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AGENDA BOARD LEGISLATIVE COMMITTEE

**Friday, April 17, 2009
 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.	1. STATE LEGISLATION / ISSUES A. NEW a. Proposed Legislation AB 13 (Salas) AB 979 (Berryhill) AB 1084 (Adams) SB 211 (Simitian) B. ISSUES N/A C. UPDATE	O'Brien/Pfuehler
(I)		a. Ballot Initiatives	O'Brien/Pfuehler
		2. FEDERAL LEGISLATION / ISSUES A. NEW B. ISSUES C. UPDATE	O'Brien/Pfuehler
(I)		3. MEASURE WW a. Local Grant Program Update	Collins/Rasmussen
		4. PUBLIC COMMENTS	
		5. CORRESPONDENCE & ARTICLES	

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

Future 2009 Meetings: May 15 June 19 July 17
 August 21 September 18 October 16 November 20
 December 18 January 15, 2010

Executive Committee Members:
 Ted Radke, Chair, Doug Siden, John Sutter, Alternate
 Erich Pfuehler, Staff Coordinator

Board of Directors

Ted Radke President Ward 7	Doug Siden Vice-President Ward 4	Beverly Lane Treasurer Ward 6	Carol Severin Secretary Ward 3	John Sutter Ward 2	Whitney Dotson Ward 1	Ayn Wieskamp Ward 5	Pat O'Brien General Manager
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Distribution/Agenda Only

Afton Crooks
Michael Kelley
Stana Hearne
Peter Rauch
Johan Klehs
Judi Bank

Distribution/Agenda Only

Neva Dinwiddie
Pete Wilson
Robert Follrath, Sr.
Fred W. Lopez
Yolande Barial
Bruce Beyaert

Distribution/Full Packet

Board of Directors
Pat O'Brien
Rosemary Cameron
Dave Collins
Bob Doyle
John Escobar

Distribution/Full Packet

Allen Pulido
Carol Johnson
Tyrone Davis
Dave Kalahele
Carol Victor
Ted Radosevich

Distribution/Full Packet

Hulet Hornbeck
Dr. George Manross
Norman LaForce
Rich Guarienti
Dee Rosario
Jon King

AB 86 , Nava,

Topic: Public employees' retirement: airport police officers.

Current Location: 04/01/2009-A APPR.

Status: 04/01/2009-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 6. Noes 0.) (April 1).

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Under the Public Employees' Retirement Law, employees of contracting agencies classified as local safety members are entitled to generally higher benefits, and subject to higher contribution rates, than those employees classified as local miscellaneous members. Existing law authorizes contracting agencies to include specified harbor and port patrol officers within the local safety member classification. Member contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund. This bill would authorize contracting agencies to include specified airport law enforcement officers within the local safety member classification. The bill would exclude these airport law enforcement officers who are classified as local safety members from participation in the federal Social Security Act. The bill would make an appropriation by increasing the amount of employee contributions to the continuously appropriated Public Employees' Retirement Fund.

AB 90 , Adams,

Topic: Torts: personal liability immunity.

Current Location: 03/04/2009-A JUD.

Status: 03/04/2009-Referred to Com. on JUD.

Position: Support

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law requires that any person, who in good faith and not for compensation, renders emergency medical care at the scene of an emergency shall not be liable for any civil damages resulting from any act or omission. This bill would instead require that any person, who in good faith and not for compensation, renders emergency care, medical or nonmedical, at the scene of an emergency shall not be liable for any civil damages resulting from any act or omission.

AB 132 , Mendoza, 03/23/2009

Topic: School safety: immigration investigations.

Current Location: 04/02/2009-A APPR.

Status: 04/02/2009-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 8. Noes 3.) (April 1).

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

(1) Existing law recognizes that all pupils enrolled in the state public schools have the inalienable right to attend classes on school campuses that are safe, secure, and peaceful. Existing law

establishes various safety programs and procedures to address issues relating to school safety. This bill would state the Legislature's request that prior to appearing at a schoolsite or entering a school for the purpose of conducting any investigative activity relating to immigration, immigration agents contact the school or district office and, if applicable, arrange an appropriate time to meet with a pupil. The bill would require school officials to request immigration agents to adhere to certain procedures prior to, during, and after any meetings with pupils for the purpose of conducting any investigative activities relating to immigration. Because the bill would require school officials to perform additional duties, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 137 , Jeffries,

Topic: Open meetings: advisory committees.

Current Location: 02/26/2009-A L. GOV.

Status: 03/26/2009-In committee: Set, first hearing. Hearing canceled at the request of author.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

The Ralph M. Brown Act requires that all meetings of a legislative body, as defined, of a local agency be open and public and all persons be permitted to attend unless a closed session is authorized. In defining a legislative body for this purpose, the act excludes advisory committees composed solely of the members of the legislative body that are less than a quorum of the legislative body. This bill would limit this exclusion from the act to an advisory committee composed solely of the members of the legislative body that are less than a quorum of the legislative body and whose subject matter jurisdiction has cumulatively lasted for 2 years or less.

AB 444 , Caballero,

Topic: Land use: natural resources: transfer of long-term management funds.

Current Location: 03/09/2009-A W.,P. & W.

Status: 03/09/2009-Referred to Coms. on W.,P. & W. and L. GOV.

Position: Watch

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law allows a state or local public agency to authorize a nonprofit organization to hold title to, and manage an interest in, real property that the state or local public agency requires a property owner to transfer to the agency to mitigate any adverse impact upon natural resources caused by permitting the development of a project or facility, provided the nonprofit organization meets certain requirements. Existing law also authorizes an agency that, in the development of its own project, is required to transfer an interest in real property to mitigate an adverse impact upon natural resources, to transfer the interest to a nonprofit organization that meets the specified requirements. This bill would authorize funds set aside for the long-term management of any lands or easements conveyed to a nonprofit organization pursuant to the above provisions to also be conveyed to the nonprofit organization. The bill would also authorize the nonprofit organization to hold, manage, invest and disburse the funds in furtherance of managing and stewarding the land or easement for which the funds were set aside.

AB 521 , De La Torre,
Topic: Utility property: leases for park purposes.
Current Location: 03/16/2009-A U. & C.
Status: 03/16/2009-Referred to Com. on U. & C.
Position: Support

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Under the existing Public Utilities Act, a public utility is required to seek commission approval prior to selling, leasing, assigning, mortgaging, or otherwise disposing of or encumbering any property necessary or useful in the performance of its duties to the public. This bill would authorize a public utility to lease real property acquired for purposes of obtaining a utility right-of-way, to a governmental entity for purposes of maintaining a public park, with the utility retaining a right-of-way easement. The bill would require the commission, in determining whether the lease is for fair value, to include the community benefits of parks and open space as a benefit to ratepayers.

AB 979 , Berryhill, Tom, 04/02/2009
Topic: Hunting or fishing: local regulation.
Current Location: 04/02/2009-A W.,P. & W.
Status: 04/02/2009-From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P. & W. Read second time and amended.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

The California Constitution provides for the delegation to the Fish and Game Commission of powers relating to the protection and propagation of fish and game. Existing statutory law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibia, and reptiles in accordance with prescribed laws. Under existing law, the Department of Fish and Game exercises various functions with regard to the taking of fish and game. Under existing law, a city or county exercises certain limited authority with regard to the regulation of fish and game for the protection of public health and safety. This bill would provide that the state fully occupies the field of hunting and fishing. The bill would also provide that unless otherwise expressly authorized by the Fish and Game Code or other state or federal law, the commission and the department are the only entities that may adopt or promulgate regulations regarding the taking of fish and game on any lands or waters within the state , except as specified .

AB 983 , Skinner,
Topic: Before and after school programs.
Current Location: 03/26/2009-A ED.
Status: 03/26/2009-Referred to Com. on ED.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

The After School Education and Safety Program Act of 2002, enacted by the initiative measure

Legislature for one or more of specified local assistance programs that the Legislature determines to be the highest priority statewide. This bill would extend the period to liquidate the encumbrances to June 30, 2011, rather than June 30, 2010, for 2 specified grants totalling \$3,039,000 and received by the Community Action Partnership of Kern County. By extending the time in which money encumbered under an existing appropriation may be expended, the bill would make an appropriation.

AB 1302 , Monning,

Topic: Parks: recreational activities.

Current Location: 03/31/2009-A W.,P. & W.

Status: 03/31/2009-Referred to Com. on W.,P. & W.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law authorizes the Department of Parks and Recreation to assist every department, commission, board, agency, and officer of the state in rendering recreational services in conformity with their respective authorized powers and duties and encourage and assist in the coordination of federal, state, and local recreational activities. This bill would additionally authorize department encouragement and assistance in coordination of regional recreational activities.

AB 1405 , De Leon,

Topic: California Global Warming Solutions Act of 2006: Community Benefits Fund.

Current Location: 03/31/2009-A NAT. RES.

Status: 03/31/2009-Referred to Com. on NAT. RES.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee to be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for purposes of carrying out the act. This bill would establish the Community Benefits Fund, and would require an unspecified percentage of revenues generated pursuant to the act, including the fee discussed above, to be deposited into that fund. The moneys in the fund would be used, upon appropriation by the Legislature, in the most impacted and disadvantaged communities in California to accelerate greenhouse gas emission reductions and mitigate direct health impacts of climate change.

AB 1464 , Smyth,

Topic: Transportation: cycling corridors.

Current Location: 02/27/2009-A PRINT

Status: 03/02/2009-Read first time.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law requires the Department of Transportation, in cooperation with county and city governments, to establish minimum safety design criteria for the planning and construction of bikeways and roadways where bicycle travel is permitted. This bill would state the intent of the Legislature to enact legislation that would designate portions of the state highway system as state cycling corridors of significance for the purpose of promoting increased awareness of, and safety for, cyclists.

AB 1496 , Skinner,

Topic: Environment: supplemental environmental projects.

Current Location: 02/27/2009-A PRINT

Status: 03/02/2009-Read first time.

Position: Support

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law authorizes the State Water Resources Control Board and the regional water quality control board to reduce a civil penalty assessed against a person in violation of water discharge standards if the person agrees to undertake a supplemental environmental project (SEP). This bill would state the intent of the Legislature to enact legislation to require the California Environmental Protection Agency to ensure, to the maximum extent possible, that an SEP is implemented in the community that suffered the environmental or public health consequences of a violation or enforcement matter triggering the SEP.

ACA 9 , Huffman,

Topic: Local government bonds: special taxes: voter approval.

Current Location: 02/06/2009-A PRINT

Status: 02/10/2009-From printer. May be heard in committee March 9.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, or city and county to service bonded indebtedness, incurred to fund specified public improvements, facilities, and housing, and related costs, that is approved by 55% of the voters of the city, county, or city and county, as applicable. This additional exception would apply only if the proposition approved by the voters results in bonded indebtedness that includes specified accountability requirements. This bill contains other related provisions and other existing laws.

SB 4 , Oropeza,

Topic: Public resources: state beaches and parks: smoking ban.

Current Location: 03/24/2009-S APPR.

Status: 03/24/2009-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 7. Noes 3. Page 339.) Re-referred to Com. on APPR.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction for a person to smoke, as defined, a pipe, cigar, or cigarette on a state coastal beach or in a unit of the state park system, as defined. The bill would establish a state-mandated local program by creating a new crime. This bill contains other related provisions and other existing laws.

SB 45 , Padilla, 03/16/2009

Topic: Public works: payment of prevailing wage: violations.

Current Location: 03/25/2009-S APPR.

Status: 03/25/2009-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 4. Noes 0. Page 347.) Re-referred to Com. on APPR.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law generally requires the payment of the general prevailing rate of per diem wages to workers employed on public works projects. Under existing law, whenever a contractor or subcontractor performing a public works project is found by the Labor Commissioner to be either in violation of certain provisions of law, with intent to defraud, or in willful violation of those provisions of law, the contractor or subcontractor or a firm, corporation, partnership, or association in which the contractor or subcontractor has a substantial interest is ineligible to bid on or to receive a public works contract for specified periods of time. This bill would instead provide that a contractor or subcontractor performing a public works project who is found by the Labor Commissioner to be in willful violation of the public works law, or to be in violation of this law with intent to defraud, with a prescribed exception related to apprenticeship requirements, shall be ineligible to bid on or to receive a public works contract .

SB 113 , Committee on Local Government, 04/02/2009

Topic: Local Government Omnibus Act of 2009.

Current Location: 04/02/2009-S L. GOV.

Status: 04/02/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

(1) Existing law authorizes the formation of a school facilities improvement district in a county, if

SB 694 , Correa, 03/31/2009

Topic: Public contracts: public works: competitive bidding.

Current Location: 04/01/2009-S L. GOV.

Status: 04/03/2009-Set for hearing April 29.

Position: Watch

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. This bill would set forth requirements for the solicitation and evaluation of bids, and the awarding of contracts for the erection, construction, alteration, or addition to any work of improvement, estimated to cost more than \$25,000 , that is not otherwise required to be performed under a competitively bid contract, or is exempt from competitive bidding requirements, and that is owned by, intended to be conveyed to, or financed by taxes, assessments, or bonds of a public entity other than a state entity as specified. This bill contains other related provisions and other existing laws.

SB 711 , Leno,

Topic: Public meetings: closed sessions: labor negotiations.

Current Location: 03/19/2009-S L. GOV.

Status: 03/24/2009-Set for hearing April 15.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

The Ralph M. Brown Act requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Under the act, the legislative body of a local agency may hold a closed session with the local agencies' designated representatives regarding negotiations concerning employee compensation but is required, in an open and public session prior to those closed sessions, to disclose specified information identifying the agency's designated representatives. Existing law prohibits a closed session from including any final action on the proposed compensation of unrepresented employees. The act also requires the legislative body of a local agency to publicly report any action taken in closed session, as prescribed, including the approval of an agreement concluding labor negotiations with represented employees after the agreement is final and has been accepted or ratified by the other party. The act provides a legislative body or elected official is not in violation of certain provisions of the act if the agenda that describes a closed session item is in substantial compliance by including specified information. This bill would additionally require a local agency, before holding a closed session regarding employee compensation, to identify the employee or class of employees that are the subject of the negotiations, the representatives of the employees, and all known matters within the scope of the negotiations, and to also make available to the public certain written proposals. The bill would require the legislative body, before commencing negotiations for a new collective bargaining agreement or initial proposal for an unrepresented employee, to present, in an open and public session, the new collective bargaining agreement or an initial proposal. The bill would additionally require any vote of the legislative body on the collective bargaining agreement or initial proposal to be taken at an open and public session. This bill contains other related provisions and other existing laws.

SB 798 , DeSaulnier, 04/01/2009

Topic: Before and after school programs: 21st Century Community Learning Centers Program.

Current Location: 04/01/2009-S ED.

Status: 04/03/2009-Set for hearing April 22.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Existing law, in accordance with the 21st Century Community Learning Centers Program contained in the federal No Child Left Behind Act of 2001, allocates funds appropriated by the Budget Act of 2002 and prescribes requirements related to the allocation of funds, including provisions governing the allocation of funds appropriated by the Budget Act. The bill would, as of January 1, 2010, revisethe criteria and priorities for allocating those funds. The bill would revise the percentage of funds required to be allocated to specified high school after school programs and programs serving elementary and middle school pupils established under the act, as specified, and would establish per-day rates for the operation of year-round programs, programs operating during the regular school year, and programs operating during summer or intersession periods, as specified. This bill contains other related provisions.

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

FROM: Pat O'Brien, General Manager
Erich Pfuehler, Legislative Administrative Manager

SUBJECT: Board Legislative Committee Meeting

WHEN: April 17, 2009, 12:45 p.m.
Lunch will be served

WHERE: Board Room, Peralta Oaks

Items to be discussed:

1. STATE LEGISLATION/ISSUES

A. NEW

a. PROPOSED LEGISLATION

AB 13 (Salas) Sacramento-San Joaquin Delta Conservancy. (4/01/09)

This bill creates the Sacramento-San Joaquin Delta Conservancy (Conservancy) within the Natural Resources Agency. The Conservancy will distribute funds, implement restoration efforts and manage habitats along the Delta and Suisun Marsh. The Governing Board for the Conservancy is 11 voting members and four ex-officio, non-voting members. The voting members are:

1. The Secretary of the Natural Resources Agency
2. Director of Finance
3. Five members representing the five Delta counties, including Contra Costa County.
4. Two public members appointed by the Governor.
5. Two public members appointed by the Legislature, one by the Senate Rules Committee and one by the Speaker of the Assembly.

The four ex-officio, non-voting members include:

1. Director of the Department of Fish and Game.
2. Chair of the State Water Resources.
3. An executive officer of San Francisco Bay Conservation and Development Commission.
4. The executive officer of the State Coastal Conservancy or their designee.

The bill bars the Conservancy from regulating land-use, but requires it to implement habitat restoration and management projects. They are also directed to implement projects that "provide recreational opportunities and appropriate public access to natural resources" of the Delta.

The Conservancy is authorized to acquire and hold property, make grants or loans and contract with other agencies. The bill requires the Conservancy to use easements and cooperative agreements to achieve ecosystem goals, but it denies the Conservancy the power of eminent domain.

The bill is supported by the American Federation of State, County and Municipal Employees (AFSCME), Audubon California, Natural Resources Defense Council, The Nature Conservancy, and oddly, the San Diego County Water Authority. The Delta Protection Commission has weighed in asking for someone from it's agency to be eligible to service on the Conservancy's Board.

The Conservancy could impact some of EBRPD's work to improve access to the Delta, so it is a bill we should watch. The question becomes do we push to ensure there is an open space or Special District seat on the Conservancy's Board.

Staff Recommendation: Watch

AB 979 (Berryhill) Hunting or fishing: local regulation. (4/2/09) – Please see Attachment 1A

This bill would essentially strip counties and local governments of any authority they currently have over fish and game matters. It specifically states the Fish and Game Commission and Department are the only entities which may adopt or promulgate regulations regarding the taking of fish and game on any lands or waters within the state. It appears to undermine the District's ability to adopt ordinances to regulate hunting and/or fishing at any of our Parks. As stewards with 75 years of resource and wildlife management, the District is in the best position to know what type of hunting and/or fishing activities should take place on our properties. Furthermore, due to budget cuts, Fish and Game is unlikely to adopt, promulgate or enforce regulations in a timely manner.

Staff Recommendation: Oppose

AB 1084 (Adams) Local planning: development projects: fees. (2/27/09)

This bill basically complicates the already complex process of extracting public benefit fees from developers in exchange for allowing them to move forward with projects. Examples of "fees" may be requiring the developer to pay for the water and sewer lines or requiring them to build a school or dedicating some of the property as parkland. This bill changes the definition of "fee" to include a dedication of real property. It requires the local agency extracting the fee to demonstrate a "reasonable relationship" between the amount of the fee and the cost of the "public facility" being constructed with the fee. It would require a local agency to adopt a capital improvement plan (CIP) that identifies the purpose of any public facilities for any fees (or dedications), and require the CIP to indicate the approximate location, size, time of availability, and estimates of cost for all facilities or improvements to be

financed with the fees (or dedications). It would add language to include a local agency that does not itself approve the development project (such as EBRPD). It also requires a 45-day notice for a public hearing about the fee.

The bill appears to be supported by the California Building Industry Association as a way to curb “runaway development impact fees” which are “imposing increasing burdens not only on the affordability of new homes, but on the viability of starting new projects.” The CBIA also believes homebuilders are being charged too much for the impacts of their projects.

District Land Division staff believe this bill would make it more difficult for EBRPD to received dedicated land for parks or trails. They recommend the Board oppose AB 1084.

Staff Recommendation: Oppose

SB 211 (Simitian) Park district formation: County of Santa Cruz. (3/26/09)

This bill allows the Santa Cruz County Board of Supervisors to initiate the formation of a regional and open space district with a directly-elected Board of Directors. A small corner of Santa Cruz County is actually under the jurisdiction of the Midpeninsula Regional Open Space District and would not be included as part of the new district.

The bill itself does not generally impact EBRPD, but in the bill analysis the consultant makes two statements of interest to the District. One is discouraging the Committee from allowing another local government to be “created” when the county government already has the power to ask voters to approve a tax hike to pay for acquiring and managing more open space property. The consultant also encourages the Committee to “consider an amendment that requires the new regional open space district’s acquisition program to follow the land use policies of the underlying general plans. The consultant also references EBRPD at the end of the analysis under the “precedent” section.

While the bill itself is Santa Cruz County specific, staff recommends keeping an eye on the bill should other issues related to District operations be added to the bill.

Staff Recommendation: Watch

B. ISSUES N/A

C. UPDATE

- a. Ballot Initiatives – Please see Attachment 1C- memo from General Manager O’Brien.

2. FEDERAL LEGISLATION/ISSUES UPDATE

A. NEW

a. N/A

B. ISSUES

C. UPDATE

3. MEASURE WW

Measure WW – Local Grant Program Update – Please see Attachment 3a

a. The 2009 Local Grant Application period closed March 31. 26 Local agencies entered into Master Agreements, and 15 submitted grant project requests totaling \$33.6 million (see attached list). Staff is beginning the review of these submittals to determine which applications are complete and in good form, and will be contacting the involved agencies and reporting back to the Committee on the detailed status of these applications.

Staff will also be using the information to set up the accounts in the District's accounting system, and in estimating WW cash flow needs for the next several years.

Local Agencies that have not submitted either Master Agreements or Project Applications may do so at any time; however, they will not be eligible to receive reimbursement funding until after the March 2010 application period closes and cash flow can be assured.

At the April 7, 2009 Board Meeting the Board approved the extension of the original Measure AA contracts with Lafayette and Richmond. Part of that report included staff's request that, for these two agencies, the remaining Measure AA funds be used as project reimbursement funds prior to (or concurrent with) disbursement of Measure WW Local Grant Funds. This has been requested to enable us to fully close out the 1988 program, and project accounts, as soon as possible to clear the way for the many Measure WW Grant accounts that are now being established. Staff will provide more information on the matter for the Committee's review, should that be the Committee's interest.

4. PUBLIC COMMENTS

5. CORRESPONDENCE AND ARTICLES

- a. "Pinole mayor steps down", Contra Costa Times, April 9, 2009
- b. "Gubernatorial candidate Tom Campbell defies political norm", LA Times, April 9, 2009
- c. "AFSCME mixed on May ballot propositions", Capitol Weekly, April 9, 2009
- d. "Plan under way to create open-space district", CSDA News, April 8, 2009
- e. "Alameda Point issue likely to head to ballot", SF Gate.com, April 6, 2009

- f. "Watchdog hired to monitor California stimulus spending", Sacramento Bee, April 3, 2009
- g. "Garamendi 'checking out' CD10 race", www.ibabuss.com, April 3, 2009
- h. "Political merry-go-round diminishes Democrats' clout in Legislature", Sacramento Bee, April 4, 2009
- i. "California Dems target 8 GOP districts", SF Gate, April 4, 2009
- j. "Economic stimulus—then and now", Contra Costa Times, April 6, 2009
- k. "Former Antioch Congressman Jerome Waldie, 84, dies", Contra Costa Times, April 5, 2009
- l. "Voters could push deficit past \$15 billion", SF Gate, April 6, 2009
- m. "Schwarzenegger aides are co-captains of state's stimulus team", Sacramento Bee, April 3, 2009
- n. "Cogdill, though ousted, saw the right path for the GOP", Capitol Journal, March 30, 2009
- o. "State budget visions underscore 'pessimistic' mood", Inside Bay Area, March 31, 2009
- p. "No sure thing in race for Tauscher's seat", Contra Costa Times, March 29, 2009
- q. "Budget savvy boosts Campbell's election odds", SF Gate.com, March 30, 2009



Attachment 1A

April 8, 2009

The Honorable Jared Huffman
Chair, Committee on Water, Parks and Wildlife
1020 N Street, Suite 160
Sacramento, California 95814

Re: AB 979 (Berryhill) – Fish and Game Powers

Dear Assemblymember Huffman,

We value your leadership on land and water conservation efforts and your concern for wildlife in California. As manager of nearly 100,000 acres of parks and open space in the Alameda and Contra Costa Counties, the East Bay Regional Park District (“EBRPD”) is writing to express opposition to AB 979 as currently written.

EBRPD takes pride in providing its residents with a rich variety of parks and open space for use and enjoyment including trails, shorelines, open grasslands and forested areas. The parks offer residents a multitude of recreational and educational opportunities, including providing places of refuge and quietude in a heavily populated urban environment. EBRPD is funded through property taxes adopted by the voters in Alameda and Contra Costa Counties and, as such, the permitted uses in the District’s parks and open-space should be decided as a matter of local concern.

By ordinance, EBRPD bans the discharge of firearms or any weapons in its parks, except in the shooting ranges and archery ranges that the District operates for members of the public. EBRPD also bans hunting and the taking of any animals within its parks. These regulations are limited to EBRPD owned or managed parklands and are necessary to protect the millions of annual visitors using the parks and to protect the rare and endangered animal and plant species and habitat found within EBRPD lands.

AB 979 will seriously undermine EBRPD’s ability to safely manage its lands to benefit its constituents and local taxpayers. While EBRPD recognizes the important role of the Department of Fish and Game in establishing uniform wildlife polices throughout the state, the Department does not have the staff resources or special knowledge to regulate for user conflicts or safety concerns at the local level. Furthermore, EBRPD and its neighboring municipalities do not have the police resources to manage conflicts stemming from the presence of firearms in the regional parks.

The language in the bill allowing local regulations under narrow circumstances is insufficient to preserve EBRPD’s interest in protecting its park users. The exception for local ordinances is too narrowly drafted and imposes a test that will subject local agencies to needless and expensive litigation over management policies on their own parklands. In these times of unprecedented financial turmoil, this bill will require

Board of Directors

Ted Radke President Ward 7	Doug Siden Vice-President Ward 4	Beverly Lane Treasurer Ward 6	Carol Severin Secretary Ward 3	John Sutter Ward 2	Whitney Dotson Ward 1	Ayn Wieskamp Ward 5	Pat O'Brien General Manager
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already suffering local agencies to close parklands to the public, expend scarce dollars on an increased police presence and to incur litigation costs in defending local ordinances.

As written, the bill permits private landowners to limit hunting and fishing on their lands, but does not extend the same authority to local public agencies on lands they own and manage. AB 979 would preempt EBRPD's ability to adopt ordinances or manage fish and game activities within our properties. In its current form, EBRPD stands opposed to AB 979.

Thank you for your consideration of our views. If you have any questions about our concerns with this legislation, please feel free to contact us.

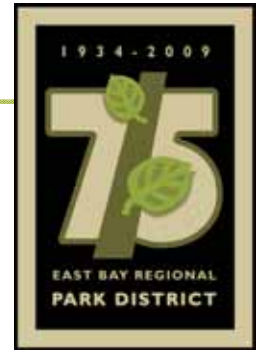
Regards,

A handwritten signature in black ink that reads "Pat O'Brien". The signature is written in a cursive style with a large, looping initial "P" and a horizontal line above the "n" in "Brien".

Pat O'Brien
General Manager

cc: Doug Houston, The Houston Group

MEMO



DATE: Tuesday, April 7, 2009

TO: Board of Directors

FROM: Pat O'Brien

SUBJECT: May 19th State Wide Election/Potential Budget Impacts

As the Board is aware, the State Budget did not trigger an ERAF hit on the District's budget. However, the State Budget is dependent on a number of state ballot measures which have been advanced by the Governor and the State Legislative Leadership. Below you shall find a Ballot Measure Line Up on the six measures for May 19th.

The mood in Sacramento has been somber because the Public Policy Institute of California's new poll has some disappointing numbers for backers of the above propositions, with the notable exception of Prop 1F which punishes state elected officials for any budget deficit. The survey reports the following information:

- Prop 1A *Caps spending. Establishes a "rainy day" fund and allows the governor to make mid-year budget cuts. Also allows temporary tax hikes (sales, VLF and income).*
Yes: 39% No: 46% No Opinion: 15%
- Prop 1B *Provides extra funds for K-12 and community colleges beginning in 2011 to make up for budget cuts this year.*
Yes: 44% No: 41% No Opinion: 15%
- Prop 1C *The Lottery Modernization Act. Allows the State to borrow \$5 billion from the State lottery.*
Yes: 37% No: 50% No Opinion: 11%
- Prop 1D *Allows the State to divert \$608 million from Prop. 10 (tobacco for children's health care).*
Yes: 48% No: 36% No Opinion: 16%
- Prop 1E *Allows the State to divert \$230 million per year from Prop. 63 (taxes the wealthy to fund mental health programs).*
Yes: 47% No: 37% No Opinion: 16%
- Prop 1F *No salary hikes for state elected officials when there's a budget deficit..*
Yes: 81% No: 13% No Opinion: 6%

Governor Arnold Schwarzenegger has stated he is determined to pass the package of six ballot measures, especially Prop 1A which addresses the up and down budget cycles with a "rainy day" reserve. The May 19th election is projected to be a low voter turnout with some projections in the mid 30% turnout. The failure of the propositions will trigger a new round of budget cuts and revenue enhancement opportunities for the State. It would be difficult to imagine that ERAF will not be on the table given a voter rejection of the measures especially Prop 1A. We could be looking at a 10 million dollar impact over the course of the next two budgets, should ERAF be implemented.

Preliminary Measure WW Local Grant Status

Attachment 3A

4/10/2009

Fund Source	Project Number	Agency	Amount	Master Contract Issued	2009 Application Amount
WL00	310000	Alameda	\$3,465,489.00	x	
WL01	310100	Albany	\$771,363.00	x	
WL02	310200	Berkeley	\$4,876,584.00		
WL03	310300	Dublin	\$2,145,118.00	x	\$2,145,118
WL04	310400	Emeryville	\$444,572.00		\$194,572
WL05	310500	Fremont	\$9,758,562.00		
WL06	310600	Newark	\$2,005,169.00	x	\$1,500,000
WL07	310700	Oakland	\$19,204,456.00	x	\$17,404,456
WL08	310800	Piedmont	\$507,325.00		
WL09	310900	Pleasanton	\$3,171,377.00		
WL10	311000	San Leandro	\$3,740,998.00	x	\$250,000
WL11	311100	Union City	\$3,354,837.00		
WL12	311200	HARD	\$12,706,683.00	x	\$775,000
WL13	311300	Unincorporated Alameda	\$530,722.00		
WL14	311400	Antioch	\$4,586,998.00	x	
WL15	311500	Brentwood	\$2,313,312.00		
WL16	311600	Clayton	\$492,883.00		
WL17	311700	Concord	\$5,657,180.00	x	\$3,232,200
WL19	311900	El Cerrito	\$1,065,840.00	x	\$179,698
WL20	312000	Hercules	\$1,111,728.00	x	
WL21	312100	Lafayette	\$1,082,501.30	x	
WL22	312200	Martinez	\$1,651,961.00	x	
WL23	312300	Moraga	\$737,587.00	x	
WL24	312400	Oakley	\$1,517,862.00	x	\$1,517,862
WL25	312500	Orinda	\$801,757.00		
WL26	312600	Pinole	\$877,216.00		
WL27	312700	Pittsburg	\$2,909,214.00	x	\$1,144,000
WL28	312800	Pleasant Hill RPD	\$1,746,348.00	x	\$486,000
WL29	312900	Richmond	\$4,733,985.00	x	\$2,400,000
WL30	313000	San Pablo	\$1,425,538.00	x	
WL31	313100	San Ramon	\$2,696,685.00	x	\$1,223,000
WL32	313200	Walnut Creek	\$2,984,810.00	x	
WL34	313400	Alamo, R-7A	\$817,931.00		
WL37	313700	Clyde, M-16	\$36,321.00		
WL38	313800	Crockett	\$207,144.00	x	\$50,000
WL39	313900	Port Costa	\$12,138.00	x	
WL40	314000	Discovery Bay	\$580,453.00		
WL41	314100	El Sobrante, R-9	\$641,740.00		
WL42	314200	Kensington	\$258,358.00	x	
WL43	314300	MonTaraBay, M-17	\$541,039.00		
WL44	314400	Rodeo, R-10	\$456,305.00		
WL45	314500	Unincorporated Contra Costa	\$3,046,374.00		
WL46	314600	Oakland Zoo	\$4,000,000.00	x	
WL47	314700	5% Administration	\$6,250,000.00		
Subtotal			\$121,924,463.30		\$32,501,906
Agencies with Unresolved Overlapping Jurisdictions					
WL18	311800	Danville	\$1,897,488.00		
WL33	313300	Green Valley	\$50,870.00		
WL35	313500	Ambrose	\$1,127,178.70	x	\$1,127,177
WL36	313600	Bay Point, LL2	TDB		
Total			\$125,000,000.00	26	\$33,629,083

Contra Costa Times

Pinole mayor steps down

By Tom Lochner

West County Times

Posted: 04/08/2009 01:16:26 PM PDT

Updated: 04/09/2009 11:58:31 AM PDT

Mary Horton is stepping down as Pinole's mayor, citing the rigors of her daytime job as an employment counselor, but she will stay on the Pinole City Council.

She announced her resignation, effective immediately, at the end of Tuesday night's City Council meeting. The council is expected to select a new mayor at its next regular meeting, April 21; by custom, that would be the current mayor pro tem, a post now held by Virginia Fujita.

Horton told the council she had "a little bit of an epiphany over the weekend," while watching the movie "A Beautiful Mind," during a scene in which the mathematician John Nash questions the theories of 18th century economist Adam Smith, who held that self-interest promotes the good of society.

The most perfect solution for self-fulfillment, she said Wednesday, is a balance between self-interest and the interest of a group — in her case, the Pinole City Council.

She said she has an increasing workload at her full-time job in Oakland as a job counselor for people with disabilities with the Alameda County Vocational Program.

In the current troubled economy, "my job is getting more challenging," Horton told the council Tuesday, "and it's been increasingly hard for me to make the morning (city business-related) meetings and the midday meetings and even the evening (City Council) meetings, as you've seen this evening." She was late for Tuesday's council meeting, which began with a closed session at 6 p.m.

Horton's announcement, which she made moments before adjourning Tuesday's meeting, appeared to catch the rest of the council and city staff members by surprise.

"I think we were all a little taken aback," Fujita said Wednesday, "although I can fully understand why she did it."

"Mary was very gracious," Fujita continued. "My heart goes out to her."

Horton is in her fifth four-year-term on the council and was in her fourth stint as mayor. Whether she will run for re-election to the council in 2010 is "an open question," she said Wednesday, then, loosely paraphrasing Mark Twain, added:

"Rumors of my political death are greatly exaggerated."

LA Times

CAPITOL JOURNAL

Gubernatorial candidate Tom Campbell defies political norm

The former congressman has a mind of his own -- he's not subscribing to party preferences as he runs for the 2010 Republican nomination in California.

George Skelton
Capitol Journal

April 9, 2009

From Sacramento — Tom Campbell is a rarity. He's a politician who carefully thinks through contentious issues and takes positions based on his notion of good government.

Good politics seem to be a low priority, if one at all.

Not that all politicians are finger-to-the-wind opportunists. Each varies by degree between being a policy wonk and political survivalist. But Democrats tend to genuflect to labor, particularly public employee unions. Republicans tend to cower before the anti-tax crowd, to name one.

Campbell is practically all wonk.

And he must have missed the memo to rookie politicians about going along to get along.

Combine that with a courtly manner often seen as aloofness -- his strongest words tend to be "dang" and "gosh" -- and it helps to explain why Campbell, 56, never has achieved quite the political success his experience and intellect would seem to warrant. He has served two stints in the U.S. House and one in the state Senate, representing Silicon Valley, but has lost two races for the U.S. Senate.

He also was Gov. Arnold Schwarzenegger's budget director for a year. He holds a Harvard law degree and a doctorate in economics. He's on leave as the head of UC Berkeley's business school.

Campbell currently is teaching at Chapman University in Orange, trying to become better known in Southern California as he runs for the 2010 Republican gubernatorial nomination.

His odds of winning are low. He's a moderate in a party where conservatives are the dominant activists. Moreover, he's not rich.

Campbell's up against two megabucks opponents who can easily finance their own campaigns: State Insurance Commissioner Steve Poizner and political novice Meg Whitman, a former eBay executive. Both are playing to the party's hard-right by emphasizing their no-tax stands and attacking the budget-fix ballot measures negotiated by Schwarzenegger and the Legislature.

The linchpin and main target is Proposition 1A, which would create a spending cap and rainy-day fund. The idea is to prevent Sacramento from blowing all the windfall revenue in boom times, and

require it to hoard a pile for use when the economy goes bust.

But the measure's Achilles' heel is a bill demanded by Republican negotiators: If voters reject the spending cap, taxes enacted in February will expire after two years, rather than four as planned. The GOP lawmakers didn't realize that Prop. 1A would then be interpreted by the media and public as a measure to "extend" the taxes by two years. That jeopardizes voter support for the GOP's long-sought spending controls.

Enter Campbell, the unconventional. The political loner.

Ignoring any thought of choosing one side or the other -- of getting cozy with a political coalition -- he's supporting some ballot measures and opposing others.

Although he might have benefited in a Republican primary from denouncing Prop. 1A, Campbell strongly supports it.

"If you took down the intensity of the discussion a notch -- this may be impossible to do, right? -- and asked, 'Is this substantial, systemic reform?' The answer is yes," Campbell says. "It's substantial and it's systemic. It's good. . . .

"I don't like tax increases. But this is short-term pain for a permanent fix. That's a trade-off being lost by critics.

"It's the best chance we have to fix the system on a permanent basis. We've got an opportunity we probably won't have again. And the reason is the public employee unions would put their substantial weight against any other systemic reform."

Schwarzenegger and Democrats cut a deal with the California Teachers Assn.: They gave the union Prop. 1B, which ultimately would tap into the new rainy-day fund to restore \$9.3 billion in school cuts. Prop. 1A must pass in order for 1B to take effect.

But Campbell adamantly opposes Prop. 1B, thus crossing the powerful CTA.

"When you're in a crisis and have to cut spending, everything should be on the table," he says, including K-12 schools. "All components of state government are in need: welfare recipients, folks on Medi-Cal."

Campbell thinks Prop. 1C, the lottery measure, is "terrible." It would expand the lottery and allow the state to borrow \$5 billion against future revenue.

"You don't fix a systemic problem with a one-time sell of an asset," he says. "It's really bad economics and bad budgeting."

Moreover, he continues, expanding the lottery "troubles me. Folks who buy lottery tickets tend to be low-income people. So how do you get \$5 billion? You put more ads up in low-income neighborhoods saying, 'All your dreams will come true if only you buy a lottery ticket.' "

Campbell, however, does support Propositions 1D and 1E, which would transfer some money from early childhood education and mental health services, respectively, to the general fund.

All the ballot measures are in trouble. If Props. 1C, 1D and 1E are rejected, the state's projected deficit for this fiscal year and next will increase from \$8 billion to \$14 billion.

How would Campbell plug the hole? He's a fiscal conservative, but also a pragmatist. Would he

raise taxes? "I don't know yet," he says. "I try not to be doctrinaire. I hope people realize that's the best way to govern."

First, Campbell says, he would negotiate "substantial givebacks" -- at least 15% -- from public employee unions, threatening unpaid furloughs if they didn't agree. And he'd ask the Legislature to cut government programs across the board, probably by 10%.

Amazingly, he's a politician running for governor and taking positions without having polled to measure and then mimic voter views. A true rarity.

george.skelton@latimes.com

AFSCME mixed on May ballot propositions

By [John Howard](#) | 04/09/09 12:00 AM PST

A rift has developed in one of California's most influential labor organizations over the budget-linked propositions on the May 19 ballot that are intended to erase billions of dollars worth of red ink.

Statewide, the 179,000-member America Federation of State, County, and Municipal Employees, or AFSCME, opposes the six ballot propositions, measures 1A through 1F, is calling the budget flawed and fiscally irresponsible.

But the executive board of the 5,000-member AFSCME Local 2620 – its membership composed primarily of state employees – voted in Burbank to endorse the propositions, calling the initiative package “a crucial component of the state's overall budget plan.”

The division reflects membership differences between Local 2620 and the larger organization more than it does any deep philosophical divide between the two, representatives of both groups said.

But it also epitomizes the differences among labor groups –and others -- about the May 19 special election. And a fundamental question at AFSCME is whether the unions will spend money and commit resources to finance campaigns over the propositions.

Nancy Swindell, president of Local 2620, said her group is committed to mounting a campaign in favor of the propositions, but has yet to decide on details.

“How can we best use our resources? The best way to do that is through education and advertising. It (the campaign) likely would be a combination of the two.” She added that her membership had a serious stake in the outcome of the election. “Right now, we're struggling to get a contract, and then if these propositions fail, we would be sitting duck. The alternative (to passage) is chaos.”

Willie Pelote, political and legislative director for AFSCME California, said he understood Local 2620's support because of the looming cuts in state employees. He noted that the local was only one of dozens of AFSCME-linked groups across the state, and that opposition to the ballot proposals is widespread.

But Pelote also said the bulk of AFSCME's membership would be hurt by the ballot propositions, if passed, because of the cuts to social-service and other programs, as well as new taxes on low-and middle income workers. He said he hoped to know by the end of the week whether his group would campaign against the initiatives.

“We're just getting into that discussion. Money is very problematic in this economy, even for working families, so how do you put together the dollars to get into these campaigns? We're seeing whether we can put together a campaign. We should know this week,” Pelote said.

Doug Moore, executive director of the United Domestic Workers of America, AFSCME's largest affiliate, said in a written statement that the budget deal "was bad enough, but this special election makes matters worse." He said that "in states where things like this (spending cap) have already been tried, like Colorado, movements are under way to do away with the spending cap."

Thus far, about 40 days before the election, no major television, radio or mail campaign has been mounted for or against the measures. Gov. Arnold Schwarzenegger, accompanied by business leaders and others, has traversed the state speaking in favor of the propositions.

The measures were approved in February following months of budget negotiating.

As a package, five of the six measures – would raise state taxes, cut spending, protect school funding, capture future proceeds of the state lottery, and shift funds from accounts approved earlier for the mentally ill and early childhood programs. The sixth proposition, 1F, would freeze lawmakers' pay if the state ends the fiscal year with a deficit. Although 1F is the least significant of the ballot measures, it is the only one with overwhelming public support, according to polls. The others have marginal backing at best.

The immediate impact in dollars and relief to the budget is about \$6 billion but the long-term impact, still uncertain, would be greater because of the tax hike and spending limitations in Proposition 1A.

CSDA News

Plan Under Way to Create Open-Space District

By Peter Burke, Press Banner Staff Writer

Santa Cruz County took the first step in forming an open-space district covering nearly the whole county when Senate Bill 211 was approved 4-1 by the state Senate's local government committee Wednesday, April 1.

The bill, written by Sen. Joe Simitian and co-sponsored by Assemblyman Bill Monning, would allow county supervisors to begin the process of giving voters the ability to protect existing, undeveloped open space in the county from potential development.

"The eventual goal of a special district like this is to provide local control and local funds to protect the land and resources that people think are important," said Stephen Slade, the Land Trust of Santa Cruz County's director of development.

The Land Trust had asked Simitian to introduce the legislation.

The district would cover the entire county, except for a small corner in the Midpeninsula Regional Open Space District on the border of San Mateo County.

The district would be governed by a board of directors and have the authority to float bonds to acquire property through negotiated purchases or eminent domain.

SB 211 provides a direct avenue for the county to form a district without first seeking approval from the county Local Agency Formation Commission. Typically, LAFCo has thumbs-up, thumbs-down authority to rule on creation of a district.

The bill allows county supervisors to bypass LAFCo and simply hold a public hearing and adopt a resolution to send the idea to the public ballot.

LAFCo has "no position" on the bill, Executive Officer Pat McCormick said.

The ballot measure would need a simple majority vote to pass. Similar open-space districts exist in Napa, Marin, San Diego, Los Angeles and Sonoma counties, as well as the Midpeninsula district.

Currently, Slade said, 22 percent of the county is permanently barred from development, with most of that land owned by the state park system, and 11 percent of county land is developed, leaving nearly two-thirds of the county zoned for other purposes.

"What you can protect for future generations now is a lot cheaper than when bulldozers are on your doorstep," Slade said.

SFGate.com

Alameda Point issue likely to head to ballot

[Carolyn Jones, Chronicle Staff Writer](#)

Monday, April 6, 2009

There's been no shortage of optimistic developers who have tried - and failed - to transform the former Alameda Naval Air Station into a utopian, eco-friendly urban village.

Since the Navy left the sprawling base 12 years ago, no fewer than four developers have taken a stab at the project, which encompasses a third of the island and could potentially increase the city's population by 14 percent.

Now it appears the voters will get a say on the future of Alameda Point. The current developer, SunCal, began on Friday collecting signatures to place an initiative on the Nov. 3 ballot asking voters to waive density limits for the development, allowing SunCal to triple the number of housing units originally planned for the former base.

"We want to build denser housing on Alameda Point because it's the economically and environmentally correct thing to do," said Pat Keliher, SunCal's vice president of operations. "It's an amazing piece of property, and when the market starts to turn around Alameda Point could be an incredible community."

SunCal hopes to build more than 5,000 single-family homes, condominiums, live-work lofts, townhomes, senior and affordable housing units at the point, in addition to 3 million square feet of office and light industrial space.

But with the denser housing comes more open space. SunCal's plan includes 145 acres of parks, a 58-acre sports field complex and more than 20 miles of bicycle and walking trails. It also calls for \$100 million in transit projects, including a new ferry terminal.

The previous plan called for 1,700 single-family detached homes, with no condominiums or other high-density housing in compliance with Measure A, Alameda's 1973 law that bans any new housing larger than a duplex.

The voters would be asked to make an exception to Measure A in November, allowing high-density housing at Alameda Point. The initiative does not apply to the rest of Alameda. Because of the wildly fluctuating real estate market and issues about cleaning up the property, the Navy, city and developers continue to haggle over a purchase price. The Navy last week sent a letter to the Alameda city manager saying it wants to renegotiate the price based on SunCal's new plans for the site.

SunCal officials said that if the initiative does not pass, they're likely to pull out of the project because it would not be economically feasible to develop the land, which is still owned by the Navy.

SunCal's departure is exactly what some in Alameda would like to see. A group called Save Our City has been fighting the developer's plan for months, and has organized rallies and protests to stop the initiative.

"Alameda is an island, which everyone seems to forget," said David Howard, a member of Save Our City. "SunCal's plan would bring too many people, too many cars. The Posey Tube is already at capacity."

Howard's group would like to see zero housing at Alameda Point, but more office and industrial space, providing jobs for people who already live in Alameda.

The group is also concerned about the contamination at the base, which the Navy and SunCal are required to clean up. Among other toxins, the ground is saturated with benzene plumes and most of the buildings contain lead and asbestos.

City Hall, meanwhile, is happy with any project that emphasizes public transit.

"The biggest challenge in Alameda is that it is an island city," said Debbie Potter, the city's base reuse and community development manager. "So traffic and transit will always be a huge issue. But now the people will get a chance to decide."

E-mail Carolyn Jones at carolynjones@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/04/06/BA4S16SI85.DTL>

This article appeared on page **B - 1** of the San Francisco Chronicle

Sacramento Bee

Watchdog hired to monitor Calif. stimulus spending

Associated Press Writer

Published Friday, Apr. 03, 2009

SACRAMENTO -- Gov. Arnold Schwarzenegger on Friday appointed a watchdog to guard against wasteful spending of the billions in federal stimulus dollars headed to California, a step he said would ensure the money goes where it's needed most.

He named Los Angeles city controller Laura Chick as an independent auditor who will report to the governor. She will be paid \$175,000 a year and will be given a staff to monitor the flow of money headed to state agencies, local governments, school districts and nonprofits.

The Republican governor said California was the first state to appoint an inspector general to oversee its share of the \$787 billion from the stimulus package. That amount is expected to be about \$50 billion when money from competitive grants is included.

"You can be sure that when \$50 billion comes to our state that there will be problems if we don't have someone watching over it," the governor said during an afternoon news conference in Los Angeles.

Including tax cuts and credits, California is expected to see about \$85 billion in direct and indirect aid from the stimulus package. Schwarzenegger said the money "is not a gift from the federal government" but rather is money Californians have paid in taxes and deserve to have returned.

President Barack Obama previously announced guidelines aimed at preventing waste and fraud and limiting the influence lobbyists will have in carrying out the stimulus program. The rules prohibit spending on projects such as aquariums, zoos, golf courses, swimming pools or casinos.

They also specify that states will lose their share of the spending if they miss a deadline or do not allocate the money fast enough.

Schwarzenegger, who previously named a task force of top advisers to monitor and distribute California's share, said Friday that he agrees with Obama's hard line.

"President Obama made it clear that if this money doesn't get spent properly, the money is gone," Schwarzenegger said.

Chick's job will be to watch for waste and abuse, just as she has done in Los Angeles. She has earned a reputation as an aggressive investigator of misspending in the nation's second-largest city.

Since her election as controller in 2001, Chick has reported that Los Angeles police have a backlog of more than 7,000 untested samples from rape victims and that the city loses millions of dollars each year by mishandling state and federal grants.

Her office also has found discrimination and harassment in the city's fire department and revealed the city spent tens of thousands of taxpayer dollars on bottled water as officials waged a \$1 million campaign to promote the quality of the municipal tap supply.

She also launched a 24-hour hotline for city employees and residents to report fraud while remaining anonymous.

The 64-year-old Democrat was co-chairwoman of Women for Obama in California during the 2008 presidential campaign.

While it's not clear where the money will come from to pay for Chick and her staff, Schwarzenegger said the spending will be "worth it 100 times over."

"This is the wisest investment that we can make in our state, is having somebody watching over every single dollar," he said.

Chick, who joined the governor at the news conference, said it's in her "bloodstream to watch and count the dollars," so she will try to use existing staff to help her do the job.

Schwarzenegger and legislative leaders recently passed a plan to balance the budget through the current fiscal year and the next one by cutting \$15 billion from state programs and raising taxes by billions more.

Schwarzenegger previously appointed Chick to the Board of Governors for the California State Bar.

www.ibabuzz.com/politics

[Garamendi 'checking out' CD10 race](#)

By Lisa Vorderbrueggen

Friday, April 3rd, 2009 at 7:08 pm in [Congressional District 10](#), [Contra Costa County](#), [Mark DeSaulnier](#).

Lt. Gov. John Garamendi

[California Lt. Gov. John Garamendi](#) is asking around about the congressional seat that [Rep. Ellen Tauscher](#), will vacate after secures her expected U.S. Senate confirmation for an under secretary position in the U.S. State Department.

Garamendi called [Rep. George Miller, D-Martinez](#), a few days ago and asked about the seat. Miller reiterated his unflinching support for state Sen. [Mark DeSaulnier, D-Concord](#). Tauscher has already endorsed DeSaulnier, too, and my sources say that won't change if Garamendi runs.

Wait? Isn't Garamendi running for governor? Yep.

Here's what Garamendi said in a statement his campaign sent me a few minutes ago:

"A number of people suggested I consider this seat. Of course, I will check out it out. As a former under secretary of the interior, there is a lot of exciting working on in Washington. Much is possible with Barack Obama. But I am focused on California and my campaign for governor."

For his part, DeSaulnier says it would be a very interesting campaign to run against the lieutenant governor of California.

But it doesn't scare him.

"People sure will remember me if I run against the lieutenant governor of California," DeSaulnier said.

Sacramento Bee

Political merry-go-round diminishes Democrats' clout in Legislature

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Published Saturday, Apr. 04, 2009

Last fall, California Democrats thought they had pulled within five seats of a governing supermajority in the Legislature.

But vacancies – as state lawmakers run for Congress or take other posts – will plague Democrats and empower Republicans for much of 2009.

"It does create complications," said Senate President Pro Tem Darrell Steinberg, D-Sacramento. "You want to have a full house."

One Democrat-held Senate seat has been empty since December, when Mark Ridley-Thomas joined the Los Angeles County Board of Supervisors.

Exhibit A for the impact of vacancies was the February budget debacle, which featured a Senate lockdown as the budget package deadlocked one vote shy of passage.

"We would have been out of here Saturday night instead of the following Thursday without all of the drama if we had had a full house, in all likelihood," Steinberg said.

Ridley-Thomas' seat will soon likely be filled by Assemblyman Curren Price, D-Inglewood, who is the prohibitive favorite in a May 19 runoff.

Of course, that will create a vacancy in the Assembly. The state's election laws virtually guarantee that opening will last until the early fall.

Assembly Republican leader Mike Villines said every Democratic vacancy strengthens the GOP position. "It gives us a lot of ability to move the debate and navigate to issues that we care about," he said.

In the Assembly, Democrats control 51 seats in the 80-member house, three shy of the two-thirds majority needed to pass a budget or raise taxes. Democrats hold 24 seats in the 40-person Senate.

Then there are those open seats in Congress, created as President Barack Obama has tapped California Democrats for prominent posts.

In Southern California, former Rep. Hilda Solis is Obama's new labor secretary.

In Northern California, Rep. Ellen Tauscher has accepted an Obama post in the State Department, though she still must be confirmed.

In both cases, state lawmakers are lining up to replace them.

"Joan Buchanan should run for Congress," said a laughing Villines, hoping for yet another vacancy in his house, as the Democratic Alamo assemblywoman mulls a run for Tauscher's seat. "She'd be an excellent congresswoman."

Sen. Gil Cedillo, D-Los Angeles, is running for Solis' seat.

If he wins, his Senate seat opens up. And if an Assembly member were to win that seat, his or her Assembly spot would then become vacant.

And on it goes.

"It is what it is," Cedillo said.

Steinberg said he will always "encourage my colleagues to seek higher office."

"We'll deal with it all as best we can," he added.

Senate Republican leader Dennis Hollingsworth, for his part, is rooting for his fellow Senate Democrats' election bids. "Wish them all well," he quipped.

SF Gate.com

California Dems target 8 GOP districts

[Carla Marinucci, Chronicle Political Writer](#)

Saturday, April 4, 2009

California GOP voter registration is "dropping like a rock," a new study shows, declining so fast that Democratic Party officials see an unprecedented opportunity to gain voters and House seats in the 2010 election.

The Democratic Congressional Campaign Committee has targeted 35 districts across the country represented by Republicans in the U.S. House of Representatives - including eight in California - that were won by Barack Obama in the 2008 presidential election, said Jennifer Crider, the committee spokeswoman.

The Democrats plan increased appeals to voters in those areas and will make aggressive efforts to recruit Democratic candidates to run against the Republican incumbents, she said.

A new study suggests that Republican numbers in California are falling precipitously, even in the historically strongest bastions of GOP voters.

"The big picture is that, currently, there is not one single state legislative or congressional district that has a majority of the voters registering Republican," says Allan Hoffenblum, who just finished an analysis for the California Target Book, a nonpartisan publication that regularly analyzes state congressional and legislative races.

Hoffenblum says he can't recall another time in state history when the GOP was in such a dire situation: "Republican registration in California is dropping like a rock.

"There's a large slice of voters there being turned off by the Republican Party," said Hoffenblum. "What's really hurting them there is an increase in middle-class Asian and Latino voters - and they're not voting Republican. They're registering decline-to-state."

The vulnerable California districts with Republican representatives that were won by Obama are those of Reps. Dan Lungren of Gold River (Sacramento County), Mary Bono-Mack of Palm Springs, David Dreier of San Dimas (Los Angeles County), Elton Gallegly of Thousand Oaks (Ventura County), Brian Bilbray of Solana Beach (San Diego County), John Campbell of Newport Beach (Orange County), Ken Calvert of Riverside and Howard "Buck" McKeon of Santa Clarita (Los Angeles County), the committee says.

Even Democratic House Speaker Nancy Pelosi seemed surprised this week at the number of Republicans her party's campaign experts are targeting.

"I don't know about eight seats. ... I do know there is a tremendous enthusiasm ... to enjoy the prospects of more Democrats in California," she told The Chronicle. "Some of this is coming from

aces for the state Legislature. Some of those districts are really becoming more and more Democratic. And so they're saying, 'Well, maybe there's an opportunity to spring from that.' "

But state Republican Party Vice Chairman Tom Del Beccaro - who is considering a run for Democratic Rep. Ellen Tauscher's soon-to-be-vacated Contra Costa seat in the 10th Congressional District - said the GOP will have its own opportunities in the midyear cycle.

"Political trends come and go - and 2010 is not going to be a good year for Democrats," said Del Beccaro, who publishes the PoliticalVanguard.com Web site. "Between the unemployment and the exploding deficits, Republicans will be competitive if we have a strong message on the problems facing America. Big debt and big taxes will not sell."

Hoffenblum said his studies show a more complex problem facing the California GOP, which is confronting a base of voters that is crumbling under its feet.

He said Republicans held majorities in several state legislative districts in 2001 - when districts were redrawn and gerrymandered to protect the territories of both the GOP and Democrats in California.

But his latest Target Book tracked "significant drops in GOP registration," an average of 5 to 7 points even in those strong conservative districts. That's due to a one-two punch - legions of GOP voters who are reregistering as "decline to state" and the growing ranks of younger, ethnic voters, particularly Latinos, who simply are not drawn to the party's message, Hoffenblum said.

The Republican problems are dramatized in areas like Congressional District 3, the Sacramento district Lungren represents, which is considered a stalwart of GOP conservatism.

In 2001, the district's voter registration was 54 percent Republican, 34 percent Democrat, and 13 percent "decline to state," Hoffenblum said.

His latest analysis shows that the same district has lost nearly 30 percent of its GOP base and is now 40 percent Republican, 38 percent Democrat and 18 percent decline-to-state.

There, as in other regions of California, "Republicans can no longer be elected by Republican alone - they need crossovers," Hoffenblum said. "The decline-to-states will be a significant factor in the 2010 election cycle."

The Democratic campaign committee's Crider says: "If you just look at how close a race that Lungren had ... it tells you how far these districts have changed - and the members are not changing with them.

"There's a lot of strong Democrats who have expressed some interest in running," she said. "Right now, in the political calendar, we're in the recruiting phase."

California GOP state Chair Ron Nehring says Democrats won't find their work easy.

He notes that none of the eight districts will have an open seat in 2010, giving all eight GOP incumbents a huge advantage.

And 2010 "is on track to be a 'correction' election where the opposition party picks up seats ... as voters correct for Democrats' overreaching," he said.

Hoffenblum observes that Democrats will have an even tougher job if they fail to offer more centrist candidates to appeal to the all-important decline-to-state middle ground.

But California Republicans, he said, haven't shown they are focused on the job, either.

"They're too busy recalling all those (moderate Republican) legislators to do something about it," Hoffenblum said. "It's a sign of a party in decline - they're eating their own."

Chronicle Washington Bureau political writer Carolyn Lochhead contributed to this report. E-mail Carla Marinucci at cmarinucci@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/04/04/MN6916SCKK.DTL>

This article appeared on page **A - 1** of the San Francisco Chronicle

Contra Costa Times

Economic stimulus -- then and now

[By Lisa Vorderbrueggen](#)

[Contra Costa Times](#)

Posted: 04/06/2009 12:00:00 AM PDT

Updated: 04/06/2009 09:36:31 AM PDT

The New Deal Revisted

SUNDAY: New Deal workers tell their story.

MONDAY: Economic stimulus then and now.

TUESDAY: Artful legacy of New Deal.

An obdurate recession and President Barack Obama's \$787 billion economic revival package has engendered numerous comparisons with President Franklin Roosevelt's New Deal.

Time magazine even recently coined Obama's economic stimulus proposal the "New New Deal."

Like any comparison that spans 75 years and disparate political landscapes, this one has both strong parallels and deep divergences.

When Roosevelt took office at the height of the Great Depression in 1933, unemployment was a staggering 25 percent.

Fourteen million Americans had lost their jobs.

Nine million people saw their life savings evaporate.

And without jobs, many could not make their house payments and lost their homes to foreclosure.

The government safety net Americans take for granted today did not exist. Congress, during the New Deal era, adopted Social Security, minimum wage, unemployment benefits, bank depositors' insurance and federal home loan guarantees.

Obama faces a far less dire economic landscape.

Nationwide, unemployment is around 8.5 percent. And economists are beginning to talk, albeit cautiously, about a reversal of the devastating stock market declines of the past year.

Metropolitan Transportation Commission chief Steve Heminger described the New Deal as larger, longer and bolder than the modern stimulus bill.

"The big difference is that the New Deal wasn't just one thing," Heminger said. "It was several years of many different things. So, all we got is a stimulus bill that has only 5 percent for transportation."

'Alphabet soup'

Broadly speaking, Roosevelt created an alphabet soup of new agencies during the New Deal era between 1933 and 1939 as he fulfilled his campaign promise to give Americans a "New Deal for the forgotten man."

The piece of the New Deal that most directly corresponds to Obama's economic stimulus package centers around the iconic programs that have come to represent the era — agencies such as the Civilian Conservation Corps, Public Works Administration and perhaps its most famous, the Works Progress Administration.

Through these agencies, the federal government directly hired millions of desperate people.

In a significant departure from the federal government's prior hands-off attitude, the president believed government spending would ignite the economy.

Precise New Deal job and cost totals are difficult to nail down, chiefly due to poor record-keeping coupled with the numerous and, in some cases, short-lived, programs.

But in rough numbers, these New Deal programs cost about \$320 billion in today's dollars and generated about 15 million jobs.

In comparison, Obama's \$787 billion package is estimated to create or save 3.6 million jobs by 2010 in a variety of sectors, according to a report by the president's Council of Economic Advisers.

A substantial portion of Obama's package includes relief in the form of tax credits, food stamps, an extension of unemployment compensation and payments to states to help avoid cuts to Medicaid and education.

The piece that matches the jobs and construction component of the New Deal earmarks \$80 billion for transportation and infrastructure.

Putting people to work

Many New Deal jobs were temporary, low-skill jobs that paid subsistence wages and were designed to get people off the streets.

In the Civilian Conservation Corps, the government hired primarily young men, set them up in camps and paid them small wages to do everything from tree planting to firefighting.

The Works Progress Administration and Public Works Administration put more than 8 million people to work on projects in nearly every community in the nation. They erected schools, roads, water systems, courthouses and dams.

In the Bay Area, New Deal workers built hundreds of projects big and small such as the Contra Costa Canal, Alameda County Courthouse, Caldecott Tunnel, Berkeley Rose Garden, a Crockett elementary school, the Hayward Plunge swimming facility and the murals of the Coit Tower.

Granted, construction costs have outpaced inflation rates in the past 75 years due to a global market coupled with environmental and safety enhancements.

Workers built Hoover Dam, for example, in five years for the equivalent of \$736 million in today's dollars. On the other hand, the world's largest hydroelectric dam in 1935 did not come cheap: 112 people died during its construction.

Compare the dam's cost and construction schedule with that of the fourth bore in the Caldecott Tunnel, which is little more than another hole in a modestly sized hill next to three existing holes.

But that bore will cost an estimated \$460 million, and it has already been tied up for three years in environmental study and lawsuits.

Critics of the New Deal argue that Roosevelt's expanded government spending did not bring the United States out of the Great Depression. During the New Deal years, unemployment never dropped below 14 percent.

It took the onset of World War II to end the persistent joblessness rate as millions of Americans were either drafted into the military or joined the war effort back home.

Some economists blame the duration of the Depression on other Roosevelt initiatives such as his drive to control the market through government-mandated prices and wages.

"All told, these anti-market policies choked off powerful recovery forces that would have plausibly returned the economy back to trend by the mid-1930s," wrote economics professors Harold Cole and Lee Ohanian in *The Wall Street Journal* in February.

New era, new attitude

Ideology aside, the fundamental difference between Obama's stimulus package and the New Deal may be one of public attitude.

The New Deal emerged during a time of great personal suffering yet the public openly embraced massive transformative public works projects along with arts and music.

The iconic Golden Gate and Bay bridges and the Hoover Dam were all built during the Great Depression.

Traveling musicians performed symphonies in small towns and artists painted murals. Taxpayer dollars even paid an artist to travel throughout California and make rubbings of rare Indian rock art.

"We have allowed our sense of public life to wither and die and to be content with the bare minimum of everything," said Robert D. Leighninger Jr., author of *"Long-Range Public Investment: The Forgotten Legacy of the New Deal."*

"Now, we don't want to pay for schools, and things like public art and museums are regarded as frills instead of things that we can all enjoy. We don't have a sense of what public life could be like if we were willing to pay for it."

Don't get Randy Rentschler wrong. The government affairs director at the Metropolitan Transportation Commission is happy to get the money.

But he, too, senses a lack of transformative power in the modern stimulus package.

Except for a few programs such as high-speed rail, medical record modernization and an update to the electric grid, the bulk of the money will help soften the recession's blow on existing government services.

And most of the \$1.2 billion earmarked for Bay Area transportation will go to fix crumbling streets and roads or replace aging transit equipment.

"No doubt, we need the money," Rentschler said. "But during the New Deal, there was a notion of building really big things that were transformational. If we had kept up our infrastructure, how might we have used that money to transform our future now?"

Denis Cuff contributed to this story. Reach Lisa Vorderbrueggen at 925-945-4773, lvorderbrueggen@bayareanewsgroup.com or www.ibabuzz.com/politics.

NEW DEAL REVISITED

SUNDAY: New Deal workers tell their story.

MONDAY: Economic stimulus -- then and now.

TUESDAY: Artful legacy of New Deal.

For more information about the New Deal, visit California's Living New Deal Project on the Web at livingnewdeal.berkeley.edu. The California Historical Society and UC Berkeley's Institute for Research in Labor and Employment Library and the California Studies Center developed the collaborative research effort to identify, map, and interpret public work projects from the New Deal era. A map pinpoints projects in the Bay Area.

NEW DEAL AGENCIES

Civilian Conservation Corps, 1933 to 1942: Put millions of young unemployed men to work to build or repair roads, buildings, parks, trails, to fight fires, improve streams and forests. The federal CCC was the inspiration for many state conservations corps, including the California Conservation Corps.

Works Progress Administration (Renamed in 1939 to Work Projects Administration) 1935 to 1942: The largest New Deal agency, the WPA provided millions of jobs to build public schools, roads, bridges, and also funded writers, artists, and theater projects.

The Public Works Administration, 1935 to 1942: Offered grants and loans for construction of schools, dams, airports, hospitals, firehouses, pools, court houses, post offices and other public works projects. The Caldecott Tunnel got funding from the PWA.

Civil Works Administration, 1933-1934: Early New Deal agency that lasted for winter of just a few months. It employed millions of workers to build or repair schools, parks, airports, ball fields, and employed artists, and came under fire for its high cost and emphasis on high wages.

National Youth Administration, 1935 to 1943: Offered "work-study" for students, and part-time work and job training for boys and girls.

The Public Works of Art Project (PWAP) created December 1933: Employed more than 3,700 artists until June 1934. Nearly \$1.3 million dollars was spent during the PWAP funding projects like the Coit Tower murals.

The Treasury Section of Painting and Sculpture (known as "The Section"), created October 1934: Hired artists to create public murals and sculptures for new federal buildings. Many post office murals were created under The Section.

The Treasury Relief Art Project (TRAP), 1935 to June, 1939: Employed artists to decorate nearly 2,500 federal buildings in a variety of mediums. It started in July 1935 with money from the Emergency Relief Appropriations Act of 1935 and continued until June 1939.

Sources: "Forgotten Legacy of the New Deal" by Robert Leighninger Jr., and "The New Deal" by Kathryn A. Flynn.

Contra Costa Times

Former Antioch Congressman Jerome Waldie, 84, dies

By Paul Thissen

Contra Costa Times

Posted: 04/05/2009 10:28:58 PM PDT

Updated: 04/06/2009 07:07:24 AM PDT

Antioch native Jerome Waldie worked with his "good friend" Cesar Chavez to help farmworkers unionize. He backed legislation to overhaul how the disabled are treated in California. He introduced the resolution in Congress to impeach President Richard Nixon.

Waldie died unexpectedly Friday at his Placerville home after about three months of illness. He was 84.

He adored politics, said his son, Jon Waldie.

"He'd always been active in politics," Jon Waldie said. "He just felt he could make a contribution."

Waldie, a World War II veteran, set up shop as an attorney in Antioch before being elected to the state Assembly in 1959.

He became majority leader in 1961 and held the post through his election in 1965 to the U.S. House of Representatives, where he served until 1975, according to the U.S. Congress Web site.

In 1974, he ran an unsuccessful campaign for governor of California.

During his time in the Assembly, he was most proud of his work with Chavez's United Farm Workers of America and on the Lanterman-Petris-Short Act, which ended the institutionalization of the mentally handicapped, Jon Waldie said.

In 1973, it was written in The Washington Post that he was one of the first members of Congress to call for Nixon's impeachment. He introduced the resolution to impeach Nixon.

Other East County politicians looked up to him.

Former Assemblyman Joe Canciamilla, of Pittsburg, worked on his campaign for governor.

He was a grass-roots politician who was a friendly straight-shooter, Canciamilla said.

"He was very much focused on what was happening at the local levels," Canciamilla said, even frequently returning to Antioch while working in Washington, D.C.

After his campaign for governor, he stayed in Washington through 1980, working in President Jimmy Carter's administration.

He moved to Placerville when Gov. Jerry Brown appointed him to the California Agricultural Relations Board in 1981. He served through 1985.

He kept returning to Antioch throughout his life, keeping in touch with local politicians and speaking to the historical society.

Waldie Plaza in Antioch is named in his honor.

"The city felt his significance to the point that they named the plaza after (him), the only person I know of from Antioch who went to Congress," said Elizabeth Rimbault, president of the Antioch Historical Society Museum.

Jon Waldie remembers his father's "wicked sense of humor."

"He just was a very successful individual who was very humble," Jon Waldie said.

He is survived by his wife, Joanne; his children Jill, Jon and Jeff; seven grandchildren and two great grandchildren.

A memorial will be held this summer in Lake Tahoe. The date has not been set.

His family asks that in lieu of flowers, donations can be made to the League to Save Lake Tahoe, United Farm Workers or any state Democratic Party.

Reach Paul Thissen at 925-943-8163 or pthissen@bayareanewsgroup.com.

SFGate.com

Voters could push deficit past \$15 billion

[Matthew Yi, Chronicle Sacramento Bureau](#)

Monday, April 6, 2009

(04-06) 04:00 PDT Sacramento -- California's recently christened budget is expected to be billions of dollars in the red before the new fiscal year begins in July, although it's a manageable gap, many state officials say.

But if voters reject a package of ballot measures in the May 19 special election, then the projected shortfall could push the state's deficit to more than \$15 billion, creating a new fiscal crisis.

That, state lawmakers fear, would prompt the same kind of partisan posturing - over tax increases and program cuts - that led to last summer's record-setting impasse.

"If the voters reject (the measures), what the voters are really saying is 'We want you to go back to partisan warfare. We want you to go back to arguing and not getting something done,' " said Assembly Republican Leader Mike Villines of Clovis (Fresno County). "The message to the Legislature would be to go back to your corners."

Julie Soderlund, Gov. Arnold Schwarzenegger's spokeswoman, said passage of the measures - which include spending limits, borrowing against future lottery revenues and shifting funds from mental health and children's programs - is crucial for the state's short- and long-term financial viability.

"These measures are critical for us to get through these tough times ... and to avoid future tough times," she said.

Shortfall next year

Soon after the governor and the Legislature struck a deal to close a record budget shortfall of nearly \$42 billion in February, the nonpartisan Legislative Analyst's Office reported that the state's revenue will fall short by \$8 billion in the fiscal year that begins July 1.

While that's a significant sum, many finance officials say it is manageable. The enacted budget includes \$2 billion in cash reserves and the state could find an extra \$3 billion in savings if officials take the legislative analyst's suggestion of reducing education spending and backfilling that with federal funds.

But that may be the best-case scenario.

First, voters must agree with Schwarzenegger and legislative leaders on the package of six ballot measures. Proposition 1C would pump \$5 billion into the state's coffers by borrowing against future

state lottery sales, while Propositions 1D and 1E would allow the state to shift nearly \$1 billion in taxes for mental health and children's programs into the general fund.

Rejection of the measures would instantly create a nearly \$6 billion hole in the budget, and coupled with the legislative analyst's revenue forecast, the state would be mired in a \$14 billion shortfall.

That's not the end of the bad news. State Department of Finance Director Mike Genest wrote a letter to lawmakers Wednesday warning that the state must spend \$300 million in higher interest rates to borrow additional money to help its cash flow in the new fiscal year.

In addition, about \$350 million in the current budget is being challenged by local redevelopment agencies, which sued the state in an attempt to stop it from shifting the funds from the state redevelopment fund to pay for K-12 schools.

The state's economy also continues to worsen. Within weeks after the legislative analyst's revenue forecast, the state reported its unemployment rate had risen to 10.5 percent in February, the highest rate since April 1983 and higher than the analyst's forecast that the rate would peak at 10.2 percent next year.

"We took our best shot at (forecasting) revenues, but certainly there's a possibility of things getting worse," said Michael Cohen, a deputy legislative analyst.

The state's expenses could also rise, which is typical in down economies where more people rely on safety net services and programs such as Medi-Cal and SSI/SSP.

In a worst-case scenario, the state could be staring at a deficit greater than \$15 billion before the new budget year kicks in, lawmakers and budget experts say.

Republican lawmakers, including the few who voted for a \$12.5 billion tax package in February, say there's no way they can support more tax increases.

"Additional taxes on top of what we've done cannot be part of the solution because the economy can't stand it," said Assemblyman Roger Niello, R-Fair Oaks (Sacramento County), Assembly budget vice chairman.

Reluctant supporter

Niello was one of three Assembly Republicans who voted for the budget, which included increases in the sales tax (1 cent on the dollar), the vehicle license fee and personal income tax in exchange for a spending limit and creation of a rainy-day fund, which is the crux of Proposition 1A on May's ballot.

"I cast that vote on taxes highly reluctantly but with the knowledge that, No. 1, we had achieved certain reforms that salved the sting," Niello said. "But my conclusion was that if the state descended into gradual, incremental illiquidity, the problems that would have caused (in the state's economy) would have been far more damaging than the taxes."

Villines, one of the legislative leaders who negotiated the budget, also voted for taxes in February but said that option is now off the table.

Still, making huge cuts won't be possible, said Assembly Speaker Karen Bass, D-Baldwin Vista (Los Angeles County).

"I think it's a question of simple math," she said. "Add another \$14 billion to \$15 billion deficit, given all the cuts we've already made, I have no idea how we would cut \$15 billion more without compromising the quality of life in California."

Senate President Pro Tem Darrell Steinberg, D-Sacramento, said the ballot measures represent far more than \$6 billion. For example, if Prop. 1A fails, the recently approved tax increases would expire after two years rather than four. If Prop. 1B fails, K-12 schools won't see \$9 billion that the measure would guarantee in future years, he said.

"You can make the argument there's \$22 billion riding on the passage of these measures for people who need the help most," Steinberg said.

But the Senate leader said budget solutions will be found regardless of the outcome of the May 19 special election.

"We will handle anything," Steinberg said, "but obviously with the larger the number, there will be more pain for the people and the services that we care about."

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Sacramento Bee

Schwarzenegger aides are co-captains of state's stimulus team

swiegand@sacbee.com

Published Friday, Apr. 03, 2009

If there's a three-word mantra that Cynthia Bryant and Ana Matasantos live by these days, it might be this: "No swimming pools."

Bryant, Gov. Arnold Schwarzenegger's deputy chief of staff, and Matasantos, his chief deputy finance director, are leading California's "stimulus team."

The team is a group of state officials charged by the governor with grabbing – and keeping track of – billions of recession-fighting federal dollars that are beginning to pour into California.

The money – expected to reach \$50 billion over the next 18 months – is part of the American Recovery and Reinvestment Act, or ARRA, designed to help spend the country out of the worst economic mess since the Great Depression.

When he signed the 407-page act in mid-February, President Barack Obama pledged his administration would be accountable for every nickel of the \$787 billion the measure plans to spend.

To that end, he assigned Vice President Joe Biden to oversee the administration's spending watchdog efforts and ensure that the money isn't wasted on nonessential things, such as zoos, aquariums, golf courses, casinos – or swimming pools.

"Little hint," Biden warned a gathering of state officials (including Bryant and Matasantos) last month in Washington, "no swimming pools in this money."

"Six months from now, if the verdict on this effort is that we've wasted money, we built things that were unnecessary, or we've done things that are legal but make no sense, folks, don't look for any help from the federal government for a long while."

It's an admonition the Schwarzenegger team is taking to heart.

"The governor's goal is to get as much stimulus money for California and create as many jobs as possible," Bryant said during an interview last week.

"And once you have those goals in mind, you don't miss a deadline and don't let Joe Biden find a swimming pool being built on your watch. We're pretty good at all that. It's just a question of staying on top of it."

Staying on top of it hasn't been all that easy. For example, the rules for applying for some of the \$100 billion in new federal education money were put in place last Monday. States then had until the next day to complete their applications.

And on Wednesday, Education Secretary Arne Duncan held a telephone news conference to announce the release of the first \$44 billion.

"It's critical that this money go out quickly," Duncan said, "but it's even more important that it be spent wisely."

Although the team was formally announced March 26, Bryant said administration officials began making plans for handling federal stimulus funds soon after Obama was elected in November.

"We started out having working groups before the bill even passed," Bryant said. "We knew he (Obama) was going to do this, so we had interdisciplinary groups already going."

Still, there are times when she and Matasantos must feel like hurdlers at the starting line, waiting for someone to tell them how long the race is, and what they will have to jump over to finish it.

Not only is there a lot of money that must be spent quickly to have the greatest possible impact on the economy, but it must be spent effectively. It has to be distributed fairly. And it all has to be done under rules being drawn up even as the funds begin arriving.

"We are just trying to stay on top of everything and meet every goal they put out, so we don't find out the hard way later on that we missed something," Bryant said. "The most important thing is not to miss a deadline – when we know what they are."

That the money is going out quickly, especially by government standards of promptness, is indisputable. On just two days last week, various federal agencies announced California was in line for the first chunk of \$12.7 billion in education aid, \$840 million to increase monthly food stamp allowances and \$62 million for environmental cleanup.

When the economic dust settles, California is expecting to collect about \$50 billion – about 15 percent of all the federal dollars earmarked for states.

That's on top of about \$35 billion in federal income tax relief that will go to Californians directly in the form of lower paycheck deductions. But it does not include federal aid that will go directly to businesses or nonprofit groups, or money spent directly by federal agencies in the state.

Of the estimated \$50 billion that could flow to the state government, about \$20 billion is in the form of funds for which California must compete against other states.

Matasantos acknowledged that in some areas, such as development of small shipyards, California might not stack up. But in areas such as scientific research and environmental protection, the Golden State should dominate.

"Part of this whole thing is answering, 'How do you create the new economy?'" Matasantos said, "and the focus on things like health IT (information technology) and green tech is right up our alley in California. We are where they want the rest of the nation to get to in these areas."

The state must report every two months on what it's doing with the money. In fact, federal oversight has already begun. The Government Accountability Office has had a team in California for several weeks, gathering data for an April 24 report to Congress on how ready the state is to spend stimulus funds.

Some congressional overseers don't want to wait. Rep. Jim Oberstar, a Minnesota Democrat who chairs the House Committee on Transportation and Infrastructure, has asked Schwarzenegger for a report by Monday on how California intends to spend its share of highway and public works funds.

And state legislative leaders have made it clear they want to be kept apprised of what the Schwarzenegger administration is doing with all that money.

"We need to make sure the (watchdog) systems are in place up front," said Assemblyman Hector De La Torre, D-South Gate, chairman of the Assembly Accountability and Administrative Review Committee, "not after the mistakes are made."

Or the swimming pools dug.

From the Los Angeles Times

CAPITOL JOURNAL

Cogdill, though ousted, saw the right path for the GOP

George Skelton
Capitol Journal

March 30, 2009

From Sacramento - Six weeks afterward, state Sen. Dave Cogdill still is astonished that Republican colleagues would dump him as minority leader in the heat of a budget battle.

"The timing certainly was a surprise," he says. "I think it was unprecedented. I don't know that it's ever happened before."

Many legislative leaders have been shoved overboard after a policy fight had played out, or after an election in which the party had lost seats.

But none come to mind who have been relieved of command as bullets still were flying.

In this shocker, Senate Republicans didn't change horses in the middle of the stream; they had practically already crossed it. They wanted to go back.

Cogdill, 58, a Modesto real estate appraiser, is a pragmatic conservative -- yes, there are some -- whose sin was unforgivable for the hard right: He helped negotiate a \$42-billion deficit reduction package that included a \$12.5-billion temporary tax increase.

It also included \$16 billion in spending cuts and -- most significant -- a spending cap and enhanced reserve fund designed to keep Sacramento out of future budget holes.

The spending controls will be on a May 19 ballot as Proposition 1A, along with five other budget-related measures.

But Prop. 1A is in trouble, based on polls. It's opposed by interest groups on the left who fear any spending restraint. And it's under attack from the right by anti-tax factions because 1A would extend the tax hikes for up to two years. They'll be in effect for at least two years regardless of 1A's fate.

Cogdill has been joining Senate President Pro Tem Darrell Steinberg (D-Sacramento), Assembly Speaker Karen Bass (D-Los Angeles) and Assembly Minority Leader Mike Villines (R-Clovis) on the 1A campaign tour as a backup quartet to Gov. Arnold Schwarzenegger.

Absent is new Senate Minority Leader Dennis Hollingsworth (R-Murrieta), who adamantly opposes Prop. 1A, along with most other GOP legislators.

The spending cap isn't worth the extended tax increases, he says.

Cogdill is a soft-spoken man -- a trout-fishing addict -- who doesn't tend to say a lot. But he was very talkative when I interviewed him in his new, reduced-size Capitol office last week.

A temporary tax increase, he asserted, "is a price worth paying in order to get permanent spending reform." For fiscal conservatives to oppose Prop. 1A "is shortsighted" because "it's the best chance we've had to control spending. It's a landmark.

"They say, 'Politics is the art of the possible.' This is a good example. It's not perfect, but it does the job."

Recalling the tense final budget negotiations between Democrats, Republicans and the governor, Cogdill says: "We pushed this thing to the absolute brink. We were within hours of shutting down hundreds of construction projects and laying off tens of thousands of people and subjecting the taxpayers to huge penalties for shutting down those projects. That's a hidden tax increase."

Cogdill says he believed most Republican senators "knew how bad it was. They knew what had to be done, even if they weren't going to vote for it" personally.

Turns out most wanted to renegotiate. Some were even willing to let the state go belly-up.

"Several wanted the state to go off the cliff," says Sen. Abel Maldonado (R-Santa Maria).

"They said, 'We need to prove a point that the majority party got us into this mess.' And my line was, 'Then what?'

"Only hyper-partisan people believe it's good to send the state off a cliff to prove a point. Republicans in this building are way out of touch with reality."

In a midnight caucus, Republicans bounced Cogdill and installed Hollingsworth, certain that would force new negotiations. The coup had the opposite effect. It pushed Maldonado and Sen. Roy Ashburn (R-Bakersfield) fully into Cogdill's camp. After some Democratic incentives involving passage of pet bills, Maldonado and Ashburn cast the final votes needed for the tax hikes.

Cogdill calls Prop. 1A "an incremental move in the right direction."

"We Republicans don't seem to be able to deal with incrementalism," he laments. "Democrats have proven to be masters. It's something we rail against. If we don't get it all and exactly the way we want it, then we reject it out of hand. This is the most recent example.

"Democrats, with incrementalism, can ultimately get to wherever they want to go. It's the way they operate."

One has only to look at the health and welfare system.

If voters reject the ballot props, Cogdill doubts any Republican will vote for another tax hike to fill the new deficit hole.

He reasons: "That would be a pretty loud statement by voters that they're willing to see what the bottom of the cliff looks like. 'Just don't raise my taxes.' "

Villines agrees: "We're giving voters a chance to say, 'Get together and compromise.' If they reject it, what they're saying is, 'We don't want parties working together. We want partisan warfare.' "

Both Republicans expect that Democrats would try to raise taxes -- calling them "fees" -- on a simple majority vote rather than the normal two-thirds. They did that in December and Schwarzenegger vetoed the bill. He might not again. Courts would decide the legality.

Cogdill's reign was short, less than a year. Then he was found lacking and booted.

But it's easy to lead a small herd going downhill. It's tougher to lead uphill headed in a different direction.

Better to try and be tripped than to tumble down the bluff with the endangered herd.

Inside Bay Area

State budget visions underscore 'pessimistic' mood

By Steven Harmon, MediaNews Sacramento Bureau
Posted: 03/31/2009 01:11:13 PM PDT

SACRAMENTO — Early spring is typically the time of year when lawmakers can speak hopefully of "reaching across the aisle," and "forging a consensus" for bipartisan solutions to the state's problems. But emotions are still raw from a painstaking budget battle concluded a little more than a month ago, and prospects of even more grim economic news has lawmakers just a bit on edge.

Two of the legislative leaders, Senate minority leader Dennis Hollingsworth and Assembly Speaker Karen Bass gave voice to some of the insecurity of the times Tuesday before the California Grocer's Association, saying the success of the next round of budget negotiations hinges largely on the outcome of the May 19 special election.

Bass, a Los Angeles Democrat, said her biggest fear is that she'll be forced to make devastating budget cuts as lawmakers stare at a cash shortage of what could be as much as \$14 billion, depending on whether voters approve six ballot measures that the Legislature approved as part of the February budget agreement.

"We're all tired of initiatives, but in this situation, we need these resources," she said. "I'm deeply concerned that if we don't have these resources, what will the quality of life look like after May 19, when we have to go back to the chopping block and chop \$14 billion more out of education, health care, transportation and human services."

In an appeal to the business group, Bass reminded them that Democrats did "several things" to help businesses in the budget, including \$3,000 tax credits for hiring full-time employees.

"While we raised taxes, we also provided tax cuts," she said. "While we increased revenues, we also cut programs. We don't exactly know where the end is in this crisis. Any time you have the president and the best economic experts say we're in uncharted territory, then we're all in this crisis together."

Hollingsworth told the grocers that the mood at the Capitol is "very pessimistic," as lawmakers in both parties are still feeling the effects of the "contentious and partisan" budget negotiations.

"It's also very nervous with the special election looming and hovering," said Hollingsworth. "I think you'll see people are somewhat distracted by that."

Hollingsworth, a Temecula Republican who was installed in a midnight coup by GOP conservatives after his predecessor had negotiated a deal that included higher taxes that were ultimately approved, said his caucus is ready as ever to stand up for business interests.

"The Legislature doesn't seem to understand what we've done to businesses like grocers, dairymen and others," Hollingsworth said. "What we've really created is a place where jobs and investments

in people go to other states. In the next few months under my leadership, you'll be seeing things from Republicans seeking to improve the business climate."

That could include a full-throated assault from conservatives on a central piece of the ballot measure package — the spending cap proposal, which would put surplus dollars in a reserve to be used only in down economic times — but would trigger an additional two years of taxes if passed. Hollingsworth said he opposes the spending cap proposal and expects it to go down.

"I do think it'll be a tough sell," he said. "People will look at whether they want more taxes in exchange for a spending cap. It's hard to connect how a spending cap really affects your daily life, but a tax increase is very real to people."

If voters approve all six of the ballot measures, which also include borrowing from the state Lottery, and transferring money from the state's mental health fund into the general fund, the state would be facing what looks to be an \$8 billion cash shortfall for the next fiscal year. If the measures go down, they could be facing as much as a \$14 billion budget deficit.

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Contra Costa Times

No sure thing in race for Tauscher's seat

[By Lisa Vorderbrueggen](#)

[Contra Costa Times](#)

Posted: 03/29/2009 03:25:03 PM PDT

Rep. Ellen Tauscher's decision to accept a prestigious undersecretary post in the U.S. State Department has triggered a tectonic shift in East Bay politics.

The rare chance to run for an open congressional seat with no term limits and serve in Washington during the historic presidency of Barack Obama is turning numerous heads.

Several legislators elected just five months ago are very serious about running, as are ex-politicians who have been out of the limelight for years.

It has attracted plenty of political novices and the eye of a former Lafayette mayor who left the East Bay 15 years ago and may return to run.

"Contra Costa politics just got a whole lot more interesting," said Craig Cheslog, Lamorinda Democratic Club president and staff member for Assemblyman Tom Torlakson, D-Antioch. "The domino effect of Tauscher's decision is tremendous."

Cheslog refers to the possibility that a state lawmaker could win the congressional seat and trigger subsequent contests to fill a cascade of vacancies.

Technically speaking, of course, Tauscher remains the 10th district's representative for the foreseeable future. The seven-term Democratic congresswoman from Alamo is unlikely to resign until she receives Senate confirmation, which could take months.

Would-be candidates, however, are right to start campaigning now.

Federal fundraising rules are more stringent, which means that candidates who already have money in state accounts cannot transfer that cash into a congressional campaign.

At the same time, special elections unfold within two to four months, meaning candidates will have to work under a compressed schedule to raise the estimated \$1 million or more needed to wage a competitive campaign.

Conventional wisdom places this seat solidly into a Contra Costa County Democrat's hands, although Republican campaign consultants say a GOP victory is possible.

The Democratic Party holds an 18-point registration advantage in the district, a nearly insurmountable lead in a typical election. Party registration is the most reliable predictor of an election outcome.

Although the district includes portions of four counties, two-thirds of its voters live in Contra Costa.

The early Democratic front-runner is state Sen. Mark DeSaulnier of Concord. The former Contra Costa County supervisor was elected to the Senate in November after serving one term in the Assembly.

DeSaulnier owes his favored status to last week's endorsements from Tauscher and Rep. George Miller.

He also has ironclad relationships with state party leaders, labor and environmental groups. Those relationships translate into money and volunteers, the staples of any campaign.

"I'm confident that I will have the support of almost all the people who have supported me in the last two elections," DeSaulnier said. "I've talked with both Ellen and George a dozen times in the past week, and they are encouraging me to run."

Despite the high-powered advocates, DeSaulnier could face formidable challengers from within his party including:

- Assemblywoman Joan Buchanan of Alamo, who prevailed in November in the last GOP-held partisan seat in the Bay Area.

She says she has the background and qualifications for the job. As a woman with an educational background — she served on the San Ramon Valley school board — Buchanan has an advantage at the polls.

She commissioned a survey last week that showed her slightly ahead of DeSaulnier and she would almost certainly have the support of EMILY's List, a national group that raises money for pro-choice Democratic women.

"This is a great opportunity that doesn't come along very often," Buchanan said.

- Former Assemblyman Joe Canciamilla of Pittsburg, an established moderate who could be a good fit for this centrist district. He met with consultants last week to explore the idea.
- Former BART board director and retired PG&E senior Vice President Dan Richard of Piedmont. He has been out of the political picture since he left the transit agency board in 2004.

Richard, a moderate and energy expert with no ties to the current problems in Sacramento or Washington, also said that he could self-fund a campaign. That is an advantage in a quick-paced special election where his Democratic opponents have a lock on the institutional campaign dollars.

Democrats largely dismiss talk of a Republican's chances for success in this district given the vast party registration gap.

However, several GOP consultants say an open seat combined with a special election, the district's high percentage of swing voters and an angry electorate may open the door to the right Republican candidate.

Growing frustration over the national economy and the state's budget morass could help a Republican, particularly if the Democratic nominee is a state legislator, said GOP consultant Joe Shumate, who worked on Gov. Arnold Schwarzenegger's campaign.

"It will take a strong campaign and a real candidate with resources and by that, I mean money," Shumate said. "It will not happen because someone puts in his or her name and has the rhetoric of a (conservative radio and TV host Sean) Hannity. That kind of campaign will have no chance."

Allan Hoffenblum, co-author of the California Target Book and a former GOP consultant, concurred.

"For a Republican to win, it would require a moderate candidate who could attract a massive crossover vote by Democrats and independents," he said.

Republicans have won over voters in District 10. For example, Republicans Arnold Schwarzenegger and Insurance Commissioner Steve Poizner carried the district in 2006.

Under Hoffenblum's definition, however, the prospects appear slim for the potential candidacies of California Republican Party Vice Chairman Tom Del Beccaro of Lafayette or Catherine Moy, a Fairfield city councilwoman and the executive director of Move America Forward, a national nonprofit organization that promotes the U.S. fight against terrorism and holds pro-troop events.

Democrats are the most worried about Contra Costa County Sheriff Warren Ruf, a popular law enforcement officer who may be able to attract those moderate Democrats and independents.

He also could benefit from the unique rules of a special election primary, where all candidates regardless of party appear on the same ballot.

Ruf is a Republican but rarely strays into partisan waters. He works both sides of the aisle out of necessity, particularly during his department's budget negotiations.

"It's no secret that I have never thought much of partisan politics, particularly because the best candidate never seems to win," he said. "But I am beginning to think that I can do more to find solutions to our local problems from a seat in Washington than I can in Martinez."

Perhaps more important, however, is whether or not Ruf's star power could attract critical dollars from groups such as the national Republican Party who might not otherwise view this race as winnable.

The level of national investment in the District 10 race from either party may well hinge on the outcome of next week's special congressional election in New York.

If the GOP candidate wins or comes close, the Republican Party could view it as a sign of a serious weakness in the Democrats' hold on the electorate and may be willing to spend money in California.

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SF Gate.com

Budget savvy boosts Campbell's election odds

[Carla Marinucci, Chronicle Political Writer](#)

Monday, March 30, 2009

Tom Campbell doesn't have the big guns of his GOP competitors in the 2010 governor's race - not \$50 million of his own money to throw in, like former eBay CEO Meg Whitman, nor the pulpit of statewide office, like Insurance Commissioner Steve Poizner.

But Campbell has something more than the label of dark horse in the primary contest: He actually understands - in painful detail - the seemingly intractable problems of the California budget process.

Campbell, who has served as director of the state Department of Finance, dean of the Haas School of Business at UC Berkeley and in Congress, told The Chronicle this week that it's not rocket science. According to his analysis, if California's leaders had insisted on hard spending caps when Gov. Gray Davis was in office, with his last budget, adjusted for inflation and population, "we would actually be balanced today, even with the stock market crash."

The reference to Davis is a pointed reminder: The Democratic governor was tossed out of office in the 2003 recall election in large part due to populist outrage over government spending and tax hikes, particularly the vehicle license tax.

With about a year to go until the primary, Campbell - now a visiting professor of law and economics at Chapman University in Orange County - is seriously launching his move to win the job.

"I am banking on the electorate to favor experience in government ... explicitly, experience in balancing a budget without increasing taxes," he said. "And I'm very much hoping that people look at a lifetime in public service."

Political observers say that in California's famously unpredictable political arena, Campbell can't be counted out - especially given his knowledge of the most important issue facing the state.

"He's one of the brightest people ever to run for public office - and not just because he's been a Stanford law professor," said Barbara O'Connor, professor of political science at Cal State Sacramento. "He's clearly thoughtful, well educated and passionate about policy. ... He's kind and not nasty. He was post-partisan before it was fashionable."

But she notes that being Mr. Nice Guy - and Mr. Policy Wonk - hasn't translated into wins in his past runs for the U.S. Senate and for governor. "He's always run against people with more money and more charisma," she said. "But maybe it's his time."

Hoover Institution media fellow Bill Whalen is a longtime admirer of Campbell who calls him one of the best-prepared candidates ever to run for governor, notes that there are other challenges, too: Campbell inhabits the same moderate geographic and political ground as Poizner and Whitman, all three are pro-choice and from Silicon Valley.

A longshot

Bruce Cain, UC Berkeley professor of political science, who has also known Campbell for years, agrees that his credentials are stellar, but right now, "you have to regard him as a longshot."

"The money issue is a serious one," Cain said, because in a state as big as California, it takes cash to get commercials, name recognition and a message before the voters.

Still, "Poizner is kind of the Phil Angelides of the GOP - he doesn't appear to have the charisma," Cain said, in a reference to the former California state treasurer who failed in his 2006 Democratic bid for governor.

And Whitman's current weakness - a surprising lack of specificity and apparent unfamiliarity on some key issues - could prove a problem, especially "if she stumbles and seems a little too much like (Alaska Gov.) Sarah Palin," Cain said.

Campbell "comes fully up to speed" on the state's budget issues, having served in the Legislature and having been in the Schwarzenegger administration, Cain said. "He's likely to make a big issue out of the impending pension crisis. And you can count on him to take some fairly strong fiscal conservative positions. ... He could hit a chord with his fiscal views."

And he may be challenged - by both sides - on his stands regarding some controversial issues.

Campbell holds the same view that caused him considerable trouble as a U.S. Senate candidate in 2000 when, against the advice of his advisers, he took the position that the federal government should redirect the billions spent on the war on drugs into what he said would be a far more effective war on drug addiction.

His opponent, Democrat Dianne Feinstein, went on the attack, calling Campbell's stance "bizarre" and suggesting he wanted to legalize drugs.

Campbell said he still doesn't support drug legalization but re-examination at the federal level of the effectiveness of the current policies. He said he remains "astonished" that Feinstein didn't take the same view.

The professor acknowledges he will be on an uphill road. But, he notes, so was Gray Davis, who was also considered a dark horse in his 1998 primary race against two millionaires, Northwest Airlines executive Al Checchi and Democratic Rep. Jane Harman.

"They lost to Gray Davis, and they both spent huge amounts of money," most of it attacking each other, Campbell said. "I've got two opponents who split the vote, so it's distinctly possible," especially since right now the 1 in 5 state voters who are independent or "decline to state" can vote in the GOP primary.

He remains the only GOP gubernatorial candidate in support of Schwarzenegger's Proposition 1A, strongly supporting the spending-cap initiative that comes before the voters in the May 19 special election.

"Prop. 1A triggers the legislative decision to extend the increases in taxes for two years. (But) in turn ... we get a serious rainy day fund," he said. "The long-term gain is worth the short-term pain, in my judgment."

GOP disagreement

And that may not play well with some Republicans, including Whitman and Poizner, who have called the measure a tax hike that would be disastrous for business.

"If they say, solve (the budget crisis) by cutting spending, I say: 'Show me how,' " he said.

And his strategy for the coming campaign is simple.

"I've tried to do my best in politics by telling people what I believe. ... I've got a background in budgeting. And I've got a background in compromise and making progress on those issues," he said, "as opposed to simply saying what I'd like to happen ... with no chance of that ever coming true."

So his plan is to reach state voters "by being the very best candidate I can, by being the best qualified," he said. "When you do that, occasionally bright outcomes happen."