



# **2019 Federal Legislative Program**



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## **Definitions**

### **Legislative Program**

The Stockton City Council will adopt a Legislative Platform prior to the beginning of each calendar year. The Legislative Platform sets forth the City of Stockton's legislative priorities and interests, and provides general authority and direction regarding advocacy efforts on behalf of the City to: the City Manager's Office; City departments; and the City's federal legislative advocate.

### **Legislative Principle**

Legislative Principles are foundational statements of broad legislative objectives or philosophies that form the basis for establishing Legislative Priorities and Positions.

### **Legislative Priority**

Items receive designation as Legislative Priorities within the Legislative Program when it is anticipated that they will (1) have a significant impact on the City of Stockton; (2) require significant effort by City staff and/or the City's federal legislative advocate; and (3) have a strategic action identified to address a high-level priority for the City.

### **Legislative Position**

The City of Stockton has numerous areas of legislative interest beyond those that rise to the surface as Legislative Priorities. The City prepares position statements for both the themes of legislation and funding that regularly recur on the federal level as well as new issues that arise each year in the legislative process. Legislative Positions provide background as to the importance of the issue to the City of Stockton and state the position of the City and any action that will be pursued to address it.

**Washington D.C. Delegation**

The Honorable Dianne Feinstein  
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Washington, DC 20510

The Honorable Kamala Harris  
United States Senate  
112 Hart Building  
Washington, DC 20510

The Honorable Jerry McNerney  
District 11  
U.S. House of Representatives  
1210 Longworth Building  
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## **City Council Strategic Work Plan**

### Strategic Targets:

- Public Safety
- Fiscal Sustainability
- Economic Development
- Infrastructure

### Priority Goals:

#### Tier 1

1. Develop solutions to address homelessness including increasing the affordable housing supply.
2. Focus on crime reduction in focus areas.
3. Prioritize resource allocation to focus areas within Council Districts.
4. Develop our core downtown.

#### Tier 2

1. Develop business incentives and tools for underserved neighborhoods.
2. Work with education partners to improve quality of life, increase literacy, fund college scholarships and develop the workforce.
3. Engage private employers and the business community in workforce development and job placement and develop an employment pipeline for Stockton residents to Stockton employers.

## **Legislative Program**

### Purpose

Throughout each year, the United States Congress proposes and enacts legislation, some of which affects local municipal government. National associations and contracted legislative advocacy firms keep the City of Stockton informed on proposed legislation from these bodies. At times, it is in the interests of the City to take a position on proposed legislation. This Legislative Program establishes Legislative Principles, Priorities and Positions that provide direction for advocating for the City of Stockton with the federal government.

### Process

For proposed legislation, either consistent with the City's Legislative Program or consistent with legislative positions the City has taken in the past, City staff shall be authorized to prepare position letters for the Mayor's signature. Should availability be an issue, the Vice Mayor or City Manager shall be authorized to sign position letters in lieu of the Mayor. All members of City Council shall receive copies of sent position letters. The City's advocacy firm may also be authorized to express the City's position in person to legislative representatives.

Items not addressed in the City's Legislative Priorities may require they be brought to the City Council for consideration. These legislative priorities may only address issues directly relevant to or impacting the provision of municipal services. Generally, the City will not address matters that are not pertinent to the City's local government services such as partisan, socially divisive or international issues.

## **Legislative Principles**

In its relationship with the federal government, the City will always:

- Seek the broadest authority for our citizens and the City Council to make decisions locally
- Seek out, develop, and support legislative and budget efforts that protect and/or enhance local governments revenues, maximize the City's access to funding, and/or increase local funding flexibility
- Support federal legislative and budget actions that will provide robust funding for domestic infrastructure, public safety, community development and environmental programs which support City efforts to maintain and enhance the quality of life
- Oppose legislative or administrative actions that have negative fiscal impacts to the City
- Oppose legislative or administrative actions which would create mandates and/or preempt local decision-making authority
- Encourage and seek legislation to facilitate orderly and sustainable economic expansion and growth, and increase the opportunity for discretionary revenues and programmatic and financial flexibility for the City
- Seek opportunities to help our partners achieve success in order to further improve the community
- Support legislation that furthers the adopted City Council Goals

It is within this philosophy that the attached federal legislative priorities and positions are adopted.



## 2019 Federal Legislative Priorities

1. Advocate for Federal funding
2. Pursue Federal resources for transportation and infrastructure
3. Pursue Federal resources to enhance public safety
4. Pursue Federal programs providing assistance and resources to distressed communities
5. Promote legislation and rulemaking that preserve local autonomy

### 1. Advocate for Federal funding

**Background:** In previous years, the City of Stockton has received significant federal funding through congressional earmarks and has successfully positioned grant applications for favorable review. The current federal funding strategy is structured around the potential reintroduction of congressional earmarks and the continued pursuit of grant funding. In light of this environment, advocating for robust funding levels in beneficial programs will be as important as targeting those programs for grant applications and earmark requests.

**Position:** While the Administration has proposed budgets that significantly reduce funding or eliminate a variety of federal programs, the legislative branch has consistently maintained funding for those programs. The City of Stockton must advocate within the legislative branch for the continued preservation and enhancement of funding allocations for critical federal agency programs. The City should develop a priority project list to target discretionary funding from agencies, seek specific policy changes that would benefit specific projects, and position projects for earmark funding that may be available in the near future. The City should identify, complete and advocate for priority consideration in grant funding applications, which includes securing congressional letters of support.

**Action:** Advocate maintaining funding for priority federal agency programs including:

- Department of Justice Programs, specifically the Community Oriented Policing Services (COPS), Office of Violence Against Women and Edward Byrne Justice Assistance Grant (JAG) programs
- BUILD Grants, Highway Funding and Transit Funding
- Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME) and Emergency Solutions Grant (ESG) programs
- Assistance to Firefighter Grants (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER)

**Action:** Support innovative federal financing programs:

- Water Infrastructure Financing Innovation Act (WIFIA)
- Transportation Infrastructure and Innovation Act (TIFIA)

Action: Establish a priority project list for consideration in grant applications and future potential earmarks:

- Public Safety: Gunshot detection software, interoperability, prevention and intervention
  - Increased Gunshot detection software deployment throughout the City
  - Radio Interoperability
  - Prevention and Intervention programs
- Transportation and Infrastructure:
  - Miner Avenue Streetscape Improvements
  - Wastewater Facility Upgrade Projects
  - Wastewater Facility Flood Protection Projects
  - Lower Sacramento Road improvements
  - North Stockton I-5 interchanges and widening
  - Highway 99 – 8-Mile Road interchange
  - Sanitary Pump Station and Collection System Improvements Downtown
  - Floodplain management infrastructure
- Economic Development
  - Brownfields
  - Waterfront
- Education
  - Broadband internet infrastructure
  - Early childhood and after school programs

Action: Advocate for legislation and federal funding authorizations that benefit the City of Stockton and maximize local tax authority and flexibility

- Support long term transportation and infrastructure authorizations including the reauthorization of the FAST ACT in 2020
- Support full funding for transportation and infrastructure programs with an 80/20 federal to local funding structure
- Increase flexibility for utilizing Public, Education and Government (PEG) Access fee revenues and the maintenance of this program

## **2. Pursue Federal resources for transportation and infrastructure**

Background: The House Transportation and Infrastructure Committee is working on an infrastructure package to be released in the spring of 2019. This package is likely to be comprehensive meaning it could include funding opportunities for surface transportation, transit, water projects, and even broadband, which the City of Stockton should pursue. The City of Stockton needs \$10 million per year to resurface pavement to keep the pavement network in its current condition. The current backlog of unmet repair needs for Stockton's roadway maintenance program for the next five years is a staggering \$177 million and includes overlays, cap seals, slurry seals, micro surfacing, and reconstruction. Additionally, the City of Stockton has a known backlog of curb, gutter and sidewalk that are in need of replacement totaling approximately \$2 million, with our pre-assessment estimate for curb, gutter and sidewalk repair conservatively

projected to be in excess of \$25 million. In addition to maintenance and repair needs, Stockton currently has \$224 million in unfunded transportation infrastructure projects that are fundamental to safety, commerce, and development in our community. Without additional funding sources, these critical projects will be delayed long into the future. The City of Stockton has already documented our need and provided details related to our critical projects to our federal delegation for inclusion in a federal infrastructure package.

**Position:** The City of Stockton should receive an equitable share of infrastructure funding to complete our priority projects. The City of Stockton should receive special consideration for additional funding as a distressed community with acute need for infrastructure. The City of Stockton would leverage federal funding more than an average community with economic development opportunities that would result from our priority projects.

**Action:** Advocate for a federal infrastructure-funding package.

- Advocate for equitable distribution of infrastructure funding
- Advocate when appropriate for direct funding allocations for specific infrastructure projects
- Advocate for an 80/20 federal to local funding structure.

**Action:** Advocate for language allowing NEPA to pre-empt CEQA for new transportation and infrastructure projects in Stockton.

- Consider supporting H.R. 363 REBUILD Act, which seeks to reduce the cost and speed up the construction of infrastructure projects while maintaining strong environmental protections.

### **3. Pursue Federal resources to enhance public safety**

**Background:** The City of Stockton has demonstrated its commitment to the enhancement of public safety through a comprehensive, collaborative community partnership in the Marshall Plan on Crime, and successfully participated in multiple federal programs such as the National Initiative on Police-Community Trust Building. While the City has reduced the overall crime rate significantly, there is room for improvement.

**Position:** The City will continue these positive trends by supporting innovative legislation, regulation, and federal funding programs that help maintain vigorous public safety. The City of Stockton is well positioned to leverage federal funding to implement public safety initiatives.

**Action:** Advocate for legislation that increases local retention of fines and forfeiture dollars:

- Promote flexibility for the City to utilize funds for public safety initiatives

Action: Advocate for federal funding programs and mechanisms to improve local law enforcement and emergency response:

- Promote the retention of D Block as critical to radio interoperability
- Support robust funding for the Department of Justice grant array, including COPS, OJP, and OVW
- Support funding for FEMA disaster relief grants, which aid local governments in emergency response

#### **4. Pursue federal programs which provide assistance and resources to distressed communities**

Background: In 2016, the City of Stockton was named a finalist for Promise Zone designation, and while not selected as a recipient, has received assistance from the Department of Housing and Urban Development as a finalist. The current Administration sought to scale back programs like Promise Zones; however, existing funding allocations and staff commitments suggest opportunities for continued support to the City of Stockton related to this priority.

Position: The City of Stockton merits equitable consideration for Federal assistance as a municipality that has experienced significant distress in recent years. The City of Stockton has undertaken a financial restructuring effort to establish fiscal health and stability. As such, we are in a position to leverage Federal assistance to enhance public safety, economic development and community quality of life. The City of Stockton should be considered as a strong candidate for existing or new Federal assistance programs such as those available through the National Resource Network, the Strong Cities, Strong Communities effort and the Opportunity Zone initiative.

Action: Advocate that the City of Stockton be given consideration in the development, offers for participation and award of Federal assistance programs to local governments.

- Promote programs and federal resources that would support projects consistent with the City's Economic Development Strategic Plan.
- Coordinate with City Departments to facilitate the City's participation in grant and special program applications.
- Secure congressional letters of support for the City's applications.

#### **5. Promote legislation and regulation that preserve local autonomy**

Background: In recent years, the federal government has increased regulations related to water, wastewater, stormwater and other federal oversight functions. Examples include storm water control measures issued by the Environmental Protection Agency (EPA) and changes to the definition of waters of the United States proposed by the EPA and the Army Corps of Engineers (ACOE) and the Federal Communications Commission (FCC) has proposed rules that would benefit cable companies at local expense. These regulations have infringed on local control and could result in significant cost increases

or loss of revenue to municipalities. The Administration is committed to deregulation in some of these areas; however, it is important that the deregulation benefit local government and not only private interests.

Position: The City of Stockton seeks to preserve local autonomy particularly as it relates to water quality regulation.

Action: Advocate for regulations that maintain local control.

- Monitor rulemaking and regulations issued by federal agencies
- Advocate for rulemaking that would ease overly burdensome costs implications for municipalities
- Advocate for water quality objectives that are relevant to our region and for control measures that are feasible in legislation and rule-making functions.

## **2019 Legislative Positions**

1. Protect Local Control
2. Protect local Revenues and Funding for Vital Community Services
3. Public Safety
4. Infrastructure Investment
5. Improve the Quality of Life and Sustainability of the City
6. Delta Protection and Enhancement

### **1. Protect Local Control**

Support efforts that are consistent with the doctrine of "home rule" and the local exercise of police powers, through planning and zoning processes, over local land use.

Oppose legislation that negatively impacts the City Council's authority to manage and control the public right-of-way and for the City to receive compensation for its use.

### **2. Protect local Revenues and Funding for Vital Community Services**

Oppose reductions to federal agency programs that fund local government services, particularly in instances where communities have come to depend on federal funding to maintain services.

Support full reimbursement to cities for all federal mandates.

Support efforts to restore local authority and control over revenues, governance, and service delivery as well as protect local governments against unfunded mandates.

Oppose legislation that would negatively impact the City's ability to issue municipal bonds, including elimination of the tax-exempt status for municipal bonds.

Oppose legislation that would eliminate or limit existing local taxing authority including Internet sales tax collection and broadband internet taxes; support legislation that would protect local control of taxing authority and revenue collection.

Support legislation that would allow local discretion in expending PEG Access fee revenues; advocate in particular for legislation that identifies programming and operating costs as allowable expenditures.

### **3. Public Safety**

Support funding for local law enforcement equipment, services, or personnel.

Support legislation that allows use of federal public safety grants for intervention and prevention efforts to curb gang crime and youth violence.

Support legislation that would provide cities with a greater share of fines and forfeitures.

Support legislation that allows law enforcement to better combat gun violence through investigation, interdiction, and prevention of firearm related crimes.

Support legislation that allows use of federal public safety grants for maintenance efforts in addition to service increases.

Ensure local discretion in the adoption and implementation of health and safety standards contained in the building and fire codes.

Support funding for local emergency operations including equipment, services, and personnel.

#### **4. Infrastructure Investment**

Advocate for federal funding for transportation and other infrastructure that support City projects and City programs including projects adopted in the Capital Improvement Plan (CIP).

Support increased funding to enhance existing public transportation programs.

Advocate for federal funding for street, road, and alleyway repair within the City of Stockton.

Advocate that fundamental responsibility for transportation decision-making should be at the local level.

Oppose any federal reductions to existing transportation grants and programs.

Oppose legislation that limits and/or decreases the existing amount of retention proceeds withheld from any payment by a public entity to a contractor on a public project.

Advocate for trails and landscape grants consistent with the Waterfront Connections Plan that calls for further landscape, streetscape and public access improvements to the Stockton Deep Water Channel.

Advocate for legislation that establishes a new, long term and secure transportation bill as opposed to continued short-term extensions of MAP-21.

Advocate for legislative and federal funding in support of the Transportation Alternatives Programs.

Advocate for streamlining and greater efficiencies related to environmental restrictions and obstacles on major federally funded projects. Advocate for revisions to the transportation funding process to waive NEPA requirements in deference to State of California CEQA requirements.

Support executive actions or legislation that streamlines federal transportation and other infrastructure funding processes or the federal stimulus funding process, if applicable. Advocate to our delegation for legislative adjustments that would streamline the transportation and other infrastructure funding processes.

Support legislation or executive rule making that balances scarcity of local infrastructure resources, scope of street resurfacing projects and the City's commitment to enhancing accessibility of City infrastructure. Advocate for revisions to ADA rules requiring extensive accessibility modifications on street resurfacing projects without capacity improvements or geometric changes.

Support legislation and executive programs providing funding or tax credits for broadband Internet infrastructure to public facilities

Support legislation or executive programs that provide local communities with low-cost loans to build networks of sidewalks, bikes lanes and paths.

Support federal funding for parks and recreation infrastructure in metropolitan areas, including appropriate revisions to the Land and Water Conservation Fund that would provide for a larger allocation of state and local grants for recreation and conservation.

Support legislation and regulation that respond to recurring drought conditions and earthquake preparedness and provide increased opportunity for water conservation, storage, watershed planning, and water infrastructure improvement.

## **5. Improve the Quality of Life and Sustainability of the City**

Support efforts that impact the City's ability to enhance the well-being, quality of life, health, and safety of residents; stabilize and enhance jobs and economic growth; and improve the environment.

Support legislation and funding that is consistent with the City's Economic Development Strategic Plan.

Support legislation that provides financial support and incentives for programs that provide affordable housing for disabled and low-income residents, families, and senior adults.

Support legislation that protects and maintains existing affordable housing opportunities for disabled and low-income residents, families, and senior adults.

Support legislation which addresses the health, welfare, and economic needs of older individuals.

Support federal funding of programs providing nutrition for children, older individuals and other at-risk populations.



Support legislation or executive programs that strengthen and expand environmental education and encourage partnerships between school districts, parks and other community based organizations in an effort to help children and families be more physically active outdoors.

Oppose legislation that has a negative impact on park and recreation agencies including the sale of parks and open space.

Support legislation and funding for energy-efficiency and water conservation projects and programs for public buildings and facilities.

Support legislation providing funding for the acquisition and restoration of wildlife habitat.

Encourage the use of water conservation techniques.

Support the enactment of policies and funding opportunities to assist agencies in meeting sustainability objectives including energy and water efficiencies, non-motorized trail development and connectivity, and carbon sequestration through natural environment management, protection and enhancement.

## **6. Delta Protection and Enhancement**

Support legislation providing funding and other means for delta stewardship.

Oppose legislation or governance that attempts to supercede adopted planning documents or projects that have already been approved through the appropriate processes.

Oppose the construction of a Peripheral Canal or other isolated water conveyance facility in the Sacramento-San Joaquin Delta.

Support legislation protecting existing water supply.

Support legislation that provides a mechanism to fund the construction, operations, maintenance, and administration of storm water programs and projects that improve quality, minimize runoff, maximize infiltration and beneficial uses, maximize flooding protection, and minimizes negative environmental impacts. Oppose legislation or regulation that imposes excessive costs on local governments to achieve storm water and other Clean Water Act objectives.

Support efforts that clarify the definition of the Primary Zone for the Delta as related to waterways. Advocate for the position that geographic sections of waterways can have distinct zone designations, specifically that portions of the San Joaquin River located in the Secondary Zone can maintain the classification of Secondary Zone. Currently the discharge area of the San Joaquin River for the Regional Wastewater Control Facility

(RWCF) is located in the Secondary Zone, but by interpretation the State of California designates the entire San Joaquin River as the Primary Zone because portions of the river are located in the Primary Zone.

Oppose changes to the Bay Delta Conservation Plan that would alter operations of the Delta Cross Channel in a way that would negatively affect water quality at the Delta Water Supply Project (DWSP) intake or at the discharge location for the RWCF.

Oppose additional mandated storm water pollution prevention measures that are not accompanied by funding or a mechanism to provide for funding.

Support legislation creating sustainable funding sources to assist local governments with obligations under federal storm water regulations.

Support legislation and regulations that encourage and recognize public and private investment in flood control and floodplain management. The City of Stockton has a long history of ensuring adequate flood protection and seeks to ensure that responsible development can continue once an area has been protected from flooding.