AGENDA REPORT
City Council

MEETING DATE: September 10, 2014

PREPARED BY: Bob McSeveney
Sr. Management Analyst

DEPT. DIRECTOR: Gus Vina

DEPARTMENT: City Manager’s Office

CITY MANAGER: Gus Vina

SUBJECT:
Legislative Position Letters.

RECOMMENDED ACTION:
Approve the legislative position letters for the Mayor’s signature.

STRATEGIC PLAN:
Organizational effectiveness and efficiency.

FISCAL CONSIDERATIONS:
No fiscal impact.

BACKGROUND:
On December 18, 2013 City Council approved revised Policy C024, City Council Legislative Program that includes the Council’s 2014 Legislative Priorities. The policy requires prepared legislative position letters be placed on Council’s consent agenda prior to being sent for potential Council comment.

ANALYSIS:
The adopted 2014 Legislative Priorities (Attachment 1) provide guidelines for the City’s legislative advocacy and the attached position letters (Attachments 2) are consistent with the priorities. Both of the attached support letters were sent by the City to the legislators during the legislative session. Both bills are now on the Governor’s desk so this is time-sensitive.

ENVIRONMENTAL CONSIDERATIONS:
There is no required action, this is not a project and not subject to CEQA.

ATTACHMENTS:
1. 2014 Legislative Priorities
2. Legislative position letters: AB 1147 (Bonilla, Gomez, Holden) Massage Therapy Act of 2014 (support) SB 270 (Padilla, DeLeon, Lara) Solid waste: single use carryout bags (support)
2014 Legislative Priorities

Purpose
Throughout each year, the State Legislature and the United States Congress propose and enact legislation, some of which affects local municipal government. At times, it is in the interests of the City to take a position on proposed legislation. The process for addressing proposed legislation is detailed in City Council Policy C024. The priorities for addressing the legislation are shown below.

Priorities
The Legislative Program would provide guidelines for the City of Encinitas legislative advocacy. The primary priority areas include:

- Protect funding for vital community services
- Protect local control of land-use decision-making
- Support environmentally sustainable cities
- Expand infrastructure investment
- Public Safety
- Coastal protection and enhancement

More specific City interests include:

PROTECT FUNDING FOR VITAL COMMUNITY SERVICES

- Support full reimbursement to cities for all State and federal mandates.
- Protect or enhance local government revenue resources.
- Oppose State budget cuts targeting critical local programs and services.
- Enhance Community Development Block Grant and other federal funding.
- Pursue a range of diverse housing opportunities balanced throughout the community.
PROTECT LOCAL CONTROL OF LAND-USE DECISION-MAKING

- Protect local control of land use decision-making and oppose legislation that would hinder or threaten local control.
- Seek opportunities to regain local control over state-imposed density bonus law.

SUPPORT ENVIRONMENTALLY SUSTAINABLE CITIES

- Support legislation protecting existing water supply, and facilitating development of future water sources in Southern California.
- Support legislation providing funding for the acquisition and restoration of wildlife habitat.
- Encourage the use of water conservation techniques.
- Support incentives for water reclamation.
- Support incentives for utilizing renewable energy resources.
- Support state-wide plastic bag ban legislation.

EXPAND INFRASTRUCTURE INVESTMENT

- Support equitable long-range, statewide infrastructure investment.
- Support State/federal facilitation of timely construction of local transportation projects.
- Oppose the use of gasoline sales tax revenues for other than state and local transportation purposes.
- Support local rail infrastructure investment.

PUBLIC SAFETY

- Support funding bills for local law enforcement equipment, services, or personnel.
- Ensure local discretion in the adoption and implementation of health and safety standards contained in the building and fire codes.
- Support funding bills for local emergency operations including equipment, services, and personnel.
COASTAL PROTECTION AND ENHANCEMENT

- Support legislation providing funding and other means for beach replenishment.
- Additional mandated storm water pollution prevention measures must be accompanied by funding or a mechanism to provide for funding.
- Support ecosystem enhancing legislation.

Apart from the above listed specific interests, City Council shall be apprised of legislative actions of the County of San Diego.

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September 3, 2014

The Honorable Jerry Brown
Governor of California
State Capitol Building
Sacramento, CA 95814

RE: AB 1147 (Bonilla, Gomez and Holden) Massage Therapy Act of 2014.
REQUEST FOR SIGNATURE

Dear Governor Brown:

The City of Encinitas supports AB 1147, which would remove broad restrictions on local government’s land use authority so that cities can more effectively zone and regulate massage establishments.

AB 1147 would allow local governments to enact ordinances that would require a certified massage establishment to obtain a license, permit or other authorization as long as that license, permit or other authorization is required of any other individual or business providing professional services. Having this land use authority returned will allow local governments to prevent businesses operating under the auspices of massage therapy from engaging in illicit activities.

For these reasons, the City of Encinitas requests your signature on AB 1147 (Bonilla, Gomez and Holden).

Sincerely,

Kristin Gaspar
Mayor

cc: Meg Desmond, League of California Cities, mdesmond@caeities.org
Catherine Hill, League of California Cities, FAX: (619) 501-7651
Carpi & Clay, FAX: (916) 441-1222
City Council
Planning & Building Department
September 3, 2014

The Honorable Jerry Brown
Governor of California
State Capitol
10th & L Street
Sacramento, CA 95814

Re: SB 270 (Padilla, DeLeon and Lara) Solid waste: single use carryout bags
REQUEST FOR SIGNATURE

Dear Governor Brown:

The City of Encinitas supports Senate Bill 270 (Padilla, DeLeon and Lara) Solid waste: single use carryout bags. The eventual elimination of single-use carryout bags will benefit the environment by reducing litter and solid waste in landfills. The City of Encinitas is in the process of preparing an ordinance to eliminate single-use carryout bags, but we also support efforts at the statewide level.

The proposed law would be effective July 1, 2015 applying to full-line retail stores with $2M annual gross sales or 10,000 sq. ft. of retail space. A year later the law would apply to convenience stores as defined.

Encinitas City Council has an adopted legislative priority to support state-wide plastic bag ban legislation. A statewide approach offers consistency to consumers and businesses. We support SB 270 (Padilla, DeLeon and Lara), and request that you sign this bill that addresses a statewide issue that knows no municipal boundaries.

Sincerely,

Kristin Gaspar
Mayor

CC: City Council
Carpi & Clay, FAX: (916) 441-1222
Public Works Department