

# City Administrator's Weekly Briefing



PLACENTIA  
California

*"The People Are The City"*

From: Troy L. Butzlaff, ICMA-CM Placentia City Administrator

October 17, 2013

## ADMINISTRATION

### ◆ The Great ShakeOut

On October 17<sup>th</sup> at 10:17 a.m., the City participated in the Great ShakeOut Earthquake Drill, an annual opportunity to practice what to do during earthquakes, and to improve preparedness. The Civic Center was evacuated and all personnel were accounted for. Tips on how to prepare were sent to all employees including a link to [Earthquakecountry.org](http://Earthquakecountry.org) which provides steps on how to prepare for a major earthquake. For additional information about emergency preparedness please visit [www.placentia.org](http://www.placentia.org).

## COMMUNITY SERVICES

### ◆ 49<sup>th</sup> Annual Heritage Festival and Parade

The 49<sup>th</sup> Annual Heritage Festival & Parade was held on Saturday, October 12<sup>th</sup>. The Heritage Committee and Community Services staff did a tremendous job coordinating and working diligently to make the Heritage Festival such a huge success. This was one of the largest Festivals in the event's history with 197 cars in the car show, 29 craft vendors, 44 non-profit displays, 50 business expo participants, 75 parade entries, and 30 marching bands. Please see the attached photo collage of the event.

### ◆ CPRS Senior Symposium Training

On Wednesday, October 16<sup>th</sup>, Community Services staff attended the California Parks and Recreation Society Senior Symposium Training in the City of Diamond Bar. The training featured several guest speakers that discussed a variety of topics related to senior services. These topics included, updates on laws and legislation intended to protect seniors, implementation of the Affordable Care Act, and the impacts of the Sequestration on the Congregate Meal Program and Senior Advocacy. Each guest speaker touched briefly on how these laws and budget cuts affect the senior communities and what we can do as staff to help our seniors through these changes. In addition to the discussions on the above topics, there was a Program Showcase portion of the training which included presentations from local cities that focused on the types of programs held at their individual Senior Centers. The training was educational and informative. The Community Services Department staff will continue to attend these types of trainings in order to keep us up to date on the current issues facing our senior community.

## Upcoming Meetings and Events:

- 10/21 Placentia Community Foundation Meeting, 6:30 p.m.
- 10/25 Free flu shots, 11:30 a.m. – 1:30 p.m., Friends Church
- 10/26 Shred Day, 8:00 a.m. – 11:00 a.m., Placentia Civic Center
- 10/26 Drug Take Back, 10:00 a.m. – 2:00 p.m., Placentia Civic Center
- 10/31 Halloween Trick or Treat at City Hall
- 11/5 City Council Meeting
- 11/11 Veterans Day Observance Ceremony

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## PLANNING

### ◆ Highlighted Projects

#### 1022 N. Bradford Avenue – Hindu Church:

Applicant is proposing to change the Planning Commission/City Council approved site plan in order to increase the footprint of the multi-purpose building by approximately 750 square feet. Staff submitted plans to Tierra West Inc. to determine if a revised environmental review is required.

#### 918 & 926 W. La Jolla Street:

Applicant preparing to submit Development Plan Review application for Planning Commission review and approval of a 10 unit apartment complex.

#### 1049 Golden Avenue:

No permits have been issued at this time. Wall/fence plans, grading, street improvement and landscape plans are ready for city signatures.

#### Tuffree Park:

Verizon Wireless Communication Facility co-location and installation of new equipment shelter/storage area within Tuffree Park. Pending lease approval with City.

#### Koch Park:

Lease agreement with City completed. Building plans returned to applicant with corrections.

### ◆ Projects in Preliminary Plan Check:

738 W. La Jolla Street – 12 apartment units

933 Gonzales Street – single family residence

## POLICE DEPARTMENT

### ◆ Crime Prevention / Community Service

On October 12<sup>th</sup>, Crime Prevention Officer Anderson staffed a booth at the annual Heritage Day Festival at Tri-City Park. She along with Volunteers in Police (VIP's) and Chaplains passed out safety material and pamphlets for crime prevention, home security, and bicycle safety. Information for upcoming events and meetings was passed along as was information for the continued recruitment of VIP's. All visitors that stopped by the booth were challenged to a tabletop competition. Winners, mostly kids, received a prize of their choice while the second place finishers had to answer a safety question for their prize. Adults and kids alike participated and it was a fun day for everyone.

### ◆ Code Enforcement / PSD Activities

Between October 10<sup>th</sup> and October 14<sup>th</sup>, Police Services Officers (PSO's) issued three citations for vehicles being parked at Sierra Vista elementary school that were posted for sale. This remains an ongoing enforcement activity where the Police Department is working with the school district in order to help keep their school sites from becoming weekend car sale lots.



On October 14<sup>th</sup> there were 25 code enforcement re-inspections completed and a response to a citizen complaint in the 800 block of Chicago in reference to a trailer parked in the driveway and another on the street in front of the residence. A courtesy citation was issued for the PMC 23.78.145(a) regarding the trailers. Additionally, 3 -\$100 administrative cites were issued for PMC 23.78.020(f) – Unpaved Parking throughout the city. PSD's also assisted with a temporary road closure on Jefferson south of Orangethorpe for a hazmat situation in Anaheim.

### Significant Events

- ◆ *October 12<sup>th</sup>*  
Officers, PSD's, Traffic Cadets and Explorers assisted with a large number of traffic related matters and road closures related to the Heritage Day Parade. The parade route was free of any problems this year and all traffic flow was restored by early afternoon. The Police Department did assist with some minor medical aid calls related to the parade but all were handled by Orange County Fire Authority with no disruption to the event.
- ◆ *October 14<sup>th</sup>*  
Officers and Detectives worked together on an assault case that had occurred during the early morning hours after midnight in the 200 block of Saratoga in which the victim was determined to have sustained serious and life threatening injuries. The investigation remains open and continues.  
  
Officers responded to a death of a 20 year old male and upon further investigation it was determined to be a suicide.  
  
Officers, Traffic Cadets, and Police Services Officers assisted the Anaheim Police Department and Fire with a closure of Jefferson Street due to a leak at the Mobil Oil Tank Field located south of Orangethorpe Ave. The roadway was opened a couple of hours later without incident.

## PUBLIC WORKS

### ◆ Fullerton Arboretum Composting Classes

The City is sponsoring composting classes at the Fullerton Arboretum. The first which class was held on October 12<sup>th</sup>, was attended by nine Placentia residents who learned the basics of home composting. They also received a voucher to purchase a compost bin at Ace Hardware. Additional classes will be scheduled.

### ◆ Heritage Festival Activities

The Public Works Department hosted a booth at the Heritage Festival and gave away over 100 oil containers, funnels, and filter collection kits. The Teen Team assisted the Public Works Department and answered resident questions regarding proper used oil collection and disposal, household hazardous waste disposal, and storm water pollution prevention.

### ◆ SLPP- Valencia

The Valencia Avenue Rehabilitation Project began at Yorba Linda Boulevard and ended at the north City limits. The work included pavement rehabilitation, grinding, and conventional asphalt overlay, concrete repairs, and ADA curb ramps. This project is complete and all punch list items are finished. The City met with Sully-Miller and has solved all outstanding contractual issues. The project is anticipated to go to the City Council on November 5<sup>th</sup> for a Notice of Completion.



◆ **SLPP- Rose Drive and Yorba Linda**

The City's approved SLPP funded project for the intersection of Rose Drive and Yorba Linda Boulevard provided an exclusive right turn pocket on the northbound Rose Drive approach at Yorba Linda Boulevard. The work included street widening, curb, gutter, sidewalk, and appurtenant improvements. This project is nearly complete. The outstanding irrigation have been addressed. The wall facing Rose Drive will be stuccoed and painted, traffic lanes and crosswalks will be painted, and new conduit for the traffic signal. All final work will be completed early next week. The project is anticipated to go to the City Council on November 5<sup>th</sup> for a Notice of Completion.

◆ **Pedestrian Accessibility Project**

The Pedestrian Accessibility Phase II Project assisted the City to meet federal civil rights policies that ensure equal opportunity and access to individuals with disabilities as required under the American with Disabilities Act (ADA). The construction of sidewalk and curb ramps helps improve an aging infrastructure nearing its useful life and provide accessible paths of travel to the many disabled and senior pedestrians that routinely use the public sidewalks for daily travel. This project is complete. All field work, punch list items, and contractual issues have been addressed. The project is anticipated to go to the City Council on November 5<sup>th</sup> for a Notice of Completion.

◆ **Safe Routes to Schools**

The City has been approved to receive \$409,000 in Safe Routes to School (State) funds for the School Sign Compliance Project. The project will upgrade all of the school signs and markings throughout the City and includes school warning, crosswalk, and speed limit signs, pavement legends, installation of pedestrian countdown heads and School Route Plan maps. This project has started painting all legends at crosswalks located at schools. The contractor has received the permits necessary to begin installation of all the required signs. It is anticipated school sign installation will occur next week, along with the new striping of school crosswalks. The consultant that developed the plans has prepared suggested safe routes to school maps, which are being reviewed by the City's Traffic Engineer. Once complete, the City will meet all federal requirements necessary for proper school signage.

◆ **Richfield Road Widening**

Lakeview Avenue will be closed to traffic during construction of the Lakeview Avenue Railroad Grade Separation Project. Traffic will be detoured to Richfield Road as a primary detour route. The improvements resulting from this project will alleviate an existing choke point on Richfield Road to allow for improved traffic flow. This project held a Pre-Construction meeting on September 24<sup>th</sup>. The contractor has nearly all information necessary to begin construction and is working with Metropolitan Water District and the Orange County Flood Control to continue any permits necessary during the winter months. The project is anticipated to begin the end of October and is anticipated to be completed in December or January.

◆ **Quiet Zone Update**

As a result of the grade separations, BNSF railway required the City to provide a Quiet Zone update in order to continue the Federally approved no train horn use. Fortunately, the temporary shooflies for the grade separations will include the necessary measures to continue the Quiet Zone. After all grade separations are complete, the City will provide another update requesting the Quiet Zone continue at those locations that are not grade separated.



## EXTERNAL COMMUNICATION ATTACHMENTS

- ◆ A Review of the 2013 Legislative Session from Muni Services

## OTHER ATTACHMENTS

- ◆ Cultural Arts Projects for Every Student (CAPES) Grant
- ◆ Flu Shots
- ◆ Heritage Photo Collage
- ◆ Halloween Trick or Treat at City Hall
- ◆ Shred Day
- ◆ Veterans Day



## 2013 LEGISLATIVE REVIEW

Dear Colleagues,

We are pleased to present our annual end-of-session legislative review, which is a succinct look at select legislation from the 2013 session. Last week the MuniServices' Government Relations team presented a review of many of this year's measures during the California Municipal Revenue Tax Association's annual conference. The presentation included a discussion on expanded topics relevant to local government and available on our website at [www.muniservices.com](http://www.muniservices.com). The Government Relations team is available to speak with you, your agency staff and council on the bills included in this report and other policy issues that affect revenues for your local agency.

### UNDERGROUND ECONOMY

- AB 576 (V. Perez) Centralized Intelligence Partnership Act **(chaptered)**
- SB 582 (Knight) Tax information: administration: feasibility study (vetoed)
- AB 781 (Bocanegra) Sales and use taxes: violations for noncompliance: "tax zappers" **(chaptered)**
- AB 1411 (Revenue & Taxation Committee) Financial Institution Record Match System **(chaptered)**
- SB 270 (Padilla) Underground economy: enforcement actions

### ADVERTISING AS AN ECONOMIC DEVELOPMENT TOOL AND USE OF REVENUE

- AB 1253 (Blumenfield) Vehicles: mobile advertising displays **(chaptered)**
- SB 684 (Hill) Advertising displays: redevelopment agency project areas **(chaptered)**
- SB 694 (Correa) Outdoor advertising: transit stations **(chaptered)**
- SB 31 (Padilla) Outdoor advertising displays: arenas **(chaptered)**

### BREACH NOTIFICATIONS

- AB 1149 (Campos) Identity theft: local agencies **(chaptered)**

### INTERCEPT COLLECTIONS PROGRAM

- SB 184 (Governance & Finance Committee) Omnibus bill: Interagency Intercept Collections **(chaptered)**

### FINANCIAL TRAINING

- AB 1235 (Gordon) Local agencies: financial management training (vetoed)

### ORDINANCE VIOLATIONS

- AB 683 (Mullin) Local government: fines and penalties: assessments/collection (vetoed)

### ECONOMIC CLIMATE/ ECONOMIC DEVELOPMENT

- AB 53 (J. Pérez) Governor's Office of Business and Economic Development: Strategic Plan (vetoed)
- AB 440 (Gatto) Hazardous materials: releases: local agency cleanup **(chaptered)**
- AB 562 (Williams) Economic development subsidies: review by local agencies **(chaptered)**
- SB 470 (Wright) Community development: economic opportunity **(chaptered)**



**POST REDEVELOPMENT**

- AB 564 (Mullin) Community redevelopment: successor agencies (vetoed)

**INFRASTRUCTURE FINANCING DISTRICTS**

- AB 229 (J. Pérez) Local government: infrastructure and revitalization financing districts
- AB 243 (Dickinson) Local government: infrastructure and revitalization financing districts
- AB 662 (Atkins) Local government: infrastructure and financing districts (vetoed)
- SB 33 (Wolk) Infrastructure financing districts: voter approval: repeal

**LOCAL GOVERNANCE AND FINANCE**

- AB 8 (Perea) Alternative fuel and vehicle technologies: funding programs (**chaptered**)
- AB 483 (Ting) Local government: taxes, fees, and assessments: business improvement districts (**chaptered**)
- AB 513 (Frazier) Tire recycling program: rubberized asphalt (**chaptered**)
- AB 667(Hernández) Land use: development project review: superstores
- AB 719 (Hernández) Energy: energy efficiency: streetlight pole (**chaptered**)
- AB 748 (Eggman) Judgments against a public entity: interest (**chaptered**)
- AB 767 (Levine) Vehicles: additional registration fees: vehicle-theft crimes (**chaptered**)
- AB 841 (Torres) Junk dealers and recyclers: nonferrous materials: payment (vetoed)
- SB 7 (Steinberg) Public works: charter cities (**chaptered**)
- SB 56 (Roth) Local government finance: vehicle license fee adjustments
- SB 553 (Yee) Local government: assessment: election procedures (**chaptered**)

**FRANCHISE TAX BOARD CITY BUSINESS TAX PROGRAM**

- SB 211 (Price) Tax administration: disclosure of information: FTB City Business Tax program (**chaptered**)

**REGULATIONS / ADMINISTRATIVE PROCEDURES ACT**

- AB 12 (Cooley) Administrative Procedures Act: standardizing regulatory impact analysis (vetoed)

**SALES AND USE TAXES**

- AB 143 (Holden) Use taxes: exemption: qualified service members (**chaptered**)
- AB 1412 (Revenue & Taxation Committee) Sales and use taxes: claim for refund: customer refunds (**chaptered**)
- SB 1 (Steinberg) Sustainable Communities Investment Authority
- SB 323 (Lara) Taxes: exemptions: prohibited discrimination

**UTILITY USERS TAXES**

- AB 300 (Perea) Telecommunications: prepaid mobile telephony: local charges collection (vetoed)
- AB 792 (Mullin) Utility user tax exemption: distributed generation systems (**chaptered**)
- Permanent Internet Tax Freedom Act of 2013 (S. 31/S. 1431/H.R. 434)



▪ UNDERGROUND ECONOMY

**AB 576 (V. Perez) Centralized Intelligence Partnership Act**

AB 576 would create a Centralized Intelligence Partnership (CIP) between nine member agencies including the Board of Equalization, the Franchise Tax Board, the Employment Development Department, and the California Department of Justice. Each authorized representative of the partnership would be allowed to exchange intelligence, data, documents, information, complaints, or lead referrals for the purpose of investigating illegal, underground operations. Information obtained by the CIP would retain its confidential status and would be subject to all the existing confidentiality statutes guiding each agency individually. **Status:** Chapter 614, Statutes of 2013

**SB 582 (Knight) Tax information: administration: feasibility study**

SB 582 would have required the Franchise Tax Board (FTB), the Board of Equalization (BOE) and the Employment Development Department (EDD) to conduct a feasibility study on the development of a single Internet portal to virtually consolidate the agencies and enable online, self-service access through a single login portal for taxpayers. The bill sought to consolidate the online presence of BOE, FTB and EDD, creating a seamless, one-stop shop for taxpayers seeking services in California. The Governor's veto message indicated the consolidation of tax departments has been studied for decades, while instructing the Secretary of the Government Operations Agency to determine if taxpayer service can be improved in a cost effective manner with a single state webpage for all state taxes. **Status:** Vetoed

**AB 781 (Bocanegra) Sales and use taxes: fees: administration: violations for noncompliance: "tax zappers"**

AB 781 provides penalties for knowingly selling, purchasing, installing, transferring, or possessing any automated sales suppression device or "tax zapper." The Legislature recognizes through its enactment of criminal penalties for deliberate taxpayer fraud and evasion, that criminal sanctions play an important role in tax administration. Specifically, criminalizing and punishing the sale, installation, and use of sales suppression devices serves as a strong deterrent to potential offenders. Several states have enacted similar provisions to AB 781 including Connecticut, Georgia, Michigan, Louisiana, Maine, Tennessee, and West Virginia. **Status:** Chapter 532, Statutes of 2013

**AB 1411 (Committee on Revenue and Taxation) Tax administration: Financial Institution Record Match System**

AB 1411 allows the Franchise Tax Board (FTB) to use updated taxpayer address information obtained through the Financial Institution Record Match (FIRM) program for purposes other than tax collection. Under existing law, the FTB is required, in coordination with financial institutions doing business in this state, to operate the FIRM system, which permits the FTB to identify accounts held by delinquent income tax debtors and collect outstanding income tax debts from them. This data match program is similar to one used by the existing Financial Institution Data Match program mandated by federal law for the collection of delinquent child support payments. Financial institutions doing business in California are required to conduct searches to identify delinquent taxpayers and are compensated for their costs of compliance with these requirements. In 2012, the Legislature authorized the expansion of the FIRM program to include the Employment Development Department (EDD) and Board of Equalization (BOE). The FTB is required to operate and administer FIRM for those two agencies, utilizing automated data exchanges to identify accounts of delinquent tax debtors held at financial institutions doing business in California. SB 1015 (Senate Budget and Fiscal Review Committee, Chapter 37, Statutes of 2012) requires the EDD and the BOE to participate in the FTB's FIRM program. **Status:** Chapter 200, Statutes of 2013

**SB 270 (Padilla) Underground economy: enforcement actions**

SB 270 would direct agencies participating in the Joint Enforcement Strike Force (JESF) and the Labor Enforcement Task Force (LETF), to the degree feasible, to coordinate their law enforcement activities and exchange information. The Department of Industrial Relations and the Employment Development Department both have special task forces to target enforcement in the underground economy. These task forces are composed of various state and federal agencies, with some agencies represented on both task forces. **Status:** Assembly Labor and Employment Committee

▪ **ADVERTISING AS AN ECONOMIC DEVELOPMENT TOOL AND USE OF REVENUE**

**AB 1253 (Blumenfeld) Vehicles: mobile advertising displays**

AB 1253 allows cities to adopt civil penalties for violations of ordinances or resolutions regulating mobile billboards. Roadways are not intended for long-term vehicle storage. Some vehicles create a visual distraction and impair visibility for all roadway users, including vehicle drivers, bicyclists, and pedestrians. In addition, they often contribute to blight and reduce available parking. While all California cities currently have the authority to regulate mobile billboards by removing them or enforcing misdemeanor criminal penalties, some communities (particularly those with limited parking) are seeking a solution that falls between a tow ticket and issuing a misdemeanor. As the Vehicle Code provides that its provisions are applicable and uniform throughout the state, local governments need express authority from the state to adopt such a resolution. AB 1253 will provide cities with one more tool to address these concerns in the most appropriate method for their jurisdiction. **Status:** Chapter 652, Statutes of 2013

**SB 684 (Hill) Advertising displays: redevelopment agency project areas**

SB 684 clarifies that existing advertising displays in areas previously regulated by redevelopment agencies may continue to exist. Prior to the dissolution of California's redevelopment agencies, advertising displays were exempted from the Outdoor Advertising Act and considered to be on premise anywhere within the limits of the redevelopment area. The elimination of redevelopment agencies made approval for the extension of these advertisements impossible, as there is no redevelopment agency to grant the approval. This bill would only apply to existing signs, of which there are fewer than 100 across the state. These displays not only provide revenue to local jurisdictions through the contractual arrangement with the permit holder, but also encourage economic investment in the former redevelopment areas. **Status:** Chapter 544, Statutes of 2013

**SB 694 (Correa) Outdoor advertising: transit stations**

SB 694 exempts from the Outdoor Advertising Act advertising displays at current or future high-speed rail stations. The bill requires that any revenues from the advertising displays be used to support the construction, operation, and maintenance of the transit station. The bill would authorize local agencies responsible for building and operating future high-speed rail stations to establish an advertising display program. **Status:** Chapter 544, Statutes of 2013

**SB 31 (Padilla) Outdoor advertising displays: arenas**

SB 31 allows professional sports facilities and arenas located public land and with a capacity of 15,000 or more seats to display advertising for products, goods, or services sold on the premises as part of a sponsorship-marketing plan. According to the author's office, this bill would establish statewide guidelines for advertising displays at professional sports facilities and arenas while preserving local control by giving jurisdictions the ability to adopt ordinances based upon the specific needs of their communities. This bill would improve local economies by offering additional opportunities for businesses to advertise (and subsequently improve their bottom line), by increasing revenue from the advertising displays themselves and by creating jobs to manufacture and install the advertising displays. **Status:** Chapter 542, Statutes of 2013



- BREACH NOTIFICATIONS

**AB 1149 (Campos) Identity theft: local agencies**

AB 1149 requires local agencies to have an established protocol for responding to a data breach in a timely manner. Local agencies will no longer have the discretion to tailor their own programs. California's data breach notification statute was based on the premise that individuals have a right to know when a data breach has occurred and has the potential to affect them. Many local government organizations have expressed concerns about the fiscal and operational impacts of this bill. **Status:** Chapter 395, Statutes of 2013

- INTERCEPT COLLECTIONS PROGRAM

**SB 184 (Committee on Governance and Finance) Local government: omnibus bill: Interagency Intercept Collections**

SB 184 includes a provision that would allow special districts to participate in the State's Interagency Intercept Collections program in the same capacity as cities and counties. Under current law, if a person or entity owes money to a city or county, the municipality can request that the State Controller withhold money that would otherwise be paid to the individual or entity in the form of personal income tax refunds, corporate income tax refunds, sales tax refunds, state lottery winnings, or (under certain conditions) money owed to the individual or entity from unclaimed property held by the state. This measure also supported by MuniServices will offer special districts the same opportunity that cities and counties have to recoup the unpaid fines, fees and dues owed, thus ensuring that the special districts can continue to provide core services such as fire protection, healthcare, water, utilities, recreation and parks. **Status:** Chapter 210, Statutes of 2013

- FINANCIAL TRAINING

**AB 1235 (Gordon) Local agencies: financial management training**

AB 1235 would have required city, county and special district elected officials (but not school officials, legislators or state officials), as well as employees they designate, to periodically complete a course in financial management training in accordance with criteria developed in coordination with the State Treasurer and Controller. The bill would have allowed the state to impose uniform, state-supervised financial training requirements on cities. The League of California Cities opposed AB 1235. The Governor stated in his veto message that local governments can impose appropriate financial management training without the aid of the State General Fund. **Status:** Vetoed

- ORDINANCE VIOLATIONS

**AB 683 (Mullin) Local government: fines and penalties: assessments/collection**

AB 663 would have authorized a local agency, after notice and public hearing, to impose a special assessment and to record a lien against real property that has incurred fines or penalties for violating public health and safety ordinances. In his veto message, the Governor indicated that the bill was similar to legislation vetoed in the previous legislative session. He expressed "While the state's housing situation has improved, this bill could hamper efforts on the part of distressed homeowners to refinance or sell their property. While the bill requires additional outreach to a homeowner before a lien is recorded, there is no limit on the accrual of fines until that time. Abating the ordinance violation should be the primary goal and there is already an existing process for locals to recover their costs." **Status:** Vetoed



- **ECONOMIC CLIMATE/ ECONOMIC DEVELOPMENT**

**AB 53 (J. Pérez) Governor's Office of Business and Economic Development: Economic Development Strategic Plan**

AB 53 would have required the Governor's Office of Business and Economic Development (GO-Biz) to lead the preparation of the California Economic Development Strategic Plan (ED Strategy). Up until August 2011, existing law required the state to have a two-year, statewide Economic Development Strategic Plan, substantially similar to the ED Strategy proposed in this bill. This bill would have re-established the mandate for a comprehensive strategy to guide state actions related to job creation, business development, and attraction of private sector investment. The Governor's veto message commended Speaker Perez for his contribution to GO-Biz, yet cited that he did not think the study and report mandated by AB 53 would bring any additional focus to the efforts. **Status:** Vetoed

**AB 440 (Gatto) Hazardous materials: releases: local agency cleanup**

AB 440 authorizes local governments to investigate and cleanup a release of hazardous materials on a blighted property, as determined by the local agency. It further provides immunity from liability to the local agency and any person who enters into an agreement with that local agency to develop the property, as well as future property owners. **Status:** Chapter 588, Statutes of 2013

**AB 562 (Williams) Economic development subsidies: review by local agencies**

AB 562 requires cities or counties to provide certain information regarding economic development subsidies to the public for review. The bill defines economic development subsidy to mean any expenditure of public funds or loss of revenue of \$100,000 or more. The bill is of concern since it would impose costly and burdensome mandates on local governments. A coalition of parties including several cities, the League of California Cities, and California Chamber of Commerce opposed AB 562. **Status:** Chaptered 740, Statutes of 2013

**SB 470 (Wright) Community development: economic opportunity**

SB 470 creates a process for a city, county, or city and county to sell or lease properties that are returned to them as part of the long-range property management plan of a former redevelopment agency for economic development purposes. See related measure AB 440, which allows local officials to clean up hazardous substance releases and receive immunity under the current law. **Status:** Chapter 659, Statutes of 2013

- **POST REDEVELOPMENT**

**AB 564 (Mullin) Community redevelopment: successor agencies**

AB 564 would have prohibited the Department of Finance from taking any future action to modify the enforceable obligations of dissolved redevelopment agencies. Current law requires successor agencies to make payments due for enforceable obligations, to perform any actions required pursuant to enforceable obligations, to dispose of all assets of the former redevelopment agency, and to remit unencumbered balances of redevelopment agency funds, including housing funds, to the county auditor-controller for distribution to taxing entities. MuniServices joined a coalition of local government stakeholders in supporting the bill. The Governor indicated in his veto message that the bill is contrary to the intent of current law. **Status:** Vetoed



- **INFRASTRUCTURE FINANCING DISTRICTS**

**AB 229 (J. Pérez) Local government: infrastructure and revitalization financing districts**

AB 229 would create infrastructure and revitalization financing districts (modeled after infrastructure financing districts in existing law), authorizing military base reuse authorities to form a district. The bill would allow the newly formed districts to finance a broad range of projects to clean up and develop former military bases. AB 229 is supported by several cities, which state that the measure will create positive impacts for local jurisdictions, as well as the state, by allowing usable financing mechanisms to spur investments and fund critically needed infrastructure and public works projects. **Status:** Senate Inactive File

**AB 243 (Dickinson) Local government: infrastructure and revitalization financing districts**

AB 243 would create infrastructure and revitalization financing districts (modeled after infrastructure financing districts in existing law) able to finance a broad range of projects and facilities. It would lower the voter approval necessary to form a district and issue bonds to a threshold of 55%, and extend the life of such districts to 40 years. **Status:** Senate Inactive File

**AB 662 (Atkins) Local government: infrastructure and financing districts**

AB 662 would have allowed an Infrastructure Financing District (IFD) to include portions of former redevelopment project areas, and provide additional property taxes for administrative costs to the local housing authorities. The bill also would have allowed IFDs to make several changes to the laws governing the dissolution of redevelopment agencies. The Governor lauded the author for her efforts to improve the dissolution process. Because of the unintended costs to the General Fund, the Governor directed his administration to work with the author to make changes to the bill's language to avoid those costs. **Status:** Vetoed

**SB 33 (Wolk) Infrastructure financing districts: voter approval: repeal**

SB 33 would have eliminated the statutory requirement that Infrastructure Financing Districts (IFD) must receive two-thirds voter approval for the creation of the district and for bond issuance. The bill would create a public accountability committee to review the actions of the public financing authority. MuniServices supported SB 33 as a tool that provided an additional financing option for local infrastructure. **Status:** Assembly Inactive File

- **LOCAL GOVERNANCE AND FINANCE**

**AB 8 (Perea) Alternative fuel and vehicle technologies: funding programs**

AB 8 extends the end date of various temporary, vehicle-related, state and local fees and surcharges from 2015-16 to 2024. These fees and surcharges fund vehicle-related air quality programs, greenhouse gas studies, and related projects administered by the California Energy Commission, the Air Resources Board, local air districts, and the Bureau of Automotive Repair. **Status:** Chapter 401, Statutes of 2013

**AB 483 (Ting) Local government: taxes, fees, assessments, and charges: definitions/business improvement districts**

AB 483 adds a provision to the Proposition 218 Omnibus Implementation Act to define the terms "specific benefit," and "specific government service" for purposes of determining whether a levy is a tax. Absent a definition for a "specific benefit" or a "specific government service" there is legal uncertainty surrounding the application of Proposition 26 to business-based assessments. According to the Legislative Analyst's Office analysis of Proposition 26, "some business assessments could be considered to be taxes because government uses the assessment revenues to improve shopping districts (such as providing parking, street lighting, increased security, and marketing), rather than providing a direct and distinct service to the business owner." **Status:** Chapter 552, Statutes of 2013

**AB 513 (Frazier) Tire recycling program: rubberized asphalt**

AB 513 is intended to increase the use of the Rubberized Asphalt Concrete (RAC) grant program by expanding and codifying CalRecycle's existing RAC program. This program would offer cities, counties, and state government agencies increased funding for road paving projects that use waste tires. It would also include funding for regional park districts to install disability access ramps and bikeways. **Status:** Chapter 499, Statutes of 2013

**AB 667(Hernández) Land use: development project review: superstores**

AB 667 would require local agencies to complete an economic impact report (EIR) prior to permitting the construction or alteration of a superstore in an economic assistance area. If the EIR determines that the construction or alteration of the superstore would not adversely affect the economic welfare of the area, the local agencies could then issue permits for the work to be completed. The League of California Cities opposed the bill. **Status:** Senate Governance and Finance

**AB 719 (Hernández) Energy: energy efficiency: streetlight pole**

AB 719 would help local agencies reduce their energy consumption and achieve greater energy cost savings by converting their existing streetlights to high efficiency LED bulbs. AB 719 would create an opt-in program structured to allow cities to pay for the upgrade in equipment over time. Once the upgraded equipment is paid for, overall energy consumption and associated costs should decrease. AB 719 would give local governments that do not own their streetlight poles an additional tool to reduce their energy consumption and associated costs. **Status:** Chapter 616, Statutes of 2013

**AB 748 (Eggman) Judgments against a public entity: interest**

AB 748 lowers the interest rate on judgments against local governments. Recent analysis identified three cases involving a public agency wherein a combined \$18.5 million in interest was paid. A particular case resulted in one local government paying another local agency \$1.8 million. Under AB 748, the rates on judgments would not exceed 7%. The bill will likely provide significant savings to state and local governments. On a related note, clients are encouraged to review the August 11, 2013 edition of our Policy Update that discusses why cities should consider an ordinance review for liability and exposure to class actions because of a State Supreme Court ruling in *McWilliams v. City of Long Beach*. **Status:** Chapter 424, Statutes of 2013

**AB 767 (Levine) Vehicles: additional registration fees: vehicle-theft crimes**

AB 767 authorizes every county to increase its motor vehicle fee from \$1 to \$2, and its commercial vehicle service fee from \$2 to \$4, upon adoption of a resolution by its respective board of supervisors, and submission of the resolution to the Department of Motor Vehicles. The fees would support the prevention of vehicle theft crimes. **Status:** Chapter 241, Statutes of 2013

**AB 841 (Torres) Junk dealers and recyclers: nonferrous materials: payment**

AB 841 was intended to discourage metal theft by requiring payments for certain categories of non-ferrous metals to be made by check only (for transactions over \$20 in value). Metal theft in recent years has drained the resources of local governments. In 2012, in the City of Los Angeles alone, an estimated \$1 million was spent replacing stolen copper wire and repairing related property damage. California is ranked fourth in the nation in insurance claims related to metal theft, nearly all of it based on claims for copper theft. The Governor's veto message indicated several bills were signed last year to prevent theft and noted that what is missing today is enforcement of existing law; the veto message referenced last year's SB 485, which would help with enforcement. **Status:** Vetoed

**SB 7 (Steinberg) Public works: charter cities**

SB 7 prohibits a charter city from receiving or using state funding (or financial assistance) for any construction project if the city has a charter provision or ordinance that exempts a contractor from prevailing wage provisions on any public works contract. MuniServices joined a coalition of local government stakeholders and business interest groups in opposing SB 7 because the bill imposes on the rights of charter cities and increase government construction costs. Some cities also argue they already require the payment of prevailing wages for city-funded projects. **Status:** Chaptered

**SB 56 (Roth) Local government finance: vehicle license fee adjustments**

SB 56 would have rectified a critical problem affecting several of the state's recently incorporated cities, and cities that annexed inhabited areas, based on existing state policies. MuniServices supported a similar measure in 2012, AB 1098 (Carter), which was vetoed. SB 56 would provide property tax dollars to newly incorporated cities, as well as cities that have recently annexed inhabited territories, in lieu of the portion of the Vehicle License Fee (VLF) revenue that they disproportionately lost under SB 89 in 2011. **Status:** Senate Appropriations

**SB 553 (Yee) Local government: assessment: election procedures**

SB 553 requires local agencies to follow new procedures for Proposition 218 (1996) elections seeking to impose or increase property-related fees. If an agency opts to submit the proposed fee for approval by two-thirds of the registered voters residing in the affected area, and the county conducts the election, the agency is required to reimburse the county for actual and reasonable costs incurred by the county. This bill also imposes additional requirements on local governments when conducting elections to impose or increase property-related fees or charges. Specifically, SB 553 adopts requirements for ballot contents and ballot tabulation, as well as procedures for providing notice to voters or property owners. **Status:** Chapter 215, Statutes of 2013

**▪ CITY BUSINESS TAX PROGRAM****SB 211 (Price) Tax administration: disclosure of information: Franchise Tax Board and cities/business taxes**

SB 211 extends the sunset for the Franchise Tax Board's City Business Tax (CBT) program from December 31, 2013 to January 1, 2019. Despite heavy opposition by cities and local government stakeholders, end of session amendments removed the provision defining a city "agent" as someone allowed to receive confidential information. Many cities will not be able to participate in the CBT program because of limited resources to do the work for implementation. According to the FTB, the revenue gains are approximately \$1.5 million in 2014-15, and \$4.9 in 2015-16. The Legislature recognizes that the program is an important tool for cities across the state for finding businesses without a license. Regretfully, the Legislature caved to pressure by the measure's opponents without consulting local governments. **Status:** Chapter 513, Statutes of 2013

**▪ REGULATIONS / ADMINISTRATIVE PROCEDURES ACT****AB 12 (Cooley) Administrative Procedures Act: standardizing regulatory impact analysis**

AB 12 would have required the Department of Finance (DOF) and the Office of Administrative Law (OAL) to annually review the standardized regulatory impact analyses for adherence to the regulations adopted by a state agency, and report back to the Legislature. According to the author's office, this bill would have increased accountability and legislative oversight in the regulatory adoption process. **Status:** Veto



- **SALES AND USE TAXES**

**AB 143 (Holden) Use taxes: exemption: qualified service members**

AB 143 exempts personal property other than a vehicle, vessel, or aircraft purchased while outside of the state by a qualified service member or a qualified service member's spouse or registered domestic partner from use taxes. The bill will sunset on January 1, 2019. **Status:** Chapter 687, Statutes of 2013

**AB 1412 (Committee on Revenue and Taxation) Sales and use taxes: claim for refund: customer refunds**

AB 1412 would authorize a person to irrevocably elect to assign (to their customer) the right to receive an amount owed to the person by the Board of Equalization (BOE). Provided that specified conditions are met, AB 1412 would further authorize the BOE to make the payment(s) to the customer. Under the Sales and Use Tax Law, any amount collected in excess of what is due is required to be credited by the BOE against any other amounts due and payable from the person from whom the excess amount was collected, and the balance must be refunded to the person. **Status:** Chapter 546, Statutes of 2013

**SB 1 (Steinberg) Sustainable Communities Investment Authority**

SB 1 allows a local government to establish a Sustainable Communities Investment Authority (Authority) and direct tax increment revenues to that Authority in order to address blight by supporting development in transit priority project areas, small walking communities, and clean energy manufacturing sites. SB 1 would also authorize such an Authority to implement a local transactions and use tax, above the state's base 7.25 percent sales and use tax. The resolution authorizing the tax may designate the use of the proceeds of the tax. The bill would prohibit a city or county that created an RDA from forming an Authority unless the successor agency has received a finding of completion from the Department of Finance. **Status:** Senate Inactive File

**SB 323 (Lara) Taxes: exemptions: prohibited discrimination**

SB 323 would have changed the sales and use tax law to preclude organizations that discriminate on the basis of gender identity, sexual orientation, and religious affiliation from being considered nonprofit organizations. Organizations that discriminate would be considered retailers, not consumers, and be therefore obliged to obtain a seller's permit, and collect and remit the sales and use tax on its sales of currently exempt items. **Status:** Assembly Inactive File

- **UTILITY USERS TAXES**

**AB 300 (Perea) Telecommunications: prepaid mobile telephony services: local charges collection**

AB 300 would have enacted the Prepaid Mobile Telephony Service (MTS) Surcharge and Collection Act and establish a uniform statewide point of sale collection mechanism for prepaid wireless services. The prepaid MTS surcharge would include the emergency telephone users surcharge and Public Utilities Commission (PUC) surcharges. The bill, as written by stakeholders, would have promoted fairness between post-paid and pre-paid wireless customers while protecting existing utility tax revenues and allowing for shared implementation costs.

Over 50% of all new wireless services are prepaid and one-third of all new smartphones are prepaid. Prepaid service is no longer exclusively for low-income consumers. In fact, consumers across all income levels are purchasing prepaid phones. Local voter-approved Utility User Tax (UUT) ordinances are technology-neutral and apply to all wireless customers. Yet, it is only postpaid wireless customers who pay a UUT, State 911 taxes, and PUC surcharges that prepaid customers do not pay. California agencies with existing UUT are losing revenues from prepaid wireless (in some cases the loss is as high as 25% in last 3 years). Extrapolating the increased use of prepaid wireless over time, \$100 million a year is at risk without a corrective legislation such as AB 300. Broad support of cities and counties indicated AB 300 was a necessary solution, not an optional one.



The State Board of Equalization (BOE) estimated that expenses associated with implementation of AB 300 included both state and local costs. AB 300 provided a more efficient approach of tax administration because the three different taxes (State 911 taxes, CPUC surcharge, and local UUT) would have shared the administrative costs. A sunset provision was also included in the legislation to encourage an evaluation of the collection mechanism. As evidence of the legislations need, over 30 states have enacted similar legislation. According to his veto message, the Governor indicated that AB 300 had "duplicative costs and services", an argument advanced by the CPUC, the primary opponent to AB 300. However, the Governor acknowledged the need of local government to solve this tax collection issue and urged the stakeholders to come back with a better solution. The stakeholders will meet shortly to explore viable options. **Status:** Vetoed

#### **AB 792 (Mullin) Utility user tax exemption: distributed generation systems**

AB 792 places a moratorium on Utility User Tax (UUT) for renewables and certain "super clean" non-renewables (also call "distributed generation") until 2020. The League and local governments opposed the bill arguing that "a proposal of this type - in essence, a state-mandated exemption on local utility user taxes levied not by the state, but by cities - should instead be locally negotiated by the companies desiring the tax break with the city councils whose cities will feel the pinch of the lost or forgone revenue. This bill undertakes a different approach, a state restriction on municipal sovereignty, and on the authority of local governing bodies to make such critical budgetary decisions about their own revenue streams without external influence."

Earlier this year, Governor Brown called for 12,000 megawatts of renewable power to be generated within the local power distribution grid. He further stated that implementing this effort will promote the development of local resources, avoid the costs of remote energy generation and transmission, and create greater consumer autonomy. If the Governor's goal is reached and the renewable power generation produced on-site increases, then it is likely that local governments will have significantly reduced UUT revenues. AB 792 could exacerbate this revenue loss. **Status:** Chapter 534, Statutes of 2013

#### **Permanent Internet Tax Freedom Act of 2013 (S. 31/S. 1431/H.R. 434)**

The moratorium imposed by the Internet Tax Freedom Act on state and local "internet access" taxes expires in November 2014. There are at least three similar bills seeking to make the moratorium a permanent ban. Based on past legislation, a permanent ban is very likely. This is a critical issue, as the moratorium's definition of "Internet access" includes any broadband network service, such as DSL, cable modem, and wireless data plans. Since the old public switched network is rapidly being replaced by wired and wireless broadband networks, the moratorium, if made permanent, will result in an increasing loss of existing User Utility Tax (UUT) revenues. To prevent such a negative outcome, we will be educating our Congressional representatives on the need to insert an exception for voter-approved ordinances that impose a local tax on broadband networks in the same manner as the public switched network.

#### **SOURCES**

California Legislature ([www.leginfo.ca.gov](http://www.leginfo.ca.gov))  
Government Finance Officers Association ([www.gfoa.org](http://www.gfoa.org))  
League of California Cities ([www.cacities.org](http://www.cacities.org))  
State Board of Equalization ([www.boe.ca.gov](http://www.boe.ca.gov))



City of Placentia Community Services Department  
401 E. Chapman Avenue  
Placentia CA 92870

# Teachers!

# Free Money!

## Annual CAPES Grants Available!

(Cultural Arts Projects for Every Student)

Receive up to **\$500** from the City of Placentia to plan and execute a 2<sup>nd</sup> Semester arts-related project for your students. Any art-related project will be considered: music, visual art, dance, drama, poetry, photography, or graphic arts.



The grant money was raised from fundraising efforts conducted by the City of Placentia during the summer 2013 Concert in the Park Series.



**Deadline to postmark or submit application is Thursday, October 24, 2013 by 6:00pm**

Contact your principal or school secretary for an application. The application is deliberately a little vague to allow your imagination to run wild!

**City of Placentia Community Services Department**  
***Creating Community Through People, Parks, and Programs!***

For more information, contact the Community Services Department at (714) 993-8232.

This program is not affiliated with the School District. The School District does not endorse and/ or sponsor this activity.

Drive-Through Flu Clinic

# Free FLU Shots



Free seasonal flu shots will be provided to adults and children (3 years of age and older) on a first-come first-served basis.

Help your community and City prepare for health emergencies

This event is held as part of the City of Yorba Linda's Point of Dispensing Site Planning Exercise.

**Friday, October 25, 2013**

Friends Church 11:30 a.m. – 1:30 p.m.

**Friends Church**  
**5141 Lakeview Avenue**  
**Yorba Linda, CA 92886**

Drive through visitors will enter the site off of Mountain View Avenue.

This is a drive-through clinic. Onsite parking is not available.

### You cannot receive a flu shot if

- You are sick on the day of vaccination
- You are allergic to eggs
- You have previously had a reaction to a flu shot
- You have a history of Guillan-Barré Syndrome

### Event Sponsored By:

For more information, please contact the City of Yorba Linda's Administration Department at (714) 961-7110.

City of Yorba Linda  
 Orange County Sheriff's Department  
 Orange County Fire Authority  
 Friends Church  
 Friends Church Disaster Team

Emergency Ambulance Service  
 Orange County Health Care Agency  
 Medical Reserve Corps  
 Concordia University

California State University Fullerton  
 Cypress College  
 North Orange County Community College District





**CITY OF PLACENTIA'S  
HALLOWEEN  
TRICK OR TREAT  
AT CITY HALL**

**THURSDAY, OCTOBER 31, 2013  
401 E. CHAPMAN AVE.**

**COME ANYTIME BETWEEN  
THE HOURS OF 3:00 P.M. - 5:00 P.M.**

**COME IN COSTUME AND  
OO TRICK OR TREAT!**

**COMMUNITY SERVICES DEPARTMENT  
"CREATING COMMUNITY  
THROUGH PEOPLE, PARKS, AND PROGRAMS!"  
FOR MORE INFORMATION,  
PLEASE CONTACT THE  
COMMUNITY SERVICES  
DEPARTMENT AT  
714-993-8232.**

**FREE!**

This event is not affiliated with the school district.  
The school district does not endorse or sponsor this activity.



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**THE CITY OF PLACENTIA  
AND THE  
PLACENTIA POLICE  
DEPARTMENT**



**INVITE YOU TO PARTICIPATE IN:**

# SHRED DAY

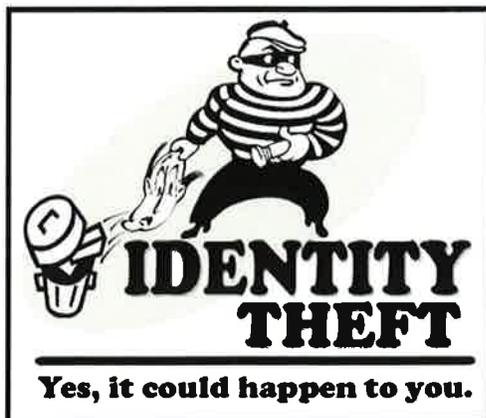
## A FREE SHREDDING EVENT

**When: Saturday, October, 26, 2013  
8:00 AM – 11:00 AM  
Or until capacity is met**

**Where: PLACENTIA CIVIC CENTER  
401 EAST CHAPMAN AVE.**



PLACENTIA RESIDENTS ARE INVITED TO HAVE THEIR CONFIDENTIAL DOCUMENTS DESTROYED ON-SITE FREE OF CHARGE BY SHRED-IT. RESIDENTS WILL BE REQUIRED TO PROVIDE PROOF OF RESIDENCY. PLEASE LIMIT DOCUMENTS TO TWO BOXES PER HOUSEHOLD.



**COME JOIN YOUR COMMUNITY IN  
HELPING PREVENT FRAUD AND  
IDENTITY THEFT!**

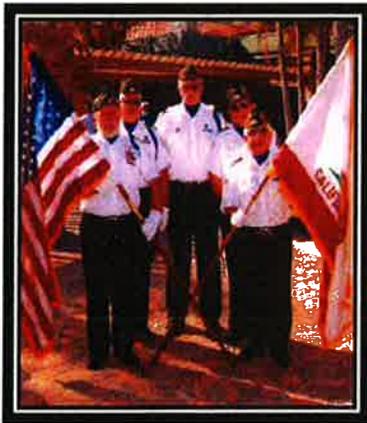
**FOR FURTHER INFORMATION, VISIT  
[www.placentia.org](http://www.placentia.org)  
or  
CALL (714) 993-8149**



The City of Placentia  
invites you to attend the 25th annual

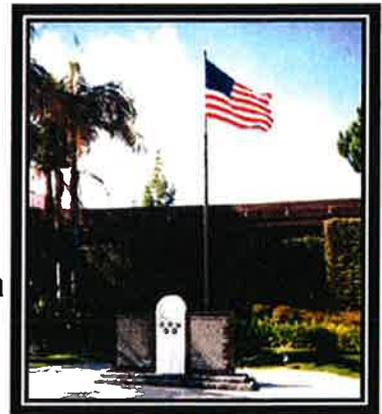
# VETERANS DAY

## *Observance Ceremony*



**Monday,  
November 11, 2013  
10:00 a.m.**

**Placentia Civic Center Plaza  
401 E. Chapman Ave.  
Placentia, Ca 92870**



The City of Placentia is grateful for the many sacrifices made by the men and women who have served our country. In their honor, we invite all residents, veterans, and their families to celebrate this Veterans Day with us.



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For more information, please visit [www.placentia.org/veterans](http://www.placentia.org/veterans) or call 714-993-8264.





# The 49th Annual HERITAGE FESTIVAL AND PARADE

Saturday, October, 12, 2013

*"We're on Our way"*

