at the request of author
Location: 4/14/2011 Assembly – Local Government
The Board unanimously voted to support pending legislation ACA 4.
Resolution No.: 2011-2-029
Notified Author: March 24, 2011

2. **[S.29 \(Feinstein\)](#) Sacramento-San Joaquin Delta National Heritage Area Establishment. (1/25/2011)**
Status: 1/25/2011 – Read twice and referred to Committee on Energy and Natural Resources
Location: 1/25/2011 Referred to Senate Committee
The Board unanimously voted to support pending legislation S.29
Resolution No.: 2011-3-069
Notified Author: March 24, 2011

[H.R. 486 \(Garamendi\)](#) Sacramento-San Joaquin Delta National Heritage Area Establishment Act. (1/26/11)
Status: 2/7/2011 - Referred to House Subcommittee.
Location: 2/7/2011 - Referred to the Subcommittee on National Parks, Forests and Public Lands.
The Board unanimously voted to support pending legislation H.R. 486.
Resolution No.: 2011-2-3-069
Notified Author: March 24, 2011

3. **[S. 97 \(Feinstein\)](#) San Francisco Bay Restoration Act. (1/25/2011)**
Status: 1/25/2011 - Referred to Senate Committee.
Location: 1/25/2011 - Read twice and referred to the Committee on Environment and Public Works.
The Board unanimously voted to support pending legislation S.97.
Resolution No.: 2011-3-068
Notified Author: March 24, 2011

4. **[AB 36 \(Perea\)](#) Income and employment taxes: federal conformity: Health Care and Education Reconciliation Act of 2010. (12/6/2010)**
Status: 4/7/2011 Chaptered by the Secretary of State, Chapter Number 17, Statutes of 2011
Location: 4/7/2011 Assembly - Chaptered
The Board unanimously voted to support legislation AB 36.
Resolution No.: 2011-6-116
Notified Author: N/A - Chaptered

5. **[AB 612 \(Gordon\)](#) Parks and recreation: districts: repayment of indebtedness. (2/16/2011)**
Status: 6/2/2011 Referred to Committee on GOVERNMENT and FINANCE
Location: 6/2/2011 Senate- Government and Finance
The Board unanimously voted to support with amendments pending legislation AB 612.
Resolution No.: Pending
Notified Author: Pending



2011/12 Status of Recommendations

6. [H.R. 709](#) (Sires) Urban Revitalization and Livable Communities Act of 2011; Grants for improvement and construction of parks in urban areas. (2/15/2011)
Status: 3/23/2011 Referred to House Subcommittee on Insurance, Housing and Community Opportunity
Location: 3/23/2011 Referred to House subcommittee
The Board unanimously voted to support pending legislation H.R. 709.
Resolution No.: 2011-6-117
Notified Author: June 8, 2011

7. [S. 174](#) (Harkin) Healthy Lifestyles and Prevention America Act (HeLP); Improving physical activity for all ages. (1/25/2011)
Status: 1/25/2011 Read twice and referred to the Committee on Finance
Location: 1/25/2011 Referred to Senate committee
The Board unanimously voted to support S. 174.
Resolution No.: Pending
Notified Author: Pending

8. [AB 147](#) (Dickinson) Transportation impact mitigation fees for bike and ped projects. (1/14/2011)
Status: 6/9/2011 Read second time. Ordered to third reading
Location: 6/10/2011 Senate Assembly Bills-Third Reading File
The Board unanimously voted to support AB 147.
Resolution No.: Pending
Notified Author: Pending

9. [SB 653](#) (Steinberg) – Enabling counties and school districts to have more local taxation authority. (2/18/11)
Status: 6/7/2011 Read second time. Ordered to third reading.
Location: 6/7/2011 Senate – Third Reading
The Board unanimously voted to support with amendments SB 653.
Resolution No.: Pending
Notified Author: Pending

10. [SB 668](#) (Evans) – Williamson Act agreements between and owner's and open space districts (2/18/11)
Status: 6/2/2011 Referred to Committees on LOCAL GOVERNMENT and AGRICULTURE
Location: 6/2/2011 Assembly – Local Government
The Board unanimously voted to watch SB 668.
Resolution No.: N/A
Notified Author: N/A



2011/12 Status of Recommendations

11. [SB 356](#) (Blakeslee) – Local operating agreements for state parks (2/15/11)
Status: 6/2/2011 In Assembly. Read first time. Held at Desk
Location: 6/2/2011 Assembly - Desk
The Board unanimously voted to watch SB 356.
Resolution No.: N/A
Notified Author: N/A

12. [SB 386](#) (Harman) – State Park closure notification (2/15/11)
Status: 5/23/2011 Referred to Committee on Water, Parks and Wildlife.
Location: 5/23/2011 Assembly- Water, Parks and Wildlife
The Board unanimously voted to watch SB 386.
Resolution No.: N/A
Notified Author: N/A



2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T | 888 EBPARKS F 510 569 4319 TDD 510 422 0420 WWW.EBPARKS.ORG

June 6, 2011

Ms. Vivian Walker, Grants Management Officer
 CDC-RFA-DE 11-1103
 Department of Health and Human Services
 CDC Procurement and Grants Office
 2921 Brandywine Road, MS E-09
 Atlanta, Georgia 30341

OFFICIAL AGENCY CONTACT

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☎ (510) 544-2000

☎ (510) 569-1417

**RE: Public Prevention Health Fund: Community Transformation Grant;
 Funding Opportunity Number: CDC-RFA-DP11-1103PPHF11**

Dear Ms. Walker:

The East Bay Regional Park District (“District”) (a two-county local government agency in California) intends to apply for a Community Transformation Implementation Grant. The District has provided healthy environments for families throughout its storied 77 year history. With nearly 110,000 acres of land and 1,200 miles of trails in the highly urbanized East San Francisco Bay Area, the District provides safe physical and social environments to support healthy living and ensures easy access to outdoor activity. Among our most popular outdoor recreational programs is the Kids Challenge, sponsored and underwritten by Kaiser Permanente and the East Bay Regional Park Foundation (“EBRPF”). The Kids Challenge inspires personal relationships between children and healthy outdoor activity. Kids Challenge participants complete five of the ten identified activities recommend by the California Children’s Outdoor Bill of Rights, which is a list of outdoor experiences every child would benefit from before entering high school. This established program is embraced by health care providers, including Kaiser and educators such as California Superintendent of Public Instruction Tom Torlakson, as a successful way to improve the health our children and address childhood obesity. The District

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Whitney Dotson
 Ward 1

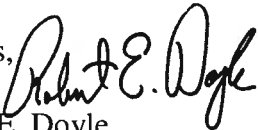
Doug Siden
 Ward 4

Ted Radke
 Ward 7

Robert E. Doyle
 General Manager

proposes to work with a multi-sectorial leadership coalition, including Alameda and Contra Costa County Public Health Departments, health care providers such as Kaiser and Highland Hospital, school districts, and the healthy food community in the East Bay, to enhance and solidify the Kids Challenge as an integral part of a holistic healthy school curriculum which is easily available to every elementary school in the two county region. The District also proposes to highlight the Kids Challenge as a key component of the international Healthy Parks, Healthy People Initiative (“HPHPI”) which we launched in the United States this spring in partnership with the National Park Service, Golden Gate National Recreation Area. The HPHPI makes the direct link between improving individual health with safe and healthy outdoor recreational activity. The HPHPI is in clear alignment with the overarching goals of the U.S. Department of Health and Human Services’ Healthy People 2020. With additional resources from a Community Transformation Grant, the Kids Challenge can be offered to every child in the highly urbanized East Bay and help achieve health equity. The EBRPF already partners with the District to help transport children from urban parts of Oakland, Richmond, and Fremont to outdoor, open spaces so they can develop a relationship with nature and healthy activity. By partnering with key stakeholders, the District can further transform our regional community to one where children and their families embrace healthy lifestyles and chronic diseases are de minimis. We strongly encourage the CDC to allow other applicants to know about the District’s interest in a Community Transformation Implementation Grant by publishing it on your website. As the official agency contact, if you have questions about this Letter of Intent please reach me at 510-544-2000 (phone), 510-544-569-1417 (fax), or rdoyle@ebparks.org (email).

Regards,



Robert E. Doyle
General Manager

LOI Strategic Directions and Strategies Checklist (Appendix G)

Instructions to applicants: Indicate which strategy/strategies you anticipate addressing in the Community Transformation Grants application from the following table. You may select multiple strategies; however recipients must utilize a minimum of 50% of resources provided through this FOA towards strategic directions 1, 2, and 3. This checklist will be used to facilitate planning the objective review process, but will not be used to limit the scope of strategic directions submitted in the final application. This checklist must be included in the Letter of Intent.

Strategic Direction 1: Tobacco Free Living Goal: Prevent and Reduce Tobacco Use		
Strategies		
<input type="checkbox"/> Implement evidence-based strategies to protect people from 2nd hand smoke. <input type="checkbox"/> Increase smoke-free multi-unit housing. <input type="checkbox"/> Implement evidence-based strategies to prevent and reduce tobacco use among youth and adults.	<input checked="" type="checkbox"/> Increase types of outdoor venues where tobacco use is prohibited. <input checked="" type="checkbox"/> Implement smoke-free parks. <input type="checkbox"/> Implement smoke-free schools and campuses.	<input type="checkbox"/> Tobacco Free Living Innovative Proposals
Strategic Direction 2: Active Living and Healthy Eating Goals: Prevent and Reduce Obesity, Increase Physical Activity; Improve Nutrition in Accordance with the Dietary Guidelines for Americans 2010		
Strategies		
<input type="checkbox"/> Increase availability and affordability of healthful foods in institutional settings, workplaces, senior centers, and government facilities. <input type="checkbox"/> Farm to Institution strategies <input type="checkbox"/> Food procurement policies to increase access to low sodium options, decrease access to high sodium options. <input type="checkbox"/> Increase availability of fruits and vegetables to employees in their work places	<input type="checkbox"/> Increase accessibility, availability, affordability and identification of healthful foods in communities, including provision of full service grocery stores, farmers markets, small store initiatives, mobile vending carts, and restaurant initiatives <input type="checkbox"/> Carry more low-sodium and no-sodium options <input type="checkbox"/> Promote healthy food and beverage availability and identification <input type="checkbox"/> Placement and promotion strategies Incentivize new grocery store development <input type="checkbox"/> Menu labeling support and promotion for restaurants not covered by federal law.	<input checked="" type="checkbox"/> Improve jurisdiction-wide nutrition, physical activity, and screen time policies and practices in early child care settings.

<input type="checkbox"/> Improve nutrition quality of foods and beverages served or available in schools consistent with the Institute of Medicine's Nutrition Standards for Foods in Schools. <ul style="list-style-type: none"> <input type="checkbox"/> Increase access to fruits and vegetables in schools. <input type="checkbox"/> Decrease amount of sodium in foods in schools. <input type="checkbox"/> Reduce access to competitive low nutrition foods and beverages. <input type="checkbox"/> Ensure availability of plain, cold drinking water throughout the day at no cost to students. 	<input checked="" type="checkbox"/> Improve the quality and amount of physical education and physical activity in schools. <ul style="list-style-type: none"> <input type="checkbox"/> Increase the amount of time students spend in moderate or vigorous physical activity during physical education class. <input type="checkbox"/> Increase the total number of physical activity opportunities implemented at school facilities, including daily recess, intramurals/physical activity clubs, and walk or bicycle to and from school. <input checked="" type="checkbox"/> Increase number of public places (e.g. schools) accessible to the public for physical activity. 	<input type="checkbox"/> Increase policies and practices to support breastfeeding in health care, community, workplaces, and learning and childcare settings.
<input type="checkbox"/> Increase the number of designated Baby-friendly hospitals.	<input type="checkbox"/> Promote purchase of fruits, vegetables, and other healthy foods through incentives associated with food assistance programs.	<input checked="" type="checkbox"/> Active Living and Healthy Eating Innovative Strategies.
<input type="checkbox"/> Limit density of fast food outlets and other outlets featuring high calorie, high sodium, and low nutrition foods and encourage retail venues to provide access and availability to healthier foods. <ul style="list-style-type: none"> <input type="checkbox"/> Zoning: regulate the number of fast food restaurants in a given area. <input type="checkbox"/> Provide incentives to encourage existing stores or restaurants to provide healthier food options or to encourage the development of new retail venues that offer healthier foods. 	<input checked="" type="checkbox"/> Increase opportunities for physical activity in communities and workplaces. <ul style="list-style-type: none"> <input type="checkbox"/> Community-wide campaigns <input checked="" type="checkbox"/> Access to facilities and places <input type="checkbox"/> Joint use agreements <input type="checkbox"/> Flextime <input type="checkbox"/> Stairwell modification <input type="checkbox"/> Incentives 	
Strategic Direction 3: Increased Use of High Impact Quality Clinical Preventive Services		

Goals: **Increase control of high blood pressure and high cholesterol**; increase access to and demand for high impact quality preventive services.

Strategies

- Provide training and technical assistance to health care institutions, providers and provider organizations to effectively implement systems to improve delivery of clinical preventive services, consistent with USPSTF recommendations.
 - Implement strategies to translate known interventions into usual clinical care to increase control of high blood pressure and high cholesterol.**
 - Provide training and technical assistance to health care institutions, providers and provider organizations to effectively implement systems to increase delivery and use of treatment for tobacco use and dependence.
 - Provide training and technical assistance to health care institutions, providers and provider organizations to effectively implement systems to increase delivery and use brief intervention to reduce excessive alcohol use.
 - Provide training and technical assistance to health care institutions, providers and provider organizations to effectively implement systems to increase delivery and use of cancer screening services.
 - Provide training and technical assistance to health care institutions, providers and provider organizations to effectively implement systems to increase appropriate testing of HIV and STDs and linkages to care and prevention with positives.
 - Provide training and technical assistance to health care institutions, providers and provider organizations to effectively implement systems to increase recognition and enhance secondary prevention of chronic Hepatitis B and Hepatitis C infection.

	<input type="checkbox"/> Prevent diabetes, especially in high risk populations. <ul style="list-style-type: none"> <input type="checkbox"/> Increase coverage, availability and use of the National Diabetes Prevention Program <input type="checkbox"/> Increase preventive services for pregnant women with gestational diabetes or a history of gestational diabetes. 	<input type="checkbox"/> Increase access to and use of school-based dental sealant programs.
<input type="checkbox"/> Provide outreach, including paid and earned media, to increase use of clinical preventive services by the population or population subgroups.	<input type="checkbox"/> Increase coverage, availability and use of expedited partner therapy.	<input type="checkbox"/> Improve arthritis, asthma, cardiovascular disease, and diabetes outcomes with chronic disease self management training programs
<input type="checkbox"/> Clinical Preventive Services Innovative Interventions.		

Strategic Direction 4: Social and Emotional Wellness

Goals: Increase child and adolescent health and wellness, including social and emotional wellness.

Strategies		
<input type="checkbox"/> Promote effective parenting practices.	<input type="checkbox"/> Implement effective positive youth development and risk reduction approaches to improve adolescent health.	<input type="checkbox"/> Social and Emotional Wellness Innovative Interventions.

Strategic Direction 5: Healthy and Safe Physical Environment

Goals: Increase bicycling and walking for transportation and pleasure; improve the community environment to support health.

Strategies		
<input checked="" type="checkbox"/> Increase adoption of comprehensive approaches to improve community design to enhance walking and bicycling and active transportation.	<input checked="" type="checkbox"/> Establish community design standards to make streets safe for all users, including pedestrians, bicyclists and users of public transit.	<input type="checkbox"/> Increase mixed use zoning and transit-oriented development.
<input type="checkbox"/> Establish community protocols to assess the impact of community changes on community health and wellbeing.	<input checked="" type="checkbox"/> Healthy and Safe Physical Environment Innovative Interventions.	<input type="checkbox"/> Reduce alcohol retail outlet density and reduce illegal beverage service.
<input type="checkbox"/> Change building codes and other important policies to increase safe and healthy homes. <ul style="list-style-type: none"> <input type="checkbox"/> Promote changes in community-level building codes to require all new construction to be radon-resistant <input type="checkbox"/> Promote changes in community-level property maintenance and other codes to improve indoor home environments by improving requirements for smoke-, CO, and radon-detectors in homes. <input type="checkbox"/> Promote changes in community-level property maintenance and other codes in home environments such as bathrooms and stairs to reduce injury risks. <input type="checkbox"/> Promote changes in private and public health care policies to provide reimbursement for asthma education and environmental trigger reduction through home visits. <input type="checkbox"/> Integrate healthy homes principles into home visiting program protocols. <input type="checkbox"/> Implement community wide campaigns that promote safe and healthy homes. 		

CA-Politics

Veto: Governor keeps hunting for GOP votes

kyamamura@sacbee.com (Kevin Yamamura and David Siders)

Posted: 06/17/2011 7:36 AM



With one swoop of his veto pen, Gov. Jerry Brown placed himself at odds with both parties in the Legislature by rejecting a Democratic budget he called unbalanced and "legally questionable."

The Democratic governor's budget veto on Thursday, believed to be the first in state history, leaves the spending plan in limbo as Brown resumes his search for Republican tax votes.

Brown's rejection was not entirely surprising, given his pledge against papering over the state deficit with the types of accounting maneuvers and tax swaps in the Democratic plan. But the speed – about 16 hours after passage – seemed to catch Democratic leaders off-guard.

"For the first time in history, the state budget has been vetoed," Brown said at a news conference at his Los Angeles office. "That's big, and it sends a powerful message that all of us have to do more, we have to rise to a difficult but higher level. And I am confident we're going to get a better budget. Whether I can get the Republicans to vote, that remains to be seen. But I'm certainly going to give them a chance."

Lawmakers made their own history Wednesday by passing the first majority-vote budget since 1933 and only the second on-time plan in a quarter-century, thanks to a 2010 voter-approved law reducing the two-thirds threshold. They did so under threat of pay forfeiture, a matter that remained unresolved Thursday as Democratic Controller John Chiang said he needed more time to decide if lawmakers fulfilled their duty under Proposition 25.

Senate President Pro Tem Darrell Steinberg and Assembly Speaker John A. Pérez said they were "deeply dismayed" by Brown's veto. For the first time, they openly questioned Brown's strategy and blamed him for failing to secure enough Republican votes for his own budget.

They rebuked GOP members for not agreeing to a bipartisan deal on taxes. But they also said Brown's refusal to consider any budget other than the two-party framework he proposed in January has left the state in an untenable position.

"The governor's constant references to his January proposal ring hollow if he is unable to deliver Republican votes," said Steinberg, a Sacramento Democrat.

Before the governor's Thursday veto, the two legislative leaders said they believed Brown would continue negotiating with Republicans during a 12-day period in which he could sign or veto the budget bills.

"Let's be clear; the action today was completely unnecessary," said Pérez, a Los Angeles Democrat.

Rank-and-file Democratic legislators vented their frustrations at Brown like never before. Sen. Ted Lieu, D-Torrance, said on Twitter, "No excuse for a Democratic Governor to blindside a Democratic legislature that was working with him and his staff." Assemblyman Wesley Chesbro, D-Arcata, said in a statement that if the veto leads to further cuts to education and public safety, "the governor will join the Republicans in bearing the responsibility for this tragedy."

Brown's plan remains the same: seek two Republican votes in each house to place taxes on a fall ballot, as well as provide a funding "bridge" that temporarily extends sales and vehicle taxes until the election. Republicans are asking for pension reductions, a spending cap and regulatory rollbacks, but they are opposed to the tax bridge that Democrats consider crucial to winning a fall election.

"We need four Republican votes, and in the next several days I'm going to do everything I can," Brown said. "I'll move heaven and earth to get those votes."

Republicans praised Brown's swift veto. But they denied they had obstructed a budget agreement.

Four Republican negotiators – Sens. Tom Berryhill of Oakdale, Anthony Cannella of Ceres, Bill Emmerson of Hemet and Tom Harman of Huntington Beach – issued the following joint statement: "While the governor did the right thing by vetoing the Democrats' sham budget, we challenge his assertion that Republicans have blocked the right of the people to vote. In fact, it's the Democrats who are holding California hostage by refusing to allow the voters to weigh in on meaningful structural reforms – not just Gov. Brown's tax proposal."

Democrats approved deep cuts in higher education and the state safety net in March, but they could not strike a tax deal with Republicans in time for a June election as Brown wanted. Between the cuts and an unexpected boost in state revenues, Democrats reduced the deficit from \$26.6 billion to \$9.6 billion.

To close the remaining gap, legislative Democrats cobbled together a package with cuts, taxes, fees, borrowing and selling state buildings. It revived maneuvers used in previous budgets that Brown campaigned against.

Democrats said they felt their budget was reasonable, albeit "imperfect." They said they refused to cut schools, corrections and health and welfare programs any further.

Brown, in his veto letter, warned of "deeper and more destructive cuts to schools and public safety" if Republicans block taxes.

But Steinberg and Pérez said they will not approve those cuts and would force Brown to use his line-item veto authority to achieve them.

By vetoing the budget package immediately, the governor reclaimed some control of the budget debate, observers said.

"It's a strong move on his part," Republican strategist Rob Stutzman said. "It keeps him in control of the agenda."

Brown is not an inflexible politician, but neither has he hesitated to use the veto. As governor from 1975 to 1983, Brown vetoed a 14.5 percent pay raise for state employees in 1979. He was overridden by the Legislature, something it has done only four times since 1946.

Allan Hoffenblum, publisher of California's Target Book, which handicaps legislative elections, said Brown may have no choice other than another confrontation with the Legislature.

"He can't give up, that's basically what it is," he said. "He promised to be something different Signing that bill would have been giving up."

Democrats OK California budget without GOP

By Steven Harmon

Contra Costa Times

Posted: 06/15/2011 04:15:43 PM PDT

Updated: 06/16/2011 06:27:58 AM PDT

SACRAMENTO -- In a rare event at the Capitol -- forced largely by the will of the voters -- Democrats approved the state budget on time Wednesday, closing the remaining \$9.6 billion deficit without a single Republican vote.

Unable to win GOP support for extending the current level of taxes on purchases, income and autos, Democrats produced a budget filled with fee hikes, accounting maneuvers and assumptions that critics said continued to paper over the state's structural deficit.

Central to the quick work was a measure approved by voters last fall, Proposition 25, which lowered the threshold for passing a budget from a two-thirds vote to a simple majority -- and held the threat of withholding legislators' pay for every day they did not have a budget after the June 15 constitutional deadline.

Democrats said they took no pleasure in passing a budget that instilled another \$600 million in cuts on top of \$12 billion they had cut earlier this year on programs affecting the poor, elderly, schools and universities. But they said they had no choice after failing to reach an accord with Republicans on extending taxes.

"We would rather work across the aisle and pass bipartisan solutions, but it is a clear signal that we are willing to exercise our majority power to make progress," said Senate Leader Darrell Steinberg, D-Sacramento, who at one point held up a pair of cans -- one smaller than the other to make the point that Democrats were kicking a smaller can down the road than in previous years.

With little doubt over the outcome, legislators avoided the typical long, drawn-out overnight scene of bartering over side deals and clashing over parliamentary procedures. No lawmaker had any reason to bring a pillow, pajamas, playing cards or any of the other comfort props they have needed to get them through previous all-night budget sessions. Instead, Senate Democrats first dispatched the budget in less than four hours, followed shortly afterward by Assembly Democrats, all in time for legislators to get home for dinner.

In the end, however, it was a joyless and anti-climactic finish after nearly six months of the two parties squaring off over how to put away a \$26.5 billion deficit in the midst of California's deepest recession since the Great Depression.

The budget bills landed on Gov. Jerry Brown's desk late Wednesday, and there is a question of whether he will use the next 12 days he can legally hold onto the bills to revive talks with Republicans before deciding to sign or veto them.

Brown was withholding comment on the budget until he had a chance to look it over, said spokeswoman Elizabeth Ashford. He will address the budget today in Los Angeles.

Much of the debate centered around whether the Democrats "owned" the budget.

"What we have before us is a Democrat budget that reflects the Democrat vision, a vision that Republicans do not share," said Sen. Bob Huff, of Diamond Bar, the ranking Republican on the budget committee. "It is a majority vote budget. Just understand this does not reflect Republican principles of job creation and reforms."

Democrats said they refused to accept that the budget reflected their values. Under the budget, schools will receive \$3 billion less than what Brown proposed in his revised budget in May. The University of California and California State University systems will take hits of \$150 million apiece, on top of the \$500 million in cuts that they have already had to withstand.

"It's not the Democratic vision to close parks, to tell our children you can't have access to health care," said Sen. Noreen Evans, D-Santa Rosa. "In no way is this the Democratic vision. But ... voters sent us here to do something, to balance the budget, and we are committed to doing that."

Republicans blamed Democrats for kowtowing to public employee unions, who they said were responsible for standing in the way of changes to pensions, regulations and a spending cap -- reforms that a handful of Republicans have sought in exchange for a vote on taxes as they have negotiated with Brown.

"The real stumbling block for the majority party are the unions and trial lawyers demanding they block the reform proposals we have been pushing for months," four Republicans who have been in discussions with Brown said in a statement.

Those four Republicans are Sens. Tom Berryhill, of Modesto; Bill Emmerson, of Hemet; Anthony Cannella, of Ceres; and Tom Harman, of Huntington Beach.

If Brown signs the budget bills, he risks facing criticism for accepting a budget filled with what he has derided as gimmicks -- nearly \$10 billion of accounting maneuvers and tax and fee hikes that may face legal challenges from taxpayer groups who say they violated Proposition 26, the ballot measure that prohibits fee hikes.

Democrats, who cut into the initial \$26.5 billion deficit with massive cuts to social safety net programs, averted further cuts with a quarter cent local sales tax, adding \$12 to the vehicle registration fee, charging a \$150 fee on residents who live in wildfire regions and ordering online retailers to collect a state sales tax.

Democrats said they were able to approve the fees on majority votes because they are user fees, which is allowed under Proposition 26. Taxes and fees for general purposes require a two-thirds vote.

The budget also counts on \$1.7 billion in fees from redevelopment agencies, which would be reconstituted with a narrower authority in their ability to use local taxes for projects.

Critics called it a scheme to eliminate redevelopment agencies.

"If these bills are signed by the governor, we will be prepared to take any and all legal action necessary to overturn this irresponsible and unconstitutional legislation," said John Shirey, executive director of the California Redevelopment Association.

Steinberg said he expects Brown to take the next couple weeks to continue to push for his plan, but was not holding his breath for a deal.

"If there's still a way that a couple of the Republican members are willing to vote for the bridge funding -- which is another way of saying \$2 billion or so -- to make sure that we can get to an election about the long-term revenue, we'll be happy to come back to the floor and pass his plan," Steinberg said.

"But if we get to June 29-30 and those votes are not forthcoming, this is about as good as it gets."

Republicans said that the passage of the budget makes it clear that Democrats do not need a bridge tax.

"If Democrats are willing to go up on this budget, you've proven it can be done without a bridge," Cannella said.

Brown and Democrats sought a temporary tax to cover the next three to six months while they would await the outcome of a September vote on Brown's proposed tax extensions. GOP Senate staffers suggested Democrats could use some of the same accounting measures to cover the cost of schools and public safety while they wait for an election.

Reach Steven Harmon at 916-441-2101. Follow him at [Twitter.com/ssharmon](https://twitter.com/ssharmon). Read the Political Blotter at IBAbuzz.com/politics.

budget highlights

TAXES AND FEES

\$900 million -- Raised by increasing local sales tax rate 0.25 percentage point

\$300 million -- Raised with an annual car registration fee of \$12

\$200 million -- Raised by requiring online retailers, such as Amazon.com, to collect sales taxes

\$160 million -- Raised by imposing a \$150 fee on residents in fire zones

CUTS

\$500 million -- Cuts spending on a local law enforcement program

\$300 million -- Cuts spending on the University of California and California State University systems by \$150 million each

\$150 million -- Cuts court spending

DEFERRALS

\$2.85 billion -- Delays paying schools and community college bills until the next year

\$540 million -- Delays paying some UC bills until next year

OTHER

\$1.2 billion -- Pending settlement on a new proposal to sell state buildings

\$1 billion -- If state wins lawsuit to siphon from early-childhood programs

\$800 million -- Higher tax revenue than expected

\$750 million -- Old school debts not repayed

\$700 million -- Federal government expected to cover Medi-Cal costs

First lady pumps president's re-election campaign

Carla Marinucci, Chronicle Political Writer

Tuesday, June 14, 2011

A Secret Service agent pushes protester Naomi Pitcairn ou... Tennis players wave to cars traveling in First Lady Miche... Kids attending a tennis camp wave their racquets and stre... Kids attending a tennis camp wait for First Lady Michelle... More...

(06-14) 13:29 PDT OAKLAND -- First lady Michelle Obama talked about her campaign to curb childhood obesity Tuesday as 250 breakfast guests paid up to \$2,500 for baked eggs, berries and organic coffee at Oakland's Claremont Hotel to raise money for her husband's re-election campaign.

Outside the swank hotel, fans of the first lady - and a handful of protesters including an Oakland woman who disrupted President Obama's fundraiser at a San Francisco hotel in April - lined the street as her motorcade drove by.

In a half-hour address pumping Obama's 2012 campaign, Michelle Obama implored guests including celebrity chef Alice Waters and Oakland Rep. Barbara Lee to "be with us for the next phase of this journey," adding that "Barack Obama never loses sight of the end goal."

After the Oakland event, the first lady crossed San Francisco Bay to a campaign luncheon in San Francisco where attendees paid \$2,500 each. That event marked the end of her two-day swing in California that included just one public event, a discussion with military families in Beverly Hills.

Her visit prompted criticism from Republicans that the first lady is spending taxpayer money to foot much of the bill for her fundraiser-heavy trip to California this week to help the Obama campaign and the Democratic National Committee.

Presidents and first ladies of both political parties typically raise campaign funds while using public resources to pay for their travels. But Obama's goal to raise \$1 billion for his 2012 re-election campaign has handed Republicans an opportunity to attack the White House as Congress debates whether to limit or raise the nation's debt ceiling.

Events 'flimsy excuse'

With the economy sputtering and millions of Americans unemployed, "it's troubling that the president and his wife use the cover of some flimsy excuse to come to the Bay Area when the real purpose of the trip is fundraising," said Harmeet Dhillon, chairwoman of the San Francisco Republican Party. "I don't think the taxpayers should be footing the bill."

Political campaigns typically pay costs related to fundraising events, such as hotels. But the first lady's trip to California involves official transportation from Washington, security, staffing and other expenses - many of which are covered by taxpayers.

The Chronicle contacted the Obama 2012 campaign office on Monday to clarify which expenses are footed by taxpayers. The newspaper was referred to the first lady's office at the White House, which did not respond to e-mailed questions on the matter.

"What you see happening is that the public events are used as cover to justify the fundraising," said former California GOP Chairman Ron Nehring. "It's about, 'What's an excuse we can build for bringing them out there?' "

Modest by comparison

Michelle Obama's fundraisers are not as expensive or as large as those on her husband's last trip to the Bay Area in April, when he starred at four fundraising events for his campaign and the Democratic National Committee. Those events ranged from a \$35,800-a-person dinner in San Francisco to a sold-out Masonic Auditorium appearance where admission was as low as \$25 a person.

Her events have attracted enthusiastic sponsors and supporters, two-thirds of whom are women, insiders said. At a high-end fundraiser in Pasadena on Monday - while her husband starred in three fundraisers in Miami - the first lady warned that the 2012 re-election campaign would be arduous.

"Now more than ever we need your help to finish what we started," she told California donors.

Tom Del Beccaro, who heads the California GOP, said the first lady's expenses are being increasingly scrutinized, including her "expensive vacations," such as a trip to Spain with friends in the summer of 2010. He said average Americans are watching her White House parties and fundraising travels with a sense that the Obamas are increasingly out of touch.

But Democratic strategist Katie Merrill, who heads the Merrill Strategy Group in Berkeley, countered that the first lady "is incredibly popular with American voters - and certainly California voters."

"She's a great surrogate for the administration, and the people of California should be happy to have her come out and talk about the things she's doing around healthy families and (services) to military families," Merrill said. "It's work that actually matters to people."

E-mail Carla Marinucci at cmarinucci@sfchronicle.com.

Contra Costa Times

Michelle Obama continues president's fundraising momentum in Bay Area visits

By Josh Richman and Matt Krupnick

Oakland Tribune

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Posted: 06/14/2011 12:14:29 PM PDT

Updated: 06/14/2011 04:14:56 PM PDT

President Barack Obama has had a productive first term but needs his supporters firmly behind him in order to win a second, first lady Michelle Obama told attendees at a pair of Bay Area campaign fundraisers Tuesday.

"We need all of you to be with us for the next phase of this journey, and I'm not going to kid you -- it's going to be long, it's going to be hard, and it's supposed to be," she told a crowd of about 250 at the breakfast in the Claremont Hotel Club & Spa in Berkeley.

Even when people -- including herself -- wish the president would lose his cool and fire back at his critics, she said, "Barack Obama never loses sight of the end goal, he never lets himself get distracted by the chatter and the noise, he just keeps moving forward. He needs you to be with him in this for the long haul, he needs you to work like you've never worked before."

"I do this because I'm a mother who wants my kids to have a legacy they can be proud of," she continued. "More importantly, I do it as a citizen who knows we can do amazing things together for this country."

The first lady continued the fundraising momentum her husband started with his visit in April, with an exclusive, \$35,800-a-head dinner at the San Francisco home of tech billionaire Marc Benioff, and then a larger, lower-priced rally at Masonic Auditorium. Tickets for Tuesday's breakfast cost \$1,000 for general seating, \$2,500 for premium seating, \$5,000 for a photo reception or \$25,000 to be a co-host. The first \$5,000 of a contributor's money goes to Obama for America -- half for the primary, half for the general -- and the rest goes to the Democratic National Committee.

"As we look ahead to the next part of this journey, I can't help but think back to how it all began," she said in Berkeley, noting that at first she wasn't thrilled with her husband's presidential aspirations because of her own cynicism about politics and the disruption a campaign could cause her daughters' lives. "It took some convincing on Barack's part, and by some, I mean a lot."

But in their first few months on the campaign trail, she said, she started to realize "it wasn't just about handshakes and stump speeches" but rather about meeting and hearing from people in their own homes and communities. At one early event in Iowa, "I was so comfortable that I kicked off my shoes -- I was wearing high heels -- and I stood barefoot in the grass and felt as comfortable as in my own backyard."

Everywhere they heard stories about struggles to meet mortgage payments, veterans returning from war, youths with good grades but not enough money for college. "These stories moved me, and even more than that, these stories were familiar to me," she said, leading her to think about how her and her husband's parents and grandparents struggled to provide better lives for them.

She said these people on the campaign trail weren't asking for much, just access to a doctor when sick, a good public education and access to college, decent wages, and a secure retirement that might include being able to leave a better life for their kids. Suddenly everything her husband had been saying about interconnection, about there not being any "red" or "blue" states, was no longer just lines in a speech.

She rattled off a litany of her husband's accomplishments, including stopping the economy's free fall and starting a recovery; cutting taxes for the middle class; reforming health care;

starting to cut the deficit while reinvesting in crucial things such as clean energy, research and education; ending the military's "Don't Ask Don't Tell" policy; responsibly ending the Iraq War and bringing al-Qaida mastermind Osama Bin Laden to justice.

She said she watches her husband reading people's letters late at night after their daughters have gone to sleep. "I see the sadness and the worry creasing his face, I hear the passion and determination in his voice" as he says things still aren't right and more must be done, she said. He remembers all these stories, she said, "this collection of hopes and dreams and struggles -- this is where Barack gets his passion."

From Berkeley, the first lady headed for a fundraising luncheon attended by about 200 guests at the Julia Morgan Ballroom in San Francisco's Merchants Exchange Building, for which tickets ran \$2,500 and up. The speech there was similar; among those in attendance were San Francisco Mayor Ed Lee and several members of the board of supervisors.

As she had in Berkeley, she also spoke briefly about her own signature issues: reducing childhood obesity through proper nutrition, and giving military and families and veterans the support and recognition they deserve.

Famed chef Alice Waters' staff prepared locally grown food for the Berkeley event. The menu included blood orange and tangerine juice, organic coffees and black tea; cherries, strawberries, blueberries and raspberries with yogurt and honey; baked farm eggs with fresh morels, asparagus vinaigrette and grilled whole wheat toast; and wild fennel biscotti, jam thumbprints and lemon verbena tisane. Guests upon exiting received chunks of a special bread that Waters worked out with ACME Bread owner Steven Sullivan: 100 percent organic California whole wheat grown near Kettleman City and stone-milled in Petaluma.

Waters said the first lady was "extraordinary."

"It's that really on-the-ground, everyday, how you are with other people, that's what politics is all about," the Chez Panisse founder said. "We have to pay attention, take time for people, really connect in that way."

As she left the Berkeley event, Oakland Mayor Jean Quan said Michelle Obama is "always wonderful," even when delivering a stump speech. "She really spoke from the heart," Quan said, saying she was struck by the first lady's comments about really trying to connect with people on the campaign trail even if it means going door to door. "Clearly she's that kind of campaigner, too."

Actress Jennifer Garner was seated at the same table as Quan. "The first lady did a great job of putting into context everything her husband has accomplished in the last couple of years," Garner said, "and getting the room fired up for the next few years."

Brown continues call for tax extensions

Matt Drange/The Times-Standard

Posted: 06/14/2011 02:20:10 AM PDT

Updated: 06/14/2011 02:20:11 AM PDT

Gov. Jerry Brown reaffirmed his call to enact temporary tax extensions when he met with dozens of state leaders Monday, just two days before the June 15 budget deadline.

Lawmakers continued negotiations over the weekend as Republicans remained staunchly opposed to pushing the expiration date on more than \$9 billion in taxes to 2012. Brown said Monday that the "bridge" extension would be a "truly short one," adding that he would continue to do everything in his power to get the issue on the November ballot.

Speaking in front of representatives from a slew of economic sectors including business, labor, education, local government, law enforcement, agriculture and transportation, Brown said he felt the tax extensions had a good chance of passing. In order to do that, legislators must adopt a budget similar to the plan he proposed earlier, he said.

"What's missing now are the extensions of taxes that people have been paying for years," he said, adding that he continues to court the four Republicans -- two each in the Senate and the Assembly -- needed to pass his proposal.

Citing a credit rating that has remained one of lowest in the country since he took office in January, Brown said California could not move forward without additional tax revenue. He called the latest modification to his initial proposal -- a temporary "bridge" extension -- a "moving target from day one" and something that he was open to negotiating.

"We're getting there," Brown said, declining to say how many issues remain on the bargaining table. "There's a fuzzy zone here that has not yet been transcended. No one said this was easy. We just have to keep working at it."

Republicans remain opposed to extending taxes without voter approval, an issue that could have been resolved had legislative negotiations for a June special election not fallen apart in March. Sens. Tom Berryhill, R-Oakdale; Anthony Cannella, R-Ceres; Bill Emerson, R-Hemet; and Tom Harman, R-Huntington Beach, released a statement Monday disputing claims that Republican opposition was the only thing standing in the way of a budget agreement.

"To the contrary, the governor and Democrat leaders are fully aware of the proposals and have seen specific details of each reform," the statement said. "Moreover, there is significant agreement between Republicans and the governor on the vast majority of those reforms."

With the deadline looming to present a balanced budget to the governor for approval, state leaders from both sides Monday said partnerships between both sides are critical. Bill Dombrowski, president of the California Retailers Association, said the group backed Brown's proposal, adding that lawmakers need to end the "uncertainty and the pain."

Martha Fluor, a Republican and president of the California School Boards Association, echoed the need for compromise, saying she was frustrated with Republican leadership during recent budget talks. Fluor said she has had to cut \$50 million from the group's budget in the last three years alone, adding that the state is not preparing children for success.

"This is a priority problem. In the end, you get what you pay for," Fluor said. "Even though I may not agree with everything in the governor's budget, it's the best for our students and our communities."

Mark Pazin, Merced County sheriff and president of the California State Sheriffs' Association, said that the group of leaders represented the "four pillars" of California, with representatives from the areas of infrastructure, health, education and public safety. Pazin said the state would be "exposed" if a budget wasn't passed, warning that the recent U.S. Supreme Court ruling to decrease the state's prison population could become problematic without a budget in place.

Lawmakers won't get paid for every day the budget is late, but it's not clear how much of an incentive that will be. On Monday, Brown said he remains focused on continuing the debate on tax extensions for as long as it takes -- possibly right up to the start of the new fiscal year on July 1.

"There's a lot to get in this budget, and there's a lot to lose. I think Wednesday is a good stopping point," Brown said. "But if we don't make it Wednesday, maybe we can make it Thursday, or Friday. I think they should not go home until they get this job done."

Matt Drange produced this story for the Times-Standard and California Watch, part of the Center for Investigative Reporting.

Contra Costa Times editorial: Once again, California lawmakers late with a real budget

Contra Costa Times editorial

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Posted: 06/13/2011 04:00:00 PM PDT

Updated: 06/13/2011 04:28:35 PM PDT



Accompanied by a coalition of business, education and law enforcement leaders, Gov. Jerry Brown...

ON WEDNESDAY, the California Legislature will face -- and again miss -- its deadline to pass a real state budget. In fact, it is unlikely the state will have even the semblance of a truly balanced budget for several months, and even then it is apt to fall short of what is needed.

Under Proposition 25, legislators must send the governor a budget by Wednesday to continue getting their pay and travel expenses. But they can pass a sham "balanced" budget that is based on unrealistic projections and gimmicks to fulfill the letter of the law and receive their pay. Gov. Jerry Brown hinted Monday he might sign such budget.

Although a budget can be passed with a majority vote of the Legislature under Prop. 25, a two-thirds vote still is needed to raise taxes or put a tax measure on the ballot. That is why the GOP minority can hold up action on a truly balanced budget.

It is dismaying that the governor and Legislature have, once again, been unable to agree on a package of spending and tax policies that would balance the budget without great harm to government services or taxpayers.

But Democrats remain adamantly opposed to more spending cuts and have been unwilling to make needed reforms in pensions and controls on state spending. Republicans have been just as intransigent on allowing even a public vote on tax extensions or increases, much less approving them in the Legislature.

Even with an unanticipated \$6.6 billion increase in projected revenues by the Legislative Analyst's Office and \$11 billion in spending reductions, California's budget is still more than \$9 billion short.

What is most unfortunate is that our lawmakers in Sacramento so far have passed up an opportunity to use the current fiscal crisis as a lever to enact much-needed budgetary reforms.

Clearly pensions for state and local government workers are unsustainable without huge and increasing infusions of taxpayer money to keep them solvent. There have been some minor reforms, but not nearly what is needed to make sure retirees get a decent pension without overburdening taxpayers or threatening government services.

Just as important is the need for spending restraint, particularly when revenues are high so that a substantial reserve can be established for fiscally leaner times.

A spending cap that is tied to either a combination of population increase and inflation or to increases in the overall personal income of Californians has been bandied about for years. But there has been no progress, even in the face of continuing massive budget shortfalls.

Once again, we are calling for Democrats to agree to pension and spending reforms and for Republicans to agree to at least some short-term tax increases and extensions. The alternative is another late budget that relies heavily on gimmicks and overly optimistic predictions of future revenues.

The Orange County Register

GOP attacks bill that would ease local tax votes

By LIEN HOANG

Associated Press

Jun 12, 1:10 PM EDT

SACRAMENTO, Calif. (AP) -- Now that Republican lawmakers have voted against a renewal of expiring tax hikes, Democrats are turning to another, more complex way to generate revenue.

A bill proposed by state Senate President Pro Tem Darrell Steinberg and narrowly approved last week would dramatically expand the taxing powers of local governments, school boards and other jurisdictions.

But the bill, SB23-1X, would lead to such a complicated latticework of taxes that opponents say Steinberg is merely pulling a stunt to ramp up pressure against Republican lawmakers.

The Sacramento Democrat said his legislation would give public schools and law enforcement agencies a firmer source of funding if lawmakers don't come up with one directly.

It would grant sweeping authority to local governments to raise money, with voter approval, through taxes on income, vehicles, alcohol, tobacco, medical marijuana, soda and companies that pump oil in California.

Steinberg introduced his local tax proposal on Friday, soon after the defeat in the Senate of the main bill to renew temporary increases in the statewide sales and vehicle taxes that will expire June 30. It passed, but with only the bare 21-vote majority needed. One Democrat voted against it and three others abstained.

The bill applies to counties, school districts, community college districts and county offices of education. Critics said it would create a logistical nightmare of inconsistent tax policies that likely would be challenged in court and with a ballot referendum seeking to repeal it.

Those obstacles, in addition to its uncertain prospects in the Assembly and with Gov. Jerry Brown, make it clear that Steinberg's bill is more than a funding tool. Steinberg acknowledged to reporters that he was using the legislation to pressure Republicans, who are the minority in both houses but whose consent is needed to pass tax increases.

"I felt it was important to pass this early because it does show that if the minority party, which holds some of the cards here, does not provide bridge funding for schools and for public safety agencies, that the majority party will fulfill its responsibilities," Steinberg said.

The governor has asked lawmakers to extend the 2009 sales and vehicle tax hikes through September, when he wants a special election to ask voters to renew them for five years and reinstate a personal income tax increase for four years. Extending the tax hikes and calling a special election require a two-thirds vote in the Legislature, but so far the Republican votes needed to reach that have been non-existent.

Californians have been paying an extra 1 percent in sales tax, a half-percent more for vehicle licenses and a quarter-percent higher income tax rate for two years. Some tax filers also have received a lower tax exemption for dependents. All the tax hikes end by June 30, although the income tax increase is already expired.

Several Republicans in the Assembly and the Senate have been negotiating with Brown to let Californians decide on tax renewals in a special election. In exchange for their votes, the GOP lawmakers want a spending cap and pension and regulatory reforms.

As for local taxation, Steinberg has not sent his latest bill to the Assembly in the hope that he can strike a deal with Republicans. GOP senators said Steinberg's bill would put the state at further disadvantage in attracting and keeping businesses.

"If this bill is implemented, you better buy some U-Haul stock," said Sen. Tony Strickland, R-Thousand Oaks, "because what's going to happen is, jobs are going to escape in droves."

He said the bill, which passed 21-16, violates the voter-approved requirement that tax measures receive two-thirds support in the Legislature. Strickland predicted a voter referendum if Steinberg's bill becomes law, and the Howard Jarvis Taxpayers Association said it would gather petition signatures if the time came.

Association president Jon Coupal acknowledged it might be hard to dispute the legality of the bill in court because it does not increase taxes directly. He said Democrats were using it primarily to threaten Republicans into signing on to a legislative tax extension.

"Steinberg is waving a gun around, but everyone knows it's unloaded," Coupal said.

Even if the bill makes it out of both houses, Brown's approval is not certain.

When Brown served as governor the first time, voters approved Proposition 13 in 1978, a landmark initiative that rolled back property taxes, capped their annual increases and changed California's political calculus by shifting much of the state's power to the electorate.

Signing Steinberg's bill could set the stage for an ugly round of lawsuits and anti-tax ballot initiatives at the state and local levels, adding yet more uncertainty in an era when municipal budgets are strained and local services facing deep cuts.

Brown is not entirely on the same page as his fellow Democrats in the Legislature, which must pass a balanced budget by Wednesday or give up salary and per-diem payments under a recent voter-approved initiative.

The governor wants to close the state's remaining budget gap of \$9.6 billion by renewing the 2009 tax hikes for at least three months, not a full year. The extension would last until a special election on taxes, which he hopes will be called for September.

But Democratic legislators want the extension of the sales and vehicle tax increases to last a year so schools can plan their budgets before classes resume.

Lien Hoang can be reached at <http://www.twitter.com/lienh> .

10 bills to watch in California's Legislature

By Paresh Dave

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Published: Sunday, Jun. 12, 2011 - 12:00 am | Page 3A

Last Modified: Sunday, Jun. 12, 2011 - 12:13 am

This summer, lawmakers will consider increasing fines, banning more activities and closing tax loopholes. They have until early September to pass bills and send them to Gov. Jerry Brown. Here's a sample of the hundreds of bills still alive:

Immigrants

Assembly Bills 130 and 131 by Assemblyman Gil Cedillo, D-Los Angeles: Allows undocumented students at California's public colleges to get private and public financial aid.

The debate: Anti-immigration groups and some lawmakers warn of \$30 million in new costs to the state, a lower amount of aid to documented students and a rise in illegal immigration as people travel to California to take advantage. Brown supports the concept behind the bills, although he has not taken a position on these specific measures.

Open carry

Assembly Bill 144 by Assemblyman Anthony Portantino, D-La Cañada Flintridge: Makes it a misdemeanor to carry an unloaded weapon in public.

The debate: Law enforcement officials want to curtail open-carry events that they say are intimidating to unarmed citizens. Gun owners consider this another step toward taking away their rights to bear arms.

Online sales tax

Assembly Bill 155 by Assemblyman Charles Calderon, D-Whittier: Raises an estimated \$83 million by requiring companies, such as Amazon.com, that don't have a physical presence in California but control a California subsidiary to collect a tax on purchases.

The debate: The proposal is one of three pending in the Legislature to force out-of-state companies to collect sales tax from Californians shopping online. But keeping California companies competitive could drive Amazon and others to drop in-state ties or file a legal challenge.

Shark fins

Assembly Bill 376 by Assemblyman Paul Fong, D-Cupertino: Bans the sale, transfer or possession of shark fins.

The debate: Pits a Chinese tradition, dating back two millennia, of using shark fins in cooking against the preservation of a fish deemed crucial to the ocean culture.

Cellphone use

Senate Bill 28 by Sen. Joe Simitian, D-Palo Alto: Increases the overall fine for using a cellphone while driving from \$208 to \$328 and creates a \$20 fine for using a cell phone while riding a bicycle.

The debate: An Assembly committee last year killed a similar bill without comment, but Simitian is optimistic about its chances. One change from last year is the addition of a point to a driver's record upon the second violation rather than the first.

Skier helmets

Senate Bill 105 by Sen. Leland Yee, D-San Francisco: Requires skiers and snowboarders under the age of 18 to wear a helmet.

The debate: Helmet usage has been sloping upward. Yee wants a tool parents could use to coerce holdouts to get on board. Critics say enforcement of the \$25 fines would be spotty.

Smoking

Senate Bill 575 by Sen. Mark DeSaulnier, D-Concord: Imposes smoking bans on locations exempted from the previous ban, including hotel and motel lobbies and banquet rooms, warehouses, employee break rooms and small businesses.

The debate: The small business provision affects venues such as hookah bars that supporters claim hook young adults into the world of smoking. Cigar shops want to make sure they aren't affected.

Tanning beds

Senate Bill 746 by Sen. Ted Lieu, D-Torrance: Bans anyone under the age of 18 from using a tanning bed.

The debate: It's a move that tanning salons fear would undercut up to a tenth of their business. Supporters note teenage exposure to ultraviolet radiation dramatically raises chances of skin cancer.

Bikes and cars

Senate Bill 910 by Sen. Alan Lowenthal, D-Long Beach: Defines a safe passing space for cars and bicycles and creates a \$220 fine for vehicles colliding with bikes.

The debate: Spurred partly by Los Angeles Mayor Antonio Villaraigosa's bicycle accident a year ago, the bill seeks to tighten current law to make sure drivers maintain a buffer of 3 feet with bicyclists and pass by them at reasonable speeds. Drivers would gain the right to drift onto the wrong side of a road if there isn't enough room for them alongside a bike. California auto clubs oppose the measure.

Cellphone search

Senate Bill 914 by Sen. Mark Leno, D-San Francisco: Reverses a California Supreme Court decision that said law enforcement officers can search an arrestee's cellphone without a warrant.

The debate: The American Civil Liberties Union says police shouldn't be entitled to look through a wide window into your life without proving there's something criminal to be found. The Peace Officers Research Association of California says undoing the court ruling "unduly restricts" law enforcement.

Read more: <http://www.sacbee.com/2011/06/12/3693984/10-bills-to-watch-in-californias.html#ixzz1PIYoYej7>

District proposal likely to bring interesting races

By Michael Doyle
mdoyle@mcclatchydc.com
Saturday, Jun. 11, 2011

WASHINGTON — Under a proposed new congressional district map unveiled Friday, colleagues become competitors, political hometowns get unsettled and California's wine country is split. And Stanislaus County would get its own congressional seat.

"There's going to be a fair amount of entertainment, in terms of competitive races," predicted University of California at Berkeley political scientist Bruce Cain.

Until now, scandal-free House incumbents have essentially been guaranteed re-election thanks to gerrymandering. But under the proposed House map, Cain calculated that between "one third to one-fourth" of California's 53 House seats could realistically pit Republicans against Democrats.

Proposed Congressional districts

Some veterans, like Rep. David Dreier, R-Covina, are thrown into a new district dominated by voters from the other party. Some, like Rep. Jerry McNerney, D-Pleasanton, could face the choice of running against one of their own party's elders.

Overall, Democrats appear the statewide winner, potentially adding several House seats.

"It appears to give Democrats even greater strength," acknowledged Rep. Dan Lungren, R-Gold River.

The competition levels could still shift, though, as the public weighs in and the California Citizens Redistricting Commission prepares final maps by August.

"This is only the opening salvo of this thing," cautioned Rep. Dennis Cardoza, D-Merced.

Another kind of competition could turn same-party colleagues against one another. Once the maps are final, expect lots of maneuvering to claim the best seat.

McNerney, for one, currently lives in Pleasanton while representing a district that takes in portions of San Joaquin County that include Tracy and Manteca. The proposed map turns Pleasanton and the larger Livermore Valley over to another district centered in the East Bay.

This new map seemingly presents McNerney with a stark choice. If he wants to keep his Pleasanton base, he must either chase off or challenge 79-year-old Rep. Pete Stark, D-Fremont. Or, McNerney could shift his attention to a Stockton- centered district that is safely Democratic but also outside of his current home.

Waiting for final maps

"Once the final maps are produced, he'll move forward from there," McNerney's spokeswoman Sarah Hersh said Friday.

Geographically, one of the state's biggest stretches involves the Sierra Nevada mountains.

Currently, Rep. Tom McClintock, R-Elk Grove, represents the 4th Congressional District that runs from Roseville north to the Oregon border. The new map essentially reverses direction, running from Roseville mostly south through Tuolumne and Mariposa counties into mountainous eastern Fresno County.

The proposed foothills district is undeniably conservative, tailored for a Republican, though the severance from larger cities bothers some.

If the commission reconsiders the mountainous district, that in turn could reshape what's proposed for Stanislaus County. The proposed map puts all of Stanislaus County and part of San Joaquin County into one Republican-leaning but competitive district, for whom incumbent Rep. Jeff Denham, R-Atwater, would be the likely candidate. Now, parts of Stanislaus County are represented by Denham and Cardoza.

The proposed map includes splitting the most famous part of California's wine country, putting Napa and Sonoma counties into different congressional districts. This could underscore the choice facing Rep. Mike Thompson, D- St. Helena. If he sticks with his current Napa Valley home, he would leave behind not only Sonoma but also the sweeping North Coast district he currently represents.

Read more: <http://www.modbee.com/2011/06/10/1727764/district-proposal-likely-to-bring.html#ixzz1PMkzZKbD>

Draft California congressional maps promise more competition

By Michael Doyle

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Published: Saturday, Jun. 11, 2011 - 12:00 am | Page 3A

Last Modified: Monday, Jun. 13, 2011 - 8:54 am

WASHINGTON – Colleagues become competitors and political hometowns get unsettled under a proposed new congressional district map unveiled Friday.

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Until now, scandal-free House incumbents have essentially been guaranteed re-election thanks to gerrymandering. But under the proposed House map, Cain calculated that between "one third to one-fourth" of California's 53 House seats could realistically pit Republicans against Democrats.

Some veterans, like Rep. David Dreier, R-San Dimas, are thrown into a new district dominated by voters from the other party. Some, like Rep. Jerry McNerney, D-Pleasanton, could face running against one of their own party.

Overall, Democrats appear the winner, potentially adding several House seats.

"It appears to give Democrats even greater strength," acknowledged Rep. Dan Lungren, R-Gold River.

The competition could still shift, though, as the public weighs in and the California Citizens Redistricting Commission prepares final maps by August.

"This is only the opening salvo of this thing," cautioned Rep. Dennis Cardoza, D-Atwater.

Some California congressional incumbents can settle in to comfortably familiar districts. A prime example is Rep. Doris Matsui, D-Sacramento, whose district remains consolidated around the capital and immediate surroundings.

Some, like Rep. John Garamendi, D-Walnut Grove, would shift more but still retain a safe seat. Garamendi's potential new district spanning Yolo and Solano counties also has the advantage, unlike his current district, of including his actual home.

"I represented this area before as a state official, so none of the area is new to me," Garamendi said.

Other re-election-seekers could have more work cut out for them. Lungren's new district, for instance, encompasses Sacramento County outside of the city of Sacramento. The voter registration is roughly even, making it a competitive district.

"I've always taken the district I've gotten," Lungren said.

Natalie LeBlanc, an adviser to Democrat Ami Bera, who challenged Lungren last November, said Bera's camp is thrilled with the makeup of the draft district. The Elk Grove physician is planning another run against Lungren, even though Bera would live outside the district under the new map.

Another kind of competition could turn same-party colleagues against one another. Once the maps are final, expect lots of maneuvering to claim the best seat.

McNerney, for one, currently lives in Pleasanton while representing a district that contains portions of San Joaquin County that include Tracy and Manteca. The proposed map turns Pleasanton and the larger Livermore Valley over to another district centered in the East Bay.

This new map seemingly presents McNerney with a stark choice. If he wants to keep his Pleasanton base, he must either chase off or challenge 79-year-old Rep. Pete Stark, D-Fremont. Or, McNerney could shift his attention to a Stockton-centered district which is safely Democratic but also outside of his current home.

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The proposed foothill district is undeniably conservative, though the severance from larger cities bothers some.

"It's sheer lunacy to cut the mountains out from the places where people go to do their shopping, in Fresno or Visalia," said Rep. Devin Nunes, R-Tulare.

Bay Area districts are mostly only tinkered with, keeping the region's uniformly Democratic delegation safe. In some prominent cases, like the San Francisco seat securely held by House Minority Leader Nancy Pelosi, the concentrated urban population assured retention of similar district boundaries.

AT A GLANCE

Here are some highlights of the draft district maps for the Sacramento region released by the California Citizens Redistricting Commission.

CONGRESS:

- GOP Rep. Dan Lungren of Gold River would find himself in a more compact and less Republican district.
- The district of Rep. John Garamendi, D-Walnut Grove, would also contract, and would take Yolo County areas now represented by Democrat Mike Thompson. Garamendi's district would remain Democratic.
- The proposed district of Rep. Doris Matsui, D-Sacramento, remains consolidated around the city of Sacramento but would stretch across the river to West Sacramento.
- The Placer County-based district of Rep. Tom McClintock, R-Elk Grove, remains reliably Republican. But instead of reaching north to the Oregon border like the current district, it would curl south along the foothills nearly to Fresno.
- The district of Rep. Wally Herger, R-Chico, would pick up much of the northeast state from McClintock's district, and include Nevada City.

Release of new maps creates political 'tsunami'

By Lisa Vorderbrueggen and Tracey Kaplan

Bay Area News Group

Posted: 06/10/2011 04:30:09 PM PDT

Updated: 06/11/2011 09:30:10 AM PDT

California's grand experiment with "citizen redistricting" produced sweeping angst across the state's political landscape Friday as the first round of congressional and legislative maps hit the streets.

Some incumbents called their new proposed districts "baffling." Latino leaders called the maps a disaster. But political reformers characterized them as a vast improvement from the old, party-driven system.

Interestingly, political experts said, the maps could be a boost to Democrats in what is already one of the bluest states in the country.

The new districts were drawn for the first time without regard to incumbents' home addresses or party affiliation. The results are districts with fewer odd-looking

arms and fingers, along with a plethora of incumbents who no longer live in their districts.

Although there are certain to be changes before the final maps are adopted in August, everyone agrees the political shift will be huge.

"It's an earthquake with a tsunami," said Doug Johnson, a redistricting scholar with the Rose Institute at Claremont McKenna College.

Displaced legislators may be forced to move to adjacent districts containing the bulk, or at least the core, of their previous constituencies. Or they can simply choose to get out of legislative politics.

State lawmakers must live in the districts they represent, while congressional representatives are not required to.

First-term Assemblywoman Nora Campos,

D-San Jose, who now represents the 23rd Assembly District, no longer would have a San Jose-centric district in which to seek re-election. A portion of her East San Jose district was placed in a district now represented by Assemblyman Luis Alejo, D-Salinas.

Other politicians could find themselves in far less safe districts. Two GOP members of Congress, David Dreier and Gary Miller in Southern California, have probably lost their chances of winning re-election.

The party balance in the state Legislature is most likely a political wash based on preliminary results, redistricting analysts say. In Congress, however, the GOP could lose up to eight of its 19 California seats, according to several political experts.

Democrats could pick up "at least four, maybe eight, seats," Democratic political consultant Jim Ross said. "That reflects the demographics of California."

California GOP Chairman Tom Del Beccaro of Lafayette, not surprisingly, was less enthusiastic.

"I'm not sure that's exactly what California needs," Del Beccaro said of the possible Democratic gains. "But we're going to finish crunching the numbers this weekend, and then we'll see how much we have to massage -- or push."

Tony Quinn, a veteran redistricting expert and former GOP political consultant, expects a far smaller hit on Republicans than some experts do, and commended the commission for producing a "pretty balanced set of maps."

"What seems to have been done throughout the state is that Democrats lose a little bit of their safe districts in the Bay Area while Republicans gain a little in their strong areas in the Central Valley," Quinn said.

Under the draft plan, the nine-county Bay Area would most likely lose part of one state Senate seat with the consolidation of two San Francisco seats now held by Democrats Leland Yee and Mark Leno.

The region would probably retain its Assembly seats and the 12-member congressional delegation, but its power may ultimately

be diluted as the boundaries of its outermost districts push deeper into the faster-growing Central Valley.

Rep. Jerry McNerney, D-Pleasanton, whose 11th District sprawls over the Altamont Pass into San Joaquin County, was drawn out of his territory and into that of neighboring Rep. Pete Stark, D-Fremont.

The open question is whether McNerney would run for Stark's 13th District seat or try for the newly constituted district next door. Stark has hinted that he might retire.

Residents in Stark's district have another worry: The draft plan moves most of Fremont and all of Newark into a predominantly Santa Clara County district that includes Milpitas and eastern San Jose. Commissioners, however, indicated during discussion Friday that they will take a second look.

In other Bay Area congressional moves, Reps. Lynn Woolsey, D-Santa Rosa, and Mike Thompson, D-St. Helena, could see large swaths of their districts swapped.

Woolsey blasted the commission Friday, calling it a "baffling" move.

Latino groups, meanwhile, suggested they were already considering legal action.

Even though Latinos drove the vast majority of California's population growth in the past decade, two leading civil rights groups said, the maps fail to reflect their growing influence -- making it unlikely more Latinos will be elected to the Legislature and Congress.

"I'm seeing the status quo," said Steven Ochoa, national redistricting coordinator for the Mexican American Legal Defense and Educational Fund. "This is disappointing and frustrating because we went from one extreme in the redistricting process to another, but still have not increased the voice of the second largest group in the state."

Latinos now make up 38 percent of the state's population and about 20 percent of voters.

Currently, seven of California's 53 congressional seats, or 13 percent, are held by Latinos; 15 of the 80, or about 19 percent, are in the state Assembly.

On the other hand, Latinos could benefit from the Democratic Party's overall gains in Congress on issues like immigration.

Asian-Americans fared better under the initial plan, gaining a likely seat in the Assembly and in Congress from the San Gabriel Valley. But the Asian alliance that lobbied the commission agreed Friday with MALDEF that the draft falls short of satisfying the goals of the Voting Rights Act when it comes to Latinos.

"The huge question is, 'Did the commission go far enough to make sure Latinos have as equal an opportunity to elect Latinos as they do non-Hispanic whites?' " said Eugene Lee, voting rights program director for the Asian Pacific American Legal Center. "Civil rights groups think more Latino districts can be drawn."

MALDEF opposed the 2008 and 2010 ballot propositions that took redistricting out of the hands of politicians and gave it to the citizens' commission of five Republicans, five Democrats and four independents. But the group submitted a detailed plan to the panel.

Ochoa and Lee said the commission gave more weight to drawing geographically compact districts, ignoring the requirement to make compliance with the Voting Act Rights its second priority after evening up the population counts.

California is one of a half-dozen states -- which include Hawaii, Washington and Arizona -- with an independent or bipartisan redistricting commission, although it is by far the largest endeavor of its kind.

Independent redistricting advocates such as Bob Stern, president of the Center for Governmental Studies, are pleased with the commission's work, citing its vast number of meetings and voluminous downloadable documents and maps.

He and other proponents sought to end the Legislature's practice of drawing maps that protected incumbents and the balance of party power.

In 2001, the California Legislature unveiled on a Friday draft maps written largely in secret and adopted them the following Monday, Stern said.

And in the years since then, only one congressional and legislative office changed party hands.

The intent of independent redistricting is "to have fair districts that reflect California, whatever the outcome," Stern said. "The process this time has exceeded my expectations in terms of how serious the commissioners are taking it and how much transparency it has. We'll have to wait and see how it comes out, of course."

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Release of new maps creates political 'tsunami'

By Lisa Vorderbrueggen and Tracey Kaplan Bay Area News Group

Posted: 06/10/2011 04:30:16 PM PDT

Updated: 06/13/2011 06:42:51 AM PDT

California's grand experiment with "citizen redistricting" produced sweeping angst across the state's political landscape Friday as the first round of congressional and legislative maps hit the streets.

Some incumbents called their new proposed districts "baffling." Latino leaders called the maps a disaster. But political reformers characterized them as a vast improvement from the old, party-driven system.

Interestingly, political experts said, the maps could be a boost to Democrats in what is already one of the bluest states in the country.

The new districts were drawn for the first time without regard to incumbents' home addresses or party affiliation. The results are districts with fewer odd-looking arms and fingers, along with a plethora of incumbents who no longer live in their districts.

Although there are certain to be changes before the final maps are adopted in August, everyone agrees the political shift will be huge.

"It's an earthquake with a tsunami," said Doug Johnson, a redistricting scholar with the Rose Institute at Claremont McKenna College.

Displaced legislators may be forced to move to adjacent districts containing the bulk, or at least the core, of their previous constituencies. Or they can simply choose to get out of legislative politics.

State lawmakers must live in the districts they represent, while congressional representatives are not required to.

First-term Assemblywoman Nora Campos,

D-San Jose, who now represents the 23rd Assembly District, no longer would have a San Jose-centric district in which to seek re-election. A portion of her East San Jose district was placed in a district now represented by Assemblyman Luis Alejo, D-Salinas.

Other politicians could find themselves in far less safe districts. Two GOP members of Congress, David Dreier and Gary Miller in Southern California, have probably lost their chances of winning re-election.

The party balance in the state Legislature is most likely a political wash based on preliminary results, redistricting analysts say. In Congress, however, the GOP could lose up to eight of its 19 California seats, according to several political experts.

Democrats could pick up "at least four, maybe eight, seats," Democratic political consultant Jim Ross said. "That reflects the demographics of California."

California GOP Chairman Tom Del Beccaro of Lafayette, not surprisingly, was less enthusiastic.

"I'm not sure that's exactly what California needs," Del Beccaro said of the possible Democratic gains. "But we're going to finish crunching the numbers this weekend, and then we'll see how much we have to massage -- or push."

Tony Quinn, a veteran redistricting expert and former GOP political consultant, expects a far smaller hit on Republicans than some experts do, and commended the commission for producing a "pretty balanced set of maps."

"What seems to have been done throughout the state is that Democrats lose a little bit of their safe districts in the Bay Area while Republicans gain a little in their strong areas in the Central Valley," Quinn said.

Under the draft plan, the nine-county Bay Area would most likely lose part of one state Senate seat with the consolidation of two San Francisco seats now held by Democrats Leland Yee and Mark Leno.

The region would probably retain its Assembly seats and the 12-member congressional delegation, but its power may ultimately be diluted as the boundaries of its outermost districts push deeper into the faster-growing Central Valley.

Rep. Jerry McNerney, D-Pleasanton, whose 11th District sprawls over the Altamont Pass into San Joaquin County, was drawn out of his territory and into that of neighboring Rep. Pete Stark, D-Fremont.

The open question is whether McNerney would run for Stark's 13th District seat or try for the newly constituted district next door. Stark has hinted that he might retire.

Residents in Stark's district have another worry: The draft plan moves most of Fremont and all of Newark into a predominantly Santa Clara County district that includes Milpitas and eastern San Jose. Commissioners, however, indicated during discussion Friday that they will take a second look.

In other Bay Area congressional moves, Reps. Lynn Woolsey, D-Santa Rosa, and Mike Thompson, D-St. Helena, could see large swaths of their districts swapped.

Woolsey blasted the commission Friday, calling it a "baffling" move.

Latino groups, meanwhile, suggested they were already considering legal action.

Even though Latinos drove the vast majority of California's population growth in the past decade, two leading civil rights groups said, the maps fail to reflect their growing influence -- making it unlikely more Latinos will be elected to the Legislature and Congress.

"I'm seeing the status quo," said Steven Ochoa, national redistricting coordinator for the Mexican American Legal Defense and Educational Fund. "This is disappointing and frustrating because we went from one extreme in the redistricting process to another, but still have not increased the voice of the second largest group in the state."

Latinos now make up 38 percent of the state's population and about 20 percent of voters.

Currently, seven of California's 53 congressional seats, or 13 percent, are held by Latinos; 15 of the 80, or about 19 percent, are in the state Assembly.

On the other hand, Latinos could benefit from the Democratic Party's overall gains in Congress on issues like immigration.

Asian-Americans fared better under the initial plan, gaining a likely seat in the Assembly and in Congress from the San Gabriel Valley. But the Asian alliance that lobbied the commission agreed Friday with MALDEF that the draft falls short of satisfying the goals of the Voting Rights Act when it comes to Latinos.

"The huge question is, 'Did the commission go far enough to make sure Latinos have as equal an opportunity to elect Latinos as they do non-Hispanic whites?' " said Eugene Lee, voting rights program director for the Asian Pacific American Legal Center. "Civil rights groups think more Latino districts can be drawn."

MALDEF opposed the 2008 and 2010 ballot propositions that took redistricting out of the hands of politicians and gave it to the citizens' commission of five Republicans, five Democrats and four independents. But the group submitted a detailed plan to the panel.

Ochoa and Lee said the commission gave more weight to drawing geographically compact districts, ignoring the requirement to make compliance with the Voting Act Rights its second priority after evening up the population counts.

California is one of a half-dozen states -- which include Hawaii, Washington and Arizona -- with an independent or bipartisan redistricting commission, although it is by far the largest endeavor of its kind.

Independent redistricting advocates such as Bob Stern, president of the Center for Governmental Studies, are pleased with the commission's work, citing its vast number of meetings and voluminous downloadable documents and maps.

He and other proponents sought to end the Legislature's practice of drawing maps that protected incumbents and the balance of party power.

In 2001, the California Legislature unveiled on a Friday draft maps written largely in secret and adopted them the following Monday, Stern said.

And in the years since then, only one congressional and legislative office changed party hands.

The intent of independent redistricting is "to have fair districts that reflect California, whatever the outcome," Stern said. "The process this time has exceeded my expectations in terms of how serious the commissioners are taking it and how much transparency it has. We'll have to wait and see how it comes out, of course."

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Many ideas suggested for handling state park costs

Tom Stienstra

Sunday, June 5, 2011

Let's say Gov. [Jerry Brown](#) and his bean counters are not bluffing.

He's ordered 70 parks closed and the rest, 208 parks, to be run as skeleton-crew operations to serve 80 million people per year. If he's bluffing, he could still shift what represents about one-tenth of 1 percent of the state's general fund to state parks and keep them all open.

Here are the numbers: California's general fund budget is \$88.8 billion, according to the revised budget. State parks will be cut \$11 million, starting July 1, for the 2011-12 fiscal year, then another \$22 million, starting July 1, 2012, for the next year.

To illustrate how minuscule the savings are from these cuts, imagine the entire budget was represented by one dollar. You could take one penny out of that dollar, slice it into 10 tiny pieces, and this year's \$11 million cut would equal one of those pieces. Overall, the general fund's portion to state parks is \$99 million, or about \$2.67 per year for each of the state's 37 million residents.

With such little money at stake for such severe consequences, some think Brown has ordered the parks closed as a high-profile bluff in order to leverage new taxes across the board for other programs. A source with access to the governor told me this is no bluff, and if we don't like it, we had better raise the \$33 million ourselves over the next year.

To do just that, a number of Chronicle readers have proposed ideas. Along with some of my own, here they are:

-- Tourist tax: Charge \$1 per person at border stations and airports for nonresidents entering California. In 2009, there were 322 million nonresident "person stays" in California, according to the Department of Tourism, though some were counted twice if they visited multiple regions. A \$1 tourist tax would fund state parks in perpetuity, allow day-use and campsite fees to be rolled back to pre-deficit levels, and fund long-delayed repairs to infrastructure.

-- Nonresident campers: Out-of-state residents pack the campgrounds along Highway 1 on the coast and the Nevada border in the Tahoe region. This comes at great cost to Californians, when you can't find a spot because nonresidents have filled them. Charge out-of-staters double or higher for campsites until there is space for our own.

-- Dog pass: Charge a \$100 annual fee to dog owners that would allow them to take their dogs on trails in state parks. If 1 million dog owners bought the dog pass, it would raise \$100 million and pay for the entire general fund contribution to the parks budget.

-- The Olmsted Mission: Alden Olmsted, son of the legendary John Olmsted, who helped save land that became many state parks, started a crusade last week, \$1 at a time. He'll place donation jars at many parks and has started a website, johnolmsted.net, where all money raised will go to pay the parks' deficit.

-- Hiking parks: At large parks used primarily for hiking and biking, use the template established by the East Bay Regional Park District, where parking and access is free and no rangers are on site. No matter what, do not gate the parking lots.

-- Required service: To pay back the subsidized benefit of their education, every student at a middle school, high school, community college, UC or state university must provide a full day of service per year to a state park.

-- Surrender the ship: If the boat won't float, hand over some state parks to the National Park Service. The parks in the Redwood Empire, and any park with land bordering a national park, like Tomales Bay State Park adjacent to Point Reyes National Seashore, are among the candidates.

-- Trophy trout fee: At state parks with lakes, buy and plant trophy-size rainbow trout and then charge anglers a bonus fishing fee. Use half the money from that fee to buy more giant fish to perpetuate the program and half to pay for the parks deficit.

-- Rich benefactors: State park executives should seek out the rich few for a few bucks. Audrey Rust of the Midpeninsula Open Space Trust, for instance, led a campaign to protect greenbelts and helped raise \$200 million to buy land to be converted to parkland. Problem is, benefactors do not usually donate cash for operating budgets. They like one-time contributions to buy and donate land for parks.

-- Partnerships: In some areas, volunteers or other park districts could take over state park operations. The best examples in the Bay Area are at Mount Diablo State Park, where the East Bay Regional Parks District or the Mount Diablo Interpretive Association could move right in, or at Henry W. Coe State Park, where the Pine Ridge Association has an army of volunteers ready to step up.

Since the park-closure threats started, I've been asking two questions, over and over, that nobody has answered:

1. If the Department of Parks can't afford to keep parks open, how can it afford to patrol them to keep them closed?

2. If the governor or anybody else thinks they're going to keep anybody out of their local parks by closing a gate, aren't they living in dreamland?

Wildlife sightings

Las Trampas nightmare: "What's that little black-white animal in the shadows?" Shelly Lewis and her dogs found out, up close and personal, at Las Trampas Regional Wilderness. "Dog got skunked. Twice."

Peninsula eagle verified: The bald eagle that's adopted the Crystal Springs Watershed as its new home, a rarity for the Peninsula, was spotted again, with the most vivid description last week reported by Jim Gorman, who was running on a trail at nearby Edgewood Park.

Showdown in Sierra foothills: Out of Penn Valley in Nevada County, Matt Proietti sighted a jackrabbit dashing through an opening in the brush. A moment later, a coyote emerged at full sprint, trying to catch it. "Not this time," Proietti noted.

Ravens in the city: Ravens have gone from being a species rarely sighted to off-the-charts common in San Francisco, notes Eddie Bartley, via Jake Sigg's blog, Nature News, and I'd like to know any theories as to why.

Farallones inaugural: San Francisco's Oceanic Society made its first wildlife watching trip of the season to the Gulf of the Farallones National Marine Sanctuary last weekend. The highlight was 300-plus Risso's dolphins around the boat, along with 50 Northern right whale dolphins, 10 white-sided dolphins, and a gray whale in a 40-minute encounter 6 miles north of the Southeast Farallon Island. (415) 474-3385.

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Contra Costa Times

Lisa Vorderbrueggen: One Bay Area workshop takes one on the chin

By Lisa Vorderbrueggen

Contra Costa Times

Posted: 06/04/2011 06:55:00 PM PDT

THE BAY AREA'S premier regional planning agencies suffered a largely deserved beating in Contra Costa County.

The Metropolitan Transportation Commission and Association of Bay Area Governments brought to Concord its traveling roadshow designed to measure public opinion as it begins the two-year process of writing a blueprint for housing, jobs and transportation, called One Bay Area or Plan Bay Area.

Vocal critics brought the May event to its knees, prompting one ABAG staffer to mutter, "This is falling apart."

Granted, the outspoken voices came from the conservative East Bay Tea Party, which views the sustainable development movement as an assault on private property rights born out of false assumptions about mankind's impact on the global climate.

Under SB 375, passed in 2008, California's metropolitan areas must adopt by 2013 a sustainable communities strategy that outlines how they will cut greenhouse gases.

But setting aside disparate philosophies, MTC and ABAG need to get out of their offices more often.

Planners may view One Bay Area from an altitude of 30,000 feet, but the average resident wants to know how it hits the ground in her neighborhood and town.

The workshop format was overly rigid and left many feeling cut off. After every verbal outburst -- some of which fell short of polite -- the facilitators euphemistically said, "That's exactly the kind of input we want "... but we need to move on."

Second, the agencies' use of advocacy group staffers as facilitators unnecessarily fueled suspicions about a global conspiracy to force us out of our cars and big houses and into high-rise buildings and trains.

By way of background, opponents trace the sustainable movement to the 1992 United Nations Conference on Environment and Development in Brazil, where member nations adopted a sustainable communities action plan called Agenda 21.

In the public agencies' defense, they were trying to save money. Outreach is expensive and the Silicon Valley Community Foundation had obtained a Knight Foundation grant.

The foundation joined Greenbelt Alliance, an open space advocacy group; TransForm, a pro-transit nonprofit; Calthorpe Associates, an urban planning firm and forefathers in the smart growth movement; and Northern California Public Broadcasting.

They are well-intentioned organizations with laudable missions who deserve a voice in the debate.

But when Matt Vander Sluis, an East Bay senior field representative with Greentbelt, began delivering an overview of the One Bay Area planning process, it crossed the line.

"Is this a government meeting?" someone yelled

Good question.

When the ABAG and MTC boards -- which consist of Bay Area elected supervisors and city council members -- vote on a final sustainable community strategy in 2013, the public must have confidence that it is the result of broad input and not the work product of specific advocacy groups.

The agencies may never satisfy the Agenda 21 crowd but a failure to sincerely welcome their voices will undermine public support for this critical conversation.

No one may say with absolute certainty what the future will bring in terms of added population. But we know the future will arrive and they will need somewhere to live, work and play.

ROOMIES: If nothing else, SB 375 has turned once antagonistic agencies into pals.

With all this collaboration, the Metropolitan Transportation Commission, Association of Bay Area Governments and the Bay Area Air Quality Management District are shopping for new joint digs.

MTC and ABAG already share an Oakland building, but in the old days, some of their respective staffers wouldn't even get into the elevator with each other.

The open question is where the regional trifecta will set up shop.

The air district is in San Francisco and the threesome is looking in the neighborhood.

But privately, some influential local elected officials are disgruntled at the idea of MTC-ABAG moving out of Oakland. The city needs the jobs and the suburbanites who sit on its boards would have to drive to San Francisco.

And if you think parking is hard to find in San Francisco, try finding a space at the Walnut Creek BART station.

GOT POLITICS? Read the Political Blotter at IBAbuzz.com/politics.

And finally: Lest you think Agenda 21 talk is the province of a handful of people, the East Bay Tea Party on Monday night will host a speech in Danville by Rosa Koire, director of the Post Sustainability Institute.

I'm not sure I want to know what the world looks like after it overtakes its sustainability, but if you want to hear Koire, go to www.theeastbayteaparty.com and look under "Green Tyranny."

If you can't make it, her institute will host a conference Aug. 6.

Democracy is a beautiful thing, isn't it?

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Filmmaker trying to save state parks \$1 at a time

Peter Fimrite, Chronicle Staff Writer

Sunday, June 5, 2011

Filmmaker Alden Olmsted's effort to prevent California state parks from closing fits every known definition of a grassroots campaign.

The son of a renowned naturalist, Olmsted is visiting every one of the 70 state parks slated for closure and dropping off plastic donation buckets that were once used by a friend for storing marijuana. His goal is to collect a dollar from every Californian.

"If every California resident donated just \$1, the parks would have more than the \$33 million and we would be able to prevent them from closing," he said last week as he strode into Candlestick Point State Recreation Area carrying one of his aromatic jugs affixed with a photograph of his recently departed father, John Olmsted, who once worked as a naturalist at Golden Gate Park.

Idea is catching on

It may sound like a pretty basic idea, but Olmsted's boots-on-the-ground appeal to the real park stakeholders may actually catch on. Close to 100 people have already contributed nearly \$1,500 to a campaign that is only a week old.

Olmsted, 39, of Nevada City, has so far visited 17 state parks, including Candlestick Point, Annadel State Park in Sonoma County, and Olompali State Historic Park and Samuel P. Taylor State Park in Marin County. His plan is to find a "bucket host" to take charge of donations at every park. So far he has nine of them. The hosts would report back to him every Monday and the results would be posted on his website, www.johnolmsted.net, where a link would also be available for people to make online donations.

"What are the parks worth? Well, I know they're worth a buck," Olmsted said. "I know we can't get everyone, but if most people can give a buck it will at least buy some time while we figure out more solutions."

\$22 million in cuts

The state park money problem has thus far stumped politicians, conservationists, lobbyists and number crunchers throughout the state. Voters last year refused to tack \$18 onto the vehicle license fee to pay for the parks, forcing Gov. Jerry Brown to propose \$22 million in cuts over two years to the state parks budget.

The budget cuts mean 70 of the 278 parks, including the governor's mansion and at least 14 sites within an hour of San Francisco, would have to be closed starting in September. The list includes redwood forests, beaches, coastal woodlands and some of the state's most important cultural and historic sites, including Bay Area sites such as Candlestick Point, Samuel P. Taylor, China Camp State Park and Jack London State Historic Park. As many as 220 jobs would also be eliminated.

Olmsted said the death of his father in March at age 73 was the impetus for the dollar-for-parks campaign. John Olmsted, who was the education director at Golden Gate Park about four decades ago, led efforts to preserve many Northern California nature areas and state parks starting in the 1960s when he arranged the

acquisition of a planned motel site that has since become Jug Handle State Natural Reserve. He also worked as a naturalist and docent at the Oakland Museum, the UC Berkeley Extension and the Mendocino Art Center.

The elder Olmsted - a distant relative of Frederick Law Olmsted, who founded American landscape architecture and built some of the nation's greatest parks - started the nonprofit California Institute of Man in Nature and the Sequoia Challenge.

Honoring his father

Alden Olmsted, whose film credits include a role as a thief nailed to the cross in a documentary about crucifixion, was not necessarily eager to follow in his father's footsteps. He was just starting to make a name for himself as a screenwriter and filmmaker in Hollywood, but he nevertheless interrupted his budding career to be with his father in Nevada City after he was diagnosed with liver cancer. He recently completed a documentary film, "My Father, Who Art in Nature." His father saw the film five days before his death.

"I absolutely feel like I owe it to my father to help save the parks that he helped create," Olmsted said. "I figure this might put a public face to the story without politicians being involved."

Olmsted affixed images of his father on the donation jugs and has since motored from Crescent City to Fort Bragg and from Sacramento to Marin County in search of donations. Two people donated within minutes of his arrival at Candlestick, where Ann Meneguzzi, the supervising ranger, vowed to help him any way she could.

"This park represents the outdoors and the wild to a lot of San Franciscans," Meneguzzi said, as she led Olmsted on a tour of the park. "If we abandon this, how do you prevent vandalism? How do you ensure public safety? The idea of the parks closing is abhorrent."

Meneguzzi was on a roll, but she paused and looked at Olmsted. "Thank you for helping out the park system," she said.

Olmsted left a donation bucket with the proprietor of the Road House Coffee Co., on Third Street, where Meneguzzi said many Candlestick Point hikers gather.

"I don't know if this will work, but I couldn't just sit there and do nothing," Olmsted said of his quest. "I want this summer to be the summer that we say, 'We're sick of this,' and save the parks. There is no reason why we can't all do this together and make a difference."

How to help

To donate to Alden Olmsted's effort to save state parks, go to www.johnolmsted.net or mail contributions to California Institute of Man in Nature at P.O. Box 1026, Nevada City, CA 95959.

E-mail Peter Fimrite at pfimrite@sfchronicle.com.

Steinberg's local tax bill has become a state budget bargaining chip

tvanoot@sacbee.com (Torey Van Oot)

Posted: 06/05/2011 12:16 AM



A controversial bill by Senate President Pro Tem Darrell Steinberg to give local governments broad new taxing authority has rattled the industries whose products and services are targeted.

Business groups – including oil, tobacco and alcohol interests – have kicked opposition efforts into high gear, with one group launching radio ads and mail pieces blasting the bill.

"This is the most intense threat that we've seen," said Scott MacDonald, a spokesman for the business-backed coalition Californians Against Higher Taxes. "It's got everyone's attention."

By most accounts, that's just what Steinberg wants. The measure has become a key bargaining chip in state budget negotiations that could leverage agreement over Gov. Jerry Brown's plan to extend state sales, income and vehicle taxes.

"If we can reach this agreement over the next week, which I believe is vital for public education and public safety in this state, I will then not move (the bill)," Steinberg said this week.

Steinberg and his supporters are hoping the threat of more local taxes will cause business interests to lean on Republican legislators to support Brown's plan, which would leave many industries that are vulnerable under Steinberg's bill relatively unscathed.

"Hopefully, those industries will be able to communicate to the Republicans that there might be from their perspective a better way to support the services that we need, and that's from a statewide level," said Angie Wei, legislative director for the California Labor Federation.

The measure, now a budget trailer bill, would give local governments the ability to ask voters to increase taxes on a broad list of goods and services currently taxed only by the state. County supervisors or school officials could ask local voters to increase levies in a range of categories, from income and sales to alcohol, cigarettes, vehicles, sweetened beverages, medical marijuana and oil.

Steinberg says he sees the policy, which can be approved with a majority vote, as a necessary option to let local voters make choices about revenue to keep services afloat absent adequate funding from state coffers.

"It is a tool to potentially make up for shortfalls in education and public safety ... and it gives local communities a voice," he said.

Local government groups say it's about time such a change is implemented, applauding the measure for creating new revenue options and increasing local control amid ongoing budget constraints.

"Counties believe that each community should decide for itself what level of services its government provides and the appropriate method of funding for them," Jean Hurst, a lobbyist for the California State Association of Counties, wrote in a letter of support.

Supporters point out that any local taxes proposed would still be subject to voter approval, with a two-thirds threshold required for taxes dedicated to a specific purpose.

But opponents say lifting the decades-old limits on local taxing authority would exacerbate California's already complex and burdensome tax system, creating entire new layers of taxes and opening the door for multiple separate taxes on voters' paychecks in some areas.

"If there's any more ill-conceived effort to slow economic growth in California, I don't know what it is," said Jon Coupal, president of the Howard Jarvis Taxpayers Association.

Even floating the idea of local tax increases could be having an adverse impact on the state's economic growth, opponents say. "It's just wrong, and the threat of it makes people think twice, three times and make the decision not to come to California," MacDonald said.

Brown has yet to fully endorse the plan, saying only "if we don't get the (state) tax extensions, everything's on the table, for revenue and many other changes."

Even if the measure cleared both houses and won the governor's support, the policy shift could face significant challenges.

State tax enforcement agencies have voiced concerns about having resources to process and enforce varying tax rates throughout the state. Critics say the plan could create unconstitutional inequities in local funding and service levels and possibly violate a clause prohibiting local regulation of alcohol.

Steinberg, who said the state would not let unconstitutional funding disparities occur, maintains he is committed to advancing the bill if no agreement on the budget is reached in the coming weeks.

"It is on the table, and I'm serious about it," he said. "If there's not a real deal, I'm going to move the bill. I have to."

Some influential business interests, including those already involved in the budget process, say they aren't taking the bait.

"We look at it as two separate issues," said California Chamber of Commerce President Allan Zaremberg, whose group opposes the bill. "We're dealing with them separately."

Senate Republicans have downplayed the impact of Steinberg's effort, questioning its seriousness.

"We've always seen this as a club being used to beat us into submission because we hate taxes," said Senate Budget Committee Vice Chairman Bob Huff, R-Diamond Bar, adding: "I've always thought that it is (a bluff), but it may not be."

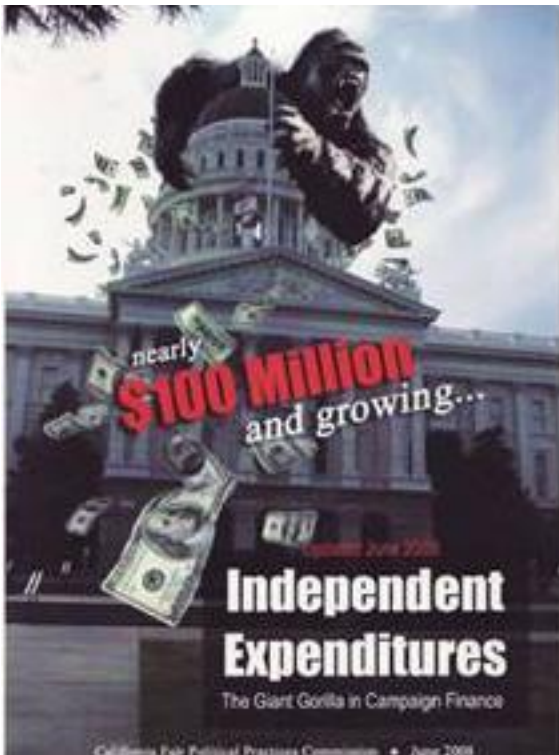
Opponents expect to remain on high alert, watching the bill as talks heat up in advance of the June 15 deadline to approve a spending plan.

"If it's truly, as some people say, just a prop to be used in a debate about the budget then I think it will live as long as there is no budget," MacDonald said.



The latest on California politics and government
May 23, 2011

FPPC has new approach: getting rid of the gorilla



+The chairwoman of the state's political watchdog agency wants to clean up confusing regulations and reverse what she called "unprofessional" practices in favor of aggressive crackdowns on the biggest scofflaws.

Ann Ravel, the new chairwoman of the [Fair Political Practices Commission](#), said in an interview with [The Bee Capitol Bureau](#) that she saw "an attitude and approach of vilification of potential violators" when she came on board to replace Gov. Arnold Schwarzenegger-appointed **Dan Schnur** as chair.

She was particularly unhappy with an image of a gorilla clawing at the Capitol on the commission's website, which she has had removed. She's also taken down a list of open investigations from the site, saying she was concerned that posting implies that the [FPPC](#) sees some merit to the complaint.

Ravel said she wants the commission to focus on restoring public confidence in government by spending less time on minor and unintentional violations.

"We don't want to scare people to think that every politician is crooked," she said.

Instead, she's assembled a group of auditors, lawyers and investigators from a staff of about 80 to seek out willful inconsistencies and more serious violations.

"It should be us doing more aggressive (work)...looking around to see what we can sniff out," she said. "There is an opportunity to go after serious violators There's certainly people out there who are using their position for improper things."

Since [her appointment](#) by Gov. [Jerry Brown](#) in Feb., she's launched an initiative to make the [FPPC's](#) regulations more consistent. She said the next step would be to educate local candidates and officials at the start of their political careers about what they have to report and what they don't, helping prevent future issues.

"We can have a profound impact on the local level by keeping them from tripping up at the beginning," Ravel said.

The commission is expected to adopt a new regulation at its June 9 meeting that will allow subjects of investigations to be notified before the public. Ravel said it is an important part of bringing more fairness and due process to [FPPC](#) policies.

The [FPPC](#) fields, investigates and prosecutes complaints about politicians, candidates for office and government officials, relating to everything from gifts from lobbyists to [stock ownership](#).