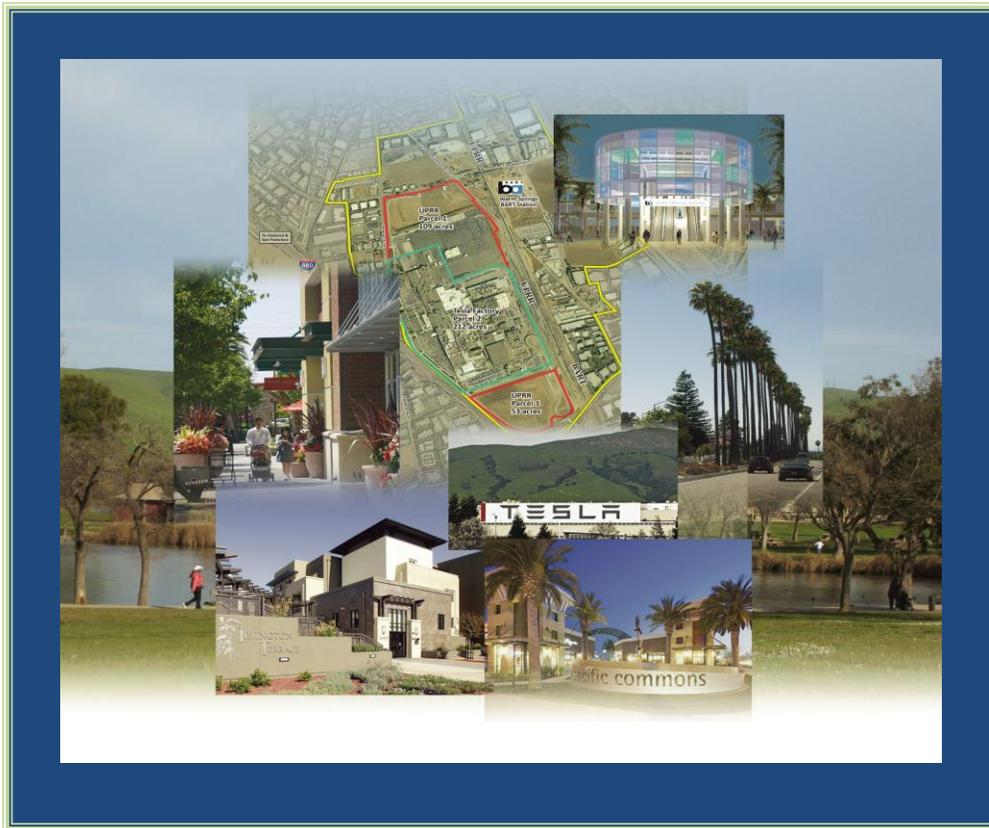

Legislative Guiding Principles and Priorities 2019



Pursuing and protecting the best interests of the City of Fremont through legislative advocacy and partnerships at the regional, State and federal level.

Top Legislative Guiding Principles

The Legislative Guiding Principles and Priorities represent a framework for organizing the City's legislative interests at the regional, State and federal level.

At the City Council retreat held in January 2019, the Council identified three top priority policy areas for the City in 2019-2020. Those priority areas include: Balanced Growth, Traffic Management & Mobility, and Support to Neighborhood Commercial Districts.

The following key legislative guiding principles form the foundation of the City's advocacy efforts.

Protect Local Control

The City values its ability and authority to exercise local control, enable excellent public services and protect and enhance the quality of life for Fremont residents and businesses, and supports efforts to streamline regulations that simplify the job of running the City and opposes efforts that erode the City's authority to control its own affairs. Areas where the City values local control relate to police authority, local land use, housing element procedures and addressing the quality of life of our residents.

Pursue efforts to create new financing tools to support and build affordable housing

The City remains firmly committed to the production of high quality, affordable housing for a range of income levels and target populations such as families, seniors and those with special needs.

Promote Investment in Transportation, and Infrastructure Maintenance and Rehabilitation

The City supports legislation and policies that promote investing in the maintenance and rehabilitation of aging infrastructure and building new system capacity to support smart growth principles.

Ensure Competitiveness Through Strategic Economic Development

The City embraces efforts to obtain funding for economic development, including planning and implementation of regional transportation; economic stimulus programs; jobs legislation; and small business entrepreneurship training and assistance.

Keep Fremont Safe

The City supports legislation and policies that enable local officials to access resources to provide quality police, fire, emergency management, emergency medical services, traffic safety, youth violence and delinquency prevention initiatives, and community efforts.

Protect and Increase Local Funding; No Unfunded Mandates

The City supports legislation that aids recovery of City costs stemming from State and federal mandates.

Pursue or retain federal and State funding for key efforts

The City continues to vigorously pursue federal and State funding for key efforts and activities, and actively seeks to retain any such funding previously allocated for those purposes.

Promote Environmental Sustainability and Smart Growth Development

The City values policies that promote sustainable development; improve environmental standards and the regulatory process; provide incentives and financial support for preservation of natural resources; expand sustainable energy policies; and are consistent with the City's Climate Action Plan.

2019 Legislative Priorities

Community and Economic Development

Economic Stimulus Programs: Support federal and State efforts and legislation that fund economic stimulus programs; jobs legislation; and financially supports small business entrepreneurship training and assistance. Support legislation that stimulates economic development, which might include lower thresholds for bonds and other incentives.

***Sustainable Wages:** Support legislation and initiatives that provide living and sustainable wages for individuals and families in Fremont.

New Business Attraction: Support efforts to attract new business to the State that are revenue neutral to local governments and do not impact the limited revenues cities receive. This includes continuation of the California Competes Tax Credit and any enhancement to programs offered by the Governor's Office of Business and Economic Development (Go-Biz). Support the use of foreign-trade zones to encourage and expedite international trade in the U.S.

Prop 39 Funding: Support broadening the implementation of Proposition 39 to direct funding towards an array of diverse projects, including energy efficiency projects for cities, for maximum impact to the State and the clean tech industry.

Industry-Specific Issues: Support programs and additional incentives for advanced manufacturing and its supply chain, such as Investing in Manufacturing Communities Partnerships (IMCP), National Network of Manufacturing Innovation (NNMI), the California State Sales Tax exemption for Manufacturing and Research Development Exemption, and California Competes Tax Credit.

Immigration Reform: Support comprehensive immigration reform that provides opportunities for all immigrants to achieve economic success and a pathway to citizenship. Support an increase in the cap for H-1B visas, which allow employers to hire foreign workers for jobs that require advanced technical skills, and the continuation of the EB-5 Program which stimulates the economy through job creation and capital investment by foreign investors. The City also supports efforts that protect children, including undocumented children, with the continuation of the Deferred Action for Childhood Arrivals (DACA) program and the DREAM Act.

Preservation of Local Land Use Authority: Oppose legislation that would remove or limit local government land use authority.

Housing Elements: Oppose legislation that penalizes local governments for noncompliance with their housing element requirements, since compliance is based on several factors, such as the economy, that are not within the control of local government.

Flexibility in Meeting the Regional Housing Needs Assessment: Support legislation that provides flexibility in meeting the Regional Housing Needs Assessment (RHNA) requirements that are mandated by State Housing Law as part of the periodic process of updating the housing element in the General Plan.

Affordable Housing: Support new financing tools for local government to support, build, increase, and preserve affordable housing units and legislation that provides for the creation of a long-term funding source dedicated to financing affordable housing.

Housing Tax Incentives: Support tax incentives to promote investment in the production of multi-family rental housing including expansion of the Low-Income Housing Tax Credit (LIHTC) program to create mixed-income developments.

HOME Investment Partnerships Program (HOME) Program: Preserve funding for the HOME program, which directs formula grants to local governments to create affordable housing for low-income households.

Sustainable Development: Support legislation that provides financial and technical support to local government in implementing sustainable development practices such as transit-oriented development, green building, consideration of existing and future development impacted by sea level rise, and other sustainable practices such as greening the code and support for the Climate Action Plan.

CEQA Reform: Support legislation that streamlines CEQA review and requirements.

Transportation and Infrastructure

Lower Threshold for Approval of Transportation Sales Taxes: Support a constitutional amendment to lower the threshold for approval of sales and use taxes for transportation purposes. Currently, such taxes must be approved by two-thirds of the voters. The City supports lowering the requirement to either 55% (the same requirement for schools), or to a simple majority.

Long Term Transportation Authorization and Funding: Support adoption of a long-term federal transportation authorization that provides a stable and reliable funding stream for transportation.

Funding for Infrastructure Projects: Support federal and State legislation that provides funding for local government infrastructure projects, and targets funds for maintenance to local agencies. The City also supports legislation for new tools, authority, and funding to enable increased investment in state and local infrastructure and economic development.

Fuel Tax Increase: Support fuel tax indexing or an increase to provide additional funding for local street projects, especially maintenance, and support efforts that protect against transportation funding diversions.

Alternative Fuel Vehicle Adoption: Support legislation that advances infrastructure financing and adoption of alternative fuel vehicles.

Regional Partnerships: Support efforts that encourage regional cooperation and coordination to develop, promote, and fund multi-modal transportation solutions at the city, county, and regional level.

Peak Congestion: Support legislation to provide funding to help mitigate the traffic impacts of projects that create peak period congestion.

Cap-and-trade expenditure plan: Support cap and trade funds derived from transportation fuels for clean transportation purposes.

Preservation of Eminent Domain for Infrastructure: Oppose legislation that reduces the City's condemnation authority regarding acquisition of properties required for public projects.

Quiet Zones: Support legislation that provides funding for quiet zone improvements or allows existing funding sources that pay for other transportation improvements to also be used for quiet zones.

Transportation and Land Use: Support legislation that increases flexibility and reduces technical and funding barriers to investments linking transportation, housing, and jobs, and support local flexibility and decision-making on land-use for transit-oriented development (TOD) and priority development areas (PDA's). The City also supports innovative financing opportunities to fund TOD and PDA implementation.

High Occupancy Vehicle / Toll Lane: Support high occupancy vehicle / toll lane expansion in the Bay Area that supports innovative project delivery. Ensure any projects include local outreach and ability to enforce that lanes are used for their intended purpose.

Vision Zero: Support new legislation and funding that would assist in implementing the Vision Zero traffic safety policy goal of eliminating traffic fatalities by facilitating safer streets, safer travel behaviors and safer vehicles.

Public Safety

Reduced Sentencing Laws: Support efforts to provide funding to mitigate the policing impacts of Public Safety Realignment (AB 109) and The Safe Neighborhoods and Schools Act (Proposition 47). Support legislation that would require or greatly incentivize those convicted of drug possession to enter drug treatment programs.

Emergency Preparedness Resources: Support legislation to provide resources for emergency planning, training, exercises, and equipment for emergency workers, and support funding for training and equipment purchases for first responders to improve their ability to respond to hazardous materials accidents.

Safe Schools: Support legislation that provides funding for school safety programs, including School Resource Officers (SRO's), Safe Routes to School, School Climate initiatives and Crisis Intervention Counseling.

COPS and JAG Funding: Support full funding for the Citizens' Option for Public Safety (COPS) program and the Byrne/Justice Assistance Grants (JAG) program; and renew suspension of the COPS grant's local cost share requirement.

POST Funding and City Law Enforcement Grants: Support continued full Peace Officer Standards and Training (POST) funding for law enforcement training and maintain the funding level of \$40 million for City Law Enforcement grant funds.

Urban Area Security Initiative Funding: Support full funding for the Urban Area Security Initiative (UASI); and maximize first responder funding, as well as flexibility in the use of funds to assist areas of need (i.e. personnel, training and target hardening).

Fire Protection in Schools: Support requiring the installation of automatic fire sprinkler systems in new and remodeled schools.

Interoperability: Support funding for interoperability initiatives to better facilitate coordinated and effective emergency response by police, fire, EMS, and non-public safety departments in cities and across regional jurisdictions.

Use of Technology: Support legislation that encourages the use of technology in efforts to fight crime.

Police Cameras: Support funding and integration of video recording system between police officers (body cameras) and in-vehicle (dash cams).

***Release of Records:** Support legislation that allows for public access to request records, video and audio recordings relating to the report, investigation, or findings of critical incidents involving police officers. (SB 1421 and AB 748)

Medical Marijuana: Support legislation to enact regulations consistent with the Medical Marijuana regulation and Safety Act that preserves local control.

Recreational Marijuana: Support sufficient funding and revenues for enforcement and administration duties related to recreational marijuana. Encourage State regulatory bodies to develop regulations and work with local governments throughout the development of these regulations. Support funding for prevention and intervention for youth diversion services related to youth marijuana infractions.

Human Trafficking: Support legislation that would provide funding to programs that raise public awareness about Human Trafficking and train law enforcement on handling and investigating Human Trafficking cases, and/or; identify, rescue, and provide services to victims of human trafficking, including the prosecution of Human Trafficking perpetrators.

Rail Safety: Support legislation that would promote rail safety improvements such as controlled brake controls and the expediting of real-time information to first responders. Provide additional funding for emergency personnel training to deal with rail safety issues in communities with rail lines.

Community and Human Services

Immigration Status: Support legislation protecting law abiding residents regardless of their immigration status and oppose any efforts which might be taken by the Federal government to institute “registries” of residents based on religion, ethnicity, or other protected classification; and which is consistent with Fremont Police Department Policy 428.

Playground Safety Guidelines: Support legislation that protects cities from liability for use of playgrounds and supports ensuring that all new safety mandates come with associated funding to help cities comply with the guidelines.

CalWORKS: Support replacing the ‘benefits cliff,’ the loss of public benefits as a result of income and asset increase, with rational policies that gradually and sensibly ramp down benefits as a

household's income or resources increase. The City supports funding for CalWorks programming to help families achieve economic independence.

Children and Youth: Support legislation that provides public funding for effective programs and services, and expansion of opportunities for children and youth ages 0-24 years, which include:

- Youth development programs that promote civic engagement and reduce delinquency through conflict resolution.
- Gang resistance programs with vocational training and employment opportunities.
- Youth diversion programs that ensure at-risk youth, first time offenders and youth on Probation are diverted from the juvenile justice system and re-engaged in positive civic life.
- Early childhood mental health, for children 0-8 years, and parenting support programs that improve the social, emotional development of young children, increase parenting and advocacy skills and improve family relationships.

Community Development Block Grant Funding (CDBG): Oppose any reductions to formula funding, and support any revisions to increase formula funding, for the Community Development Block Grant Program.

Economic Self-sufficiency: The City supports funding for family economic self-sufficiency programs such as money management classes, Individual Development Accounts (IDAs), peer lending circles; and the Volunteer Income Tax Assistance (VITA) program, which helps low-income individuals file their tax returns and qualify for the various credits and deductions available to them. The City supports funding for programs that integrate or "bundle" financial and workforce development services, creating effective pathways to economic opportunity for lower income families. The City supports funding that creates pathways of support to Pre-apprenticeship Trades programs as well as better alignment between career education and post-secondary training leading to middle-skilled STEM careers paying a living wage.

Family Resource Centers: Support funding for family resource centers, which provide comprehensive integrated programs to improve the quality of life and strengthen individuals, teens, and families through services and activities.

Homelessness: Support legislative efforts that allocate funding directly to local municipal and county jurisdictions for rapidly rehousing homeless individuals and families and those who are Veterans. Support County efforts to streamline and prioritize the allocation of permanent supportive housing to those experiencing chronic homelessness with the highest needs and greatest barriers towards obtaining and maintaining housing on their own. Support legislation that allows local jurisdictions to implement localized approaches meant to reduce homelessness.

Medi-Cal Access and Health Care Funding: Support legislation that increases access to health care for all individuals; expands medi-Cal reimbursement programs such as Medi-Cal Administrative Activities (MAA) and Targeted Case Management (TCM). Support efforts to comply with health care reform legislation.

***Protect the Affordable Care Act:** Oppose efforts to repeal the Affordable Care Act, including provisions terminating eligibility and financing of Medicaid expansion and repealing insurance premium subsidies for lower to moderate income individuals. Oppose Affordable Care Act “repeal and replace” provisions that would shift federal costs of ACA or other current health care financing to state and/or county governments.

Mental Health: Support legislation that provides funding for community education about the value of early intervention and treatment for mental disorders, including substance abuse, and enforces regulations requiring that health insurance policies treat addiction and mental illness on the same level as other illnesses. The City also supports any funding that is allocated for providing services to homeless individuals with mental illness.

Nutrition and Wellness: Oppose any cuts to the CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP); and support all efforts to increase participation in this federal nutrition program that provides food for families in need and provides increased tax revenue for the local community.

***Food Security:** Support legislative and budget proposals to enhance local entities’ ability to provide healthy food for vulnerable residents.

Senior Services: Oppose funding cuts, and support the reinstatement of funding for community-based programs that serve seniors, and supports cost-of-living adjustments for Social Security and other entitlement programs.

Special Populations: Support legislation that funds affordable housing and other supportive services for special populations such as people with health and mental health conditions, impairments, and/or disabilities.

Environment

Climate Protection: Support legislation and policies that assist local, regional, and state government in aligning with local or state established decarbonization goals to achieve carbon neutrality by or before 2045, provided that cities maintain autonomy and discretion over whether to implement, including reducing dependence on fossil fuels, developing clean and renewable energy resources and technologies, investing in green infrastructure and low-carbon materials, and engaging in carbon sequestration activities.

***Climate Adaptation and Resiliency:** Support legislation and policies that assist local government in preparing for, limiting, learning from, and adapting to the negative effects of climate change, including but not limited to wildfires, landslides, drought, sea level rise, and extreme heat events.

Landfill: Support legislation that supports the development of alternative technologies such as anaerobic digestion or mixed waste processing that result in waste diversion from landfills.

Litter Control and Abatement: Support legislation and policies to assist local government in reducing trash and litter in the environment from sources such as single-use disposable products, illegal dumping and homeless encampments.

Recycling/ Organic Waste Reduction: Support continuation of the existing California Integrated Waste Management Act (AB 939) waste diversion requirements and the state goal of 75% diversion by 2020 (AB 341) as well as programs that help cities go beyond the 75% diversion goal (SB 1383). The City also supports diversion measurement and reporting improvements that do not adversely impact the assessment of compliance efforts made by local jurisdictions.

Producer Responsibility: Support State and federal legislation that encourages companies to assume responsibility for the costs of collecting, processing, recycling, or disposing of products at end-of-life that would otherwise become a burden on local government.

Recycled Product Market Development: Support legislation that encourages manufacturers to include post-consumer recycled material in their products and encourages state and local government agencies and school districts to use less toxic and recycled content products.

Zero Emission Vehicles: Support growth in the use of zero-emission vehicles and low carbon fuels and designate revenues generated from greenhouse gas-related fees or taxes to local or municipal government entities;; extend EV incentive programs, especially for low-income Californians; and build out an ubiquitous EV charging infrastructure.

Solid Waste: Oppose legislation that preempts local planning decisions regarding solid waste facility sites, preempts local solid waste and AB 939 fee setting authority, or imposes taxes or fees on local solid waste programs to fund State programs not directly related to solid waste management.

Stormwater Program Funding: Support legislation that would make it easier for cities to fund and comply with new and increasingly stringent storm water quality permit requirements.

Water Conservation: Support legislation and policies that assist local government in meeting or exceeding established goals of reducing water consumption and supporting use of recycled water / greywater without preempting local planning decisions.

Energy Efficiency, Storage, and Demand Management: Support legislation that assists regional and local governments in developing and implementing energy efficiency, storage, demand management strategies and ensure that local governments can continue, and not be preempted in, their energy implementation efforts that seek to achieve economic improvements, decrease carbon emissions, increase local energy independence, and improve community resiliency.

***Habitats and Ecosystems:** Support legislation and policies that assist local government in restoring, rehabilitating, and repurposing degraded, damaged, or destroyed ecosystems and habitats through active interventions.

***Recycling Infrastructure:** Support legislation that encourages the development of domestic infrastructure in order to meet specified organic waste reduction and recycling targets, manage hazardous materials properly, and reduce the reliance on foreign markets.

Revenue, Taxation and Telecommunications

Lower Threshold for Local Taxes: Support a constitutional amendment to lower the threshold for approval of local taxes to either 55% (the same requirement schools now face) or to a simple majority, especially to encourage economic and local development as well as to meet public safety needs.

Tax Exempt Status of Municipal Bonds: Oppose legislation that eliminates or places a cap on tax-exempt municipal bonds.

Online Sales Tax: Support legislation that would allow states and municipalities to require remote sellers to collect state and local sales and use taxes already owed to them.

New Economy: Support policy options for responding to the erosion of the major local government revenue sources resulting from the expansion of e-commerce, increased consumption of retail services rather than goods, changing patterns of commerce, and innovations in technology. Ensure changes to any policies adequately address local government concerns; and are capable of being integrated into existing operations.

Shared Economy: Oppose efforts by online travel companies to circumvent remittance of transient occupancy taxes (TOT) from hotel reservations purchased through the internet. Support policy options, such as a requirement for short-term housing rental platforms such as Airbnb to collect rental payments, to facilitate equitable enforcement of transient occupancy tax ordinances.

Equitable Allocation: Support legislation that provides stable dedicated revenue to support all City responsibilities, and establishes a more equitable distribution of locally generated taxes (property, sales, etc.).

Fiscal Reform: Oppose continued State efforts to find ways to divert local revenues and encourages the State to find other ways to balance its budget. Oppose legislation that would limit the City's ability to rearrange finances based on the need at hand.

Flexibility in Use of Funds: Support legislation that lifts restrictions on restricted funds to provide the highest levels of discretion to elected representatives to manage the financial affairs of their jurisdictions.

Community Access Preservation Act: Support legislation that preserves Public Access, Educational, and Government (PEG) channels and funding for PEG channels from cable and video providers and that changes the existing law to remove the distinction between "capital" and "operating" for use of PEG fees.

Build-out of Facilities: Support legislation that provides a reasonable timeframe for deployment of telecommunications services by providers that includes a clear plan for sequencing of the build-out of facilities within an entire franchise area.

Municipal Broadband Networks: Preserve local authority to deploy and operate municipal broadband networks, through either public-private partnerships or systems wholly owned by the municipality.

Use of Public Rights-of-way: Support local ability to regulate use of public rights-of-way.

Public Education Facilities Financing: Support funding mechanisms that can be used to finance new educational facilities; that do not adversely impact city government.

Proposition 13 Reform: Support legislation that reduces imbalances to the distribution of tax burden between residential and commercial properties as it relates to Proposition 13.

Administration and Employee Relations

Mandated Employee Benefits: Oppose legislation mandating local employee benefits because such benefits can impose financial costs and administrative burdens on local governments. Decisions about employees' health and retirement benefits, and internal investigative processes should be made at the local level, through the collective bargaining process, not mandated by the State.

Retiree Medical: Oppose any legislation that would make participation in any program to pre-fund other post-employment benefit (OPEB) obligations mandatory. However, the City does support legislation that expands the universe of employee self-funded medical benefits on a tax-advantaged basis under State law in coordination with programs and funding mechanisms developed under federal law.

Mandatory Social Security Coverage: Oppose mandatory Social Security coverage.

Social Security and Local Government Pensions: Support modifying legislation so that City employees are not penalized for work performed in addition to their local government service.

Workers' Compensation: Oppose any new or additional workers' compensation benefits and support legislation to further reform the system and lower employer costs. As one example, the City opposes legislation to extend the leave of absence at full salary, tax free, from the current one year to which public safety employees who are totally temporarily disabled by injury or illness on the job are entitled (Labor Code Section 4850).

*Asterisks denote new priorities added in 2018/19.