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# CITY OF SACRAMENTO

## DIVISION OF WASTE REMOVAL

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December 30, 1980

**APPROVED**  
BY THE CITY COUNCIL

City Council  
Sacramento, California

**JAN 6 1981**

Honorable Members in Session:

OFFICE OF THE  
CITY CLERK

SUBJECT: Proposed Limited Term Litter Control Officer Position

### SUMMARY

This report requests that the City Council authorize the Waste Removal Division a Limited Term Litter Control Officer position. This position is presently filled by a CETA employee whose tenure in the CETA program is scheduled to terminate on January 8, 1981. The Limited Term position will be funded from existing State Litter Control grants through June 30, 1981.

### BACKGROUND

The present Litter Control Enforcement program consists of two Litter Control Officers whose salaries are paid by the CETA program. The senior officer's tenure expires at the end of eighteen months (January 8, 1981). The junior officer was just recently hired and is being trained by the senior member.

Due to the extensive training program involved, it is necessary to retain the senior member to continue the training of the junior member. The training program includes Northern California Criminal Justice course for citation and enforcement codes, Red Cross CPR course, Driver Safety course for three-wheel vehicles, City and State enforcement code familiarization.

In preparing the 1981-82 Waste Removal Budget, it is the intent of this Division to request a full time career Litter Control Officer position to replace the Limited Term position.

### FINANCIAL DATA

No impact. To be funded under existing State Litter Control grant funds.

regulations, it is estimated that it will take 30 - 90 days before California cities will be able to receive the funds.

At this time, EPA does not have much more information than is outlined in this bulletin item. Cities needing further information should contact the Department of Transportation district office or the State Water Resources Control Board in Sacramento.

4. Congress Approves Mortgage Revenue Bond Bill in Budget Reconciliation Package. H.R. 7765. House and Senate conferees included in their agreement on the omnibus reconciliation bill, H.R. 7765, an amended version of the mortgage revenue bond bill, H.R. 5741. (For background see Legislative Bulletins #28 and #35.) The Conference Report has been approved by both Houses and has been signed into law. The compromise will permit state and local governments to continue, until December 31, 1983, to issue tax-exempt bonds to finance single and multi-family housing, but places new restrictions on such bonds.

The total bonds that can be issued in a state each year would be limited to the greater of \$200 million or 9% of the average of all mortgages originated in the state in the preceding three years. The state ceiling is divided evenly between the state agency and all other governmental units within the state that can issue mortgage subsidy bonds. A single city's allocation is based upon mortgage activity within its jurisdiction during the preceding three years. In calendar 1981, the Governor or the Legislature may change this allocation system; thereafter, only the Legislature is authorized to alter the system.

Mortgagors must not have been homeowners within the last three years; exception is made in the case of rehab loans or mortgages on residences located in targeted areas. The conference agreement deletes all income limitations on purchasers, but adds, "the conferees expect that state and local governments will use mortgage subsidy bonds primarily for persons of low or moderate income."

There is a purchase price limitation of 90% of the average purchase price in the preceding year in the SMSA. In targeted areas, the limit is 110%. Targeted areas are defined as census tracts in which 70% of the families have incomes of less than 80% of the statewide median income, a definition so restrictive that it makes eligible only about 2.5% of all census tracts nationally. An alternative definition is areas of chronic distress as defined by states and approved by the Secretaries of Treasury and Housing and Urban Development. If a city that issues bonds has such target areas in its boundaries, it must make available 20% of bond proceeds for mortgages in these areas.

Another possible problem for state and local governments is a decision by conferees to place a new restriction on multi-family projects. Those assisted with tax-exempt bonds must have 20% of the units available for occupancy by families that meet Section 8 housing assistance criteria. This percentage drops to 15 in the targeted areas. If states and cities cannot obtain Section 8 money for the units, many multi-family projects will become economically infeasible.

Conferees also included the provision from H.R. 5741 which requires that tax-exempt housing bonds issued after December 31, 1981, must be registered. Under current law, tax-exempt bonds do not have to be registered.

5. Reduced "Superfund" Cleared for the President. H.R. 7020. On November 24, the Senate adopted a "superfund" bill to clean up chemical dump sites and toxic waste spills. The bill passed was a compromise authored by Senator Robert Stafford (Vt.). The fund would collect \$1.6 billion over five year, 87.5% provided by taxes on the chemical industry, the remainder to come from the federal treasury. Under the Senate bill, those who own or operate waste disposal sites,

produce wastes, or transport them are liable for all cleanup costs and for up to \$50 million for each incident of damage to property and natural resources. The Senate approved the House standard of "strict liability," meaning that the Environmental Protection Agency will not have to prove a company acted negligently in order to collect funds from them to reimburse the superfund for costs of a cleanup. State and local governments will have to pay at least 50% of cleanup costs at sites they own; for all other sites or spills, the state and local share will be 10%. The vote on final passage was 78 - 9. Senators Cranston and Hayakawa voted for establishment of the "superfund."

On December 3, the House was asked to accept the Senate amendments to H.R. 7020. The bill was brought up under suspension of the rules, a procedure which does not permit amendment and requires a two-thirds vote for passage. The House did adopt the Senate language by a vote of 274 - 94, with 64 not voting. Californians voting "no" were Representatives Badham, Burgener, Dannemeyer, Grisham, Johnson, Lewis, Lungren, Moorhead, Pashayan, Rousselot, Shumway, and Thomas. Not voting were Representatives Phillip Burton, Coelho, Corman, Bob Wilson, and C. H. Wilson. The remainder of the delegation voted for the "superfund," and they, like the Senators, should be thanked.

House passage of the Senate language cleared the bill for the President's signature. President Carter had promised that he would sign such legislation if it came to him.

6. House Rejects Community Energy Conservation Program. S. 1280. On December 1, the House voted on its version of S. 1280, the Community and State Energy Planning Assistance Act. It was brought to the House floor on the suspension calendar, a procedure usually reserved for noncontroversial bills, which requires a favorable vote of two-thirds of those present. A number of Members objected to the procedure, others to the timing. The remarks of Representative Carlos Moorhead, a member of the Commerce Committee from which the bill came, are illustrative of the objections. He said, "This legislation is extremely expensive, costing three-quarters of a billion dollars and this legislation is extremely unnecessary ... this legislation merely adds another pot of money available to the states and localities for even more 'energy planning'." Since the authorization in the bill was for three fiscal years beginning in 1982, he said the Congress did not need to act until May 15, 1981. The majority of the House voted not to approve the bill, 192 - 164; 76 did not vote. Californians voting for the community energy program were: Representatives Anderson, Beilenson, John and Phillip Burton, Clausen, Coelho, Edwards, Fazio, Hawkins, Johnson, Lloyd, McCloskey, Matsui, Miller, Mineta, Panetta, Roybal, Royer, Stark, Van Deerlin, and Waxman. They should be thanked for their support. (For background, see Legislative Bulletins #30 of 8/7/80 and #32 of 8/25/80.)
7. DOT Solicits Letters of Interest in Comprehensive Transportation System Management Assistance and in National Ridesharing Discretionary Program. In the Federal Register of December 1, 1980, the Department of Transportation announced several financial assistance programs and requested letters of interest from local governments which wish to participate.

The first program would provide \$15 million in discretionary assistance for implementation of comprehensive transportation system management (TSM) techniques. The intent of this new program is to stimulate broader implementation of a wide range of generally proven TSM techniques. States and local areas are strongly encouraged to package comprehensive TSM strategies that encompass three broad areas: (1) improving transportation system efficiency by increasing occupancies, e.g., through ridesharing, high occupancy vehicle (HOV) techniques, parking management; (2) providing alternatives to the automobile, e.g., pedestrian and

bicycle improvements; and (3) improving driver efficiency, e.g., driver training programs for energy conservation. Examples of eligible project elements are ridesharing, alternative work schedules, HOV facilities, traffic signalization, transit service improvements, pedestrian and bicycle facilities, parking management programs and goods movement.

Any public agency with authority to administer such programs is invited to express its interest in the TSM program. Other agencies, perhaps private and non-profit might work in cooperation with the public agency to sponsor such a project, but one lead agency should coordinate development and submittal of the letter of interest for the entire package of TSM improvements. Details concerning contents of letters of interest and selection criteria can be found in the Federal Register of December 1, 1980, pages 79664-79666. If you do not have access to the Federal Register, a copy of the announcement may be obtained from David Wheaton in the League's Sacramento office.

The second notice was for those interested in participating in a Ridesharing Discretionary Program and was issued jointly by UMTA and the Federal Highway Administration. Potential applicants may submit letters of interest directly for the Ridesharing Discretionary Program or may submit a comprehensive proposal including ridesharing elements to the TSM assistance program described above. If applicants elect the comprehensive approach, specific elements of their proposals are eligible for funding from any of the announced programs for which that element is an eligible project. The objective of this program is to gain broader application of positive ridesharing techniques.

Any public agency with authority to administer ridesharing projects involving the expenditure of Federal-aid highway funds and/or Urban Mass Transportation transit assistance funds is invited to express its interest in the program. Funding will consist of 75% federal funds and a 25% local match. Selection criteria and the contents of letters of interest are described in the Federal Register notice, pp. 79667-8.

Both types of letters of interest should go to the State Transportation Agency for certification that the proposed project, if preliminarily selected for funding, will be included in the Transportation Improvement Program for the local area. Letters should be received by the appropriate federal agency on or before March 1, 1981.

8. Fair Housing Bill Killed by Filibuster. H.R. 5200. Despite last-minute compromises offered by proponents of the fair housing amendments, enough votes could not be obtained to end Senator Orrin Hatch's filibuster. The final vote was 54 - 43, with 60 votes being required to invoke cloture. Under the compromise offered, cases would be argued before federal magistrates who would adhere to judicial safeguards. The defendant would be entitled to a jury trial if damages were claimed. Senator Hatch insisted that the basic law be changed to require proof of intent to discriminate. This was unacceptable to sponsors of the legislation and to civil rights groups. Present law requires no specific proof, so courts have been looking at effects, as well as intent, as possible proof of discrimination.

Senator Howard Baker, presently Senate Minority Leader, but the elected Majority Leader for the 97th Congress, pledged that Republicans would push for fair housing legislation in the next Congress. Chances for early action do not seem favorable, however, because Senator Hatch will become Chairman of the Constitution Subcommittee of the Senate Judiciary Committee, the subcommittee from which a fair housing bill would have to come.

On the critical cloture vote, Senator Cranston voted for invoking cloture to permit Senate consideration of the bill, while Senator Hayakawa voted against.

9. Implementing Proposition 4. Need for Special Outside Assistance. Because several city officials have received unsolicited proposals from consulting firms to compute their Proposition 4 (Gann) Appropriations Limit, the League has been asked if such outside assistance should be necessary. We do not believe that it is necessary if the city utilizes the League's Proposition 4 Uniform Implementation Guidelines Manual. Members of the League's Proposition 4 Task Force and League staff are also available to answer questions about implementation..