



ORANGE COUNTY DIVISION

600 WEST SANTA ANA BOULEVARD, SUITE 214, SANTA ANA, CALIFORNIA 92701
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Shaping our Future Together

July 18, 2008

Senator Denise Moreno Ducheny
California State Senate
State Capitol, Room 5035
Sacramento, CA 95814

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**RE: SB 303 (Ducheny) Local Government: Land Use Planning
Notice of Position: OPPOSE**

Dear Senator Ducheny:

The Orange County Division, League of California Cities respectfully opposes SB 303. While we recognize the importance and need to reduce greenhouse gas emissions, we disagree that SB 303 is the best way to do so.

Currently, Orange County cities balance a number of critical issues in their general plans, including housing, climate change, flood hazards, and open space protection. SB 303 disrupts this balance by placing greater emphasis on housing and takes local control away from cities by requiring them to plan in a uniform, restrictive fashion, rather than in accordance to their individual needs and environments.

In addition SB 303 would make local planning more burdensome and costly for the following reasons:

SB 303 places greater emphasis on housing at the expense of all other planning priorities by requiring cities to pre-zone all of their five year Regional Housing Needs Assessment (RHNA) allocation during the first year of the planning period. It also requires cities to designate land for housing for the next five year period (years 6 to 10), effectively doubling the RHNA number. These requirements would make infill planning infeasible. There is simply no way to know at the beginning of the planning period what parcels will become available in future years. As a result, cities would have no choice but to identify sites where planning is more predictable and where it is easier to assign RHNA allocations, such as in Greenfield areas.

In addition, SB 303 requires that cities update the open space element of the general plan every five years and submit it to the Department of Resources for a substantial compliance determination. This represents a significant departure from the traditional deference to local planning authority. Moreover, SB 303 sets up a structural clash in which the city is bound to receive conflicting direction from the Department of Resources on the open space element and Department of Housing Community and Economic Development on the housing element.



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We are deeply concerned that SB 303 ignores competing state policies for resource management and fails to specifically address the need for affordable housing.

Finally, SB 303 includes several significant and expensive new mandates. Yet, it does not include a specific funding plan. In this year of constrained state and local budgets, this bill does not do enough good to justify its expense.

For these reasons, the Orange County Division, League of California Cities strongly opposes this measure.

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Sincerely,

John Beuman
Division President

Peter Herzog
Advocacy Committee Chair

- c: Stacey Sullivan, Consultant, Assembly Local Government Committee
Hugh Bower, Chief Consultant, Assembly Housing and Community Development Committee
Lawrence Lingbloom, Chief Consultant, Assembly Natural Resources Committee
Genevieve Morelos, League of California Cities



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Assemblywoman Fiona Ma
California State Assembly
State Capitol
PO Box 942849
Sacramento, CA 94249

RE: OPPOSITION of AB 2716 (Ma)-Paid Sick Leave for Part-Time Employees

Dear Assemblywoman Ma:

The Orange County Division, League of California Cities regrets to inform you of our opposition to AB 2716.

While it appears that this bill primarily focuses on private sector employers, there is concern that the proposed Labor Code Section 249.5 might apply to public sector employers. The section exempts employees covered by a Collective Bargaining Agreement (CBA), but only if it contains final and binding arbitration of disputes, premium wage rates, and regular hourly rate of pay not less than 30% more than the state minimum wage. Simply put, the proposed section directs local agencies how and what to negotiate and include in their contract. Orange County Cities stand firm in their opposition to any form of mandated binding arbitration and the usurption of local agencies' right to collective bargain.

Another concern we share is that AB 2716 would expand sick leave policies/programs. Additional leave programs will cause confusion in coordination of benefits and create staffing shortages when an employee can be gone for a large number of caregiving reasons. This creates an undue hardship on other City employees and impacts levels of service. City employees already have salary continuation through short/long term disability programs; by adding more reasons to be absent from work, an employee could be off work more than at work.

For these reasons, the Orange County Division, League of California Cities respectfully opposes AB 2716.

Sincerely,

John Beaman
Division President

Peter Herzog
Advocacy Committee Chair



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c: **Chris McKenzie, League of California Cities**
Cory Botts, Labor & Industrial Relations Consultant, Senate Republican
Caucus

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July 20, 2008

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The Honorable Dave Cox
California State Senate
State Capitol, Room 2068
Sacramento, CA 95814

RE: OPPOSITION of SBX 3 16

Dear Senator Cox:

The Orange County Division, League of California Cities respectfully opposes SBX 3 16. If approved, SBX 3 16 would take unencumbered funds from each county's Children & Families Commission and provide that those funds be transferred to the General Fund for appropriation by the Legislature for purposes of the Healthy Families program and Medi-Cal program.

In addition, SBX3 16 would permit the County Office of Education and County Treasurer to retain up to \$60,000 each for administration. SBX3 16 would abolish the state/county commissions 90 days after the initiative passes as well as transfer outstanding contracts and obligations of the county commissions to the counties themselves and transfer outstanding contracts and obligations of the state commission to the Health and Human Services Agency.

Children services are very important to California voters. This is why they went to the ballots themselves—first to pass Proposition 10 and then to defeat its recall. It is ironic and inconceivable that members of the Legislature now determine how these funds are used.

For the reasons and concerns expressed above, we, the Orange County Division, League of California Cities oppose SBX 3 16. Thank you for your consideration of our position.

Sincerely,

John Beaman
Division President

Peter Herzog
Advocacy Committee Chair

c: Chris McKenzie, League of California Cities
Michael Ruane, Orange County Children & Families Commission