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CALIFORNIA CONTRACT CITIES ASSOCIATION

17315 Studebaker Rd., Suite 210, Cerritos, CA 90703

Phone: (562) 622-5533 · Fax: (562) 222-8135

www.contractcities.org

LEGISLATIVE COMMITTEE MEETING RECAP

Attendees: Hany Fangary, Jorge Morales, Marcel Rodarte, Nanette Fish,
Bea Derringer, Lindsey Horvath, Lou LaMonte

Guests: Jay Trisler, Ron Hernandez, David Monroy

I. **Approved January 2018 Minutes**

Bea Deringer motioned to approve, seconded by Lindsey Horvath. Motion carried.

II. **Discussion to Support/Oppose/Watch Items**

1. **Keep California Safe Initiative: An Initiative for Public Safety (Special Guests: Tim James and Jessica Borek, CA Grocers Association)**

COMMITTEE DECISION: **SUPPORT**

Lou LaMonte motioned to support, seconded by Jorge Morales. Motion carried. Special guests Ron Hernandez and Jay Trisler (ALADS), and Tim James (CA Grocers Assoc.) spoke about the initiative's incremental fixes to Prop. 47, 57, and AB 109. Repeat offenders currently have an incentive to commit serial theft without fear of reprisal. Discussion occurred regarding Sheriff McDonnell's current position on the bill. The sheriff has not taken an official position but has previously discussed problems stemming from the criminal justice statutes.

The initiative will make substantive changes to the impact of Prop 47, 57, and AB 109, including the following:

- i. Expands the list of violent crimes for which early release is not an option (current law does not classify rape of unconscious person, trafficking of a child for sex, assault of a peace officer, felony of domestic violence, as violent felonies).
- ii. Reinstates DNA collection for certain crimes that were reduced to misdemeanors by Prop 47
- iii. Revises the theft threshold by adding a felony for serial theft – when a person is caught for 3rd time stealing with a value of \$250
- iv. Requires the Board of Parole Hearings to consider an inmate's entire criminal history when deciding parole, not just his most recent commitment offense.

Background/Analysis

CCCA supports measures that further invests in addressing the increase crime and repeat offenders who benefit from AB 109, Prop 47, and Prop 57. In the LAO's report, the measure would make various changes to the types of theft, DNA collection, and changes to community supervision practices. Violators continue to reoffend because current law reclassifies certain crimes, such as theft of property less than \$950 as petty theft.

2. [SB 893 \(Nguyen\)](#) Planning and zoning: density bonus (Special Guest: David Monroy, Legislative Aide Sen. Nguyen)

COMMITTEE DECISION: OPPOSE UNLESS AMENDED

SB 893 would eliminate certain parking ratios, while retaining others, including the removal of a parking study to assess the need for additional parking in high-trafficked area.

Legislative Committee met with David Monroy, Legislative Aide to Sen. Nguyen. CCCA expressed concerns that any amendment, including a parking study, needs to return parking ratios to local control. Cities conduct parking studies in the event there is high-need for dense neighborhoods. These studies are costly, which by ensuring. David Monroy stated he would bring back CCCA concerns to the Senator and will follow-up afterwards.

3. [SB 25 \(Portantino\)](#) Elections: ballot order

COMMITTEE DECISION: SUPPORT

Jorge Morales motioned to support, seconded by Lou LaMonte. Motion carried.

Existing law specifies the order of precedence of offices on the ballot, beginning with candidates for federal office, followed by state, county, and local jurisdictions. The bill would repeal the above provisions and establish a revised order for office candidates on the ballot requiring that local offices and measures appear first.

Background/Analysis

SB 25 is in response to SB 415, the California Voter Participation Rights Act, a statute responding to low voter participation in local elections. SB 415 prohibits local agencies from conducting elections on non-gubernatorial election years if voter turnout for the previous four local elections is "at least 25% less than average voter turnout for the previous four statewide elections". SB 25 would address concerns of "voter fatigue" where voters simply stop voting down the ballot due to the number of initiatives, national, and statewide races. Senator Portantino discussed the bill during the Sacramento Briefing Session in January.

4. [SB 1317 \(Portantino\)](#) Licensing: alcoholism or drug abuse treatment facilities

COMMITTEE DECISION: **SUPPORT**

Lou LaMonte motioned to support, seconded by Nanette Fish. Motion carried with Bea Deringer abstaining. Discussion ensued regarding sober living facilities as a residential property. The classification remains a pertinent issue to Contract Cities' member cities, however, as Lou mentioned, this is an issue with federal statute. The bill provides cities with some standards and rules to regulate treatment facilities.

Authorizes a city and other local public entities to adopt a local ordinance that requires a new rehab treatment facility to submit plans no less than 30 days before opening, including a facility's intent to operate, parking plan, plan of services, medical waste disposal plan, full bathroom for every two residents, and minimum size requirements for each bedroom.

Background/Analysis

SB 1317 adds to the Health and Safety Code allowing cities to adopt a local ordinance requiring facilities to meet minimum qualifications prior establishing in a city. CCCA's 2018 Legislative Priorities includes supporting actions that improve state and local protections to hold licensed rehabilitation facilities more accountable in cities where a facility is located in. CCCA supported a bill in 2017, SB 786 (Mendoza) which would have required a facility to notify local agencies of a proposed new facility. However, the bill did not advance in January. SB 1317 is spearheaded by CCCA members.

5. [AB 3162 \(Friedman\)](#) Alcoholism or drug abuse recovery or treatment facilities

COMMITTEE DECISION: **SUPPORT**

Lou LaMonte motioned to support, seconded by Jorge Morales. Motion carried. Lou stated the bill is a revised bill language from SB 786 that includes substantive input from the state Department of Health Care Services. The bill is co-sponsored by Sen. Ben Allen and Henry Stern.

The bill would require the Dept. of Health Care Services to deny an application for a new facility license if the proposed location is in proximity to an existing facility that would result in overconcentration. This bill would authorize new providers a provisional license for one year and revocable for good cause, and require all treatment be conducted on the licensed facility. The bill would ban violators from applying for another license for two years and impose increasing penalties per day for each violation.

Background/Analysis

AB 3162 rewrites existing Health and Safety Code incorporating language that expands protections and limits to the overconcentration of rehab facilities, including increasing penalties and oversight for the Dept. of Health Care Services. Existing law for facilities is currently outdated (lowest penalty is \$25) for violators. The bill's language is nearly exact to what was introduced with SB 786 (Mendoza). However, AB 3162 has language written in consultation with the state's Dept of Health Care Services. AB 3162 is also spearheaded by CCCA members.