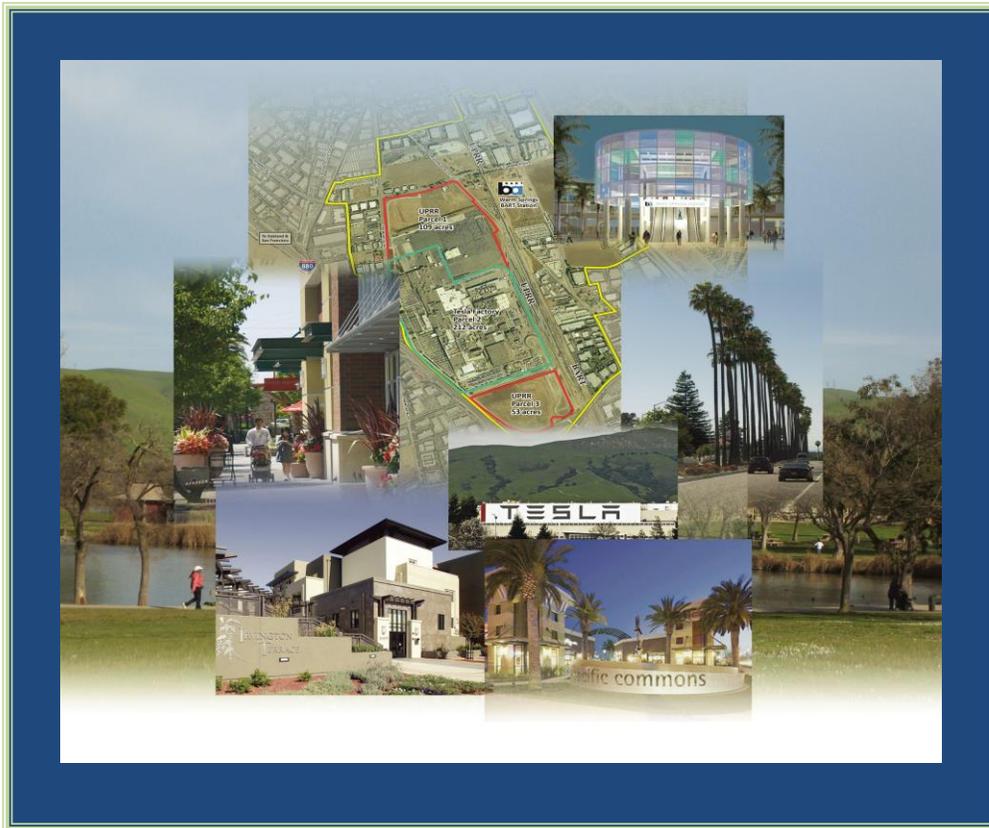

Legislative Guiding Principles and Priorities 2021



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 2021, the Council identified four top priority areas for the City in 2020-21. Those priority areas include 1) Budget, financial health, increase the tax base, 2) Continue response to COVID-19, 3) Continue to address homelessness, and 4) Neighborhood improvement.

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

***COVID-19 Response**

The City supports legislation and advocacy efforts aiming to secure direct and flexible funding and resources for cities of all sizes so they can continue to protect residents from the pandemic, deliver essential services, support small businesses, and lead the recovery in our communities. Improve communication and coordination with regional, state, and federal governments on public health orders and programs to stimulate equitable economic recovery.

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 and addressing the quality of life of our residents.

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.

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.

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.

***Prevent, Reduce and Eliminate Homelessness**

The City recognizes and values the importance of all residents having stable housing, access to jobs, ability to earn an income, and access to essential services. The City supports efforts and

legislation that seeks to alleviate the State's large homelessness problem via funding and programmatic assistance to cities and counties.

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, State and County funding for key efforts and activities, and actively seeks to retain any such funding previously allocated for those purposes.

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 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; eliminate greenhouse gas emissions; expand sustainable energy policies; improve community adaptation and resiliency to climate change; and are consistent with the City's Climate Action Plan.

***Pursue efforts to Improve state-local coordination and planning to strengthen community disaster preparedness, resiliency, and recovery.**

The City supports legislation and policies that provide additional resources and support to mitigate the effects of climate change, sea level rise, catastrophic wildfires, and flooding in our communities. Promote community disaster preparedness, resiliency, and recovery in collaboration with the state and federal governments. Increase availability and access to the National Flood Insurance Program to include other natural disasters.

2021 Legislative Priorities

COVID-19 Response and Recovery

***COVID-19 Local Government Recovery:** Support federal and State efforts to secure direct and flexible funding to support critical funding for local services for all cities and for COVID-19-related expenditures.

***COVID-19 Health Safety:** Support federal and State efforts and legislation that continue to fund a sufficient supply of a PPE, COVID-19 Testing, and access to the vaccine for community members and businesses.

***Small Business Recovery:** Support federal and State legislation and programs that allocate funding and assistance in small business and property relief and recovery through grant and direct funding.

***Workforce Development Recovery:** Support federal and State policies and programs that assist with funding to launch programs to match displaced workers with jobs and training.

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, including the creation of middle-wage jobs in industries that have become increasingly hard to come by in our region.

New Business Attraction: Support incentive programs and initiatives 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.

***Maintain CA's Competitiveness in Strategic Industries:** Support programs and initiatives that can accelerate growth and maintain competitiveness in California's biomedical and cleantech industries, which are each poised to generate a wave of economic growth and good jobs for the Bay Area and throughout California while providing innovative products that solve some of our biggest challenges

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: H-1B visas, Deferred Action for Childhood Arrivals (DACA) program and the DREAM Act, and the continuation of the EB-5 Program. The City opposes 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.

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 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

***Traffic Safety and Safe Speeds (Vision Zero):** Support legislation that enables cities to better manage unsafe traffic speeds which are directly associated with most fatal and severe injury crashes. Key legislative actions include: 1) allowing automated speed enforcement technology (“speed cameras”), and 2) allowing local control for setting safer speed limits, rather than having it determined by prevailing speeds (the 85% rule).

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.

Long Term Federal Transportation Authorization and Funding: Support adoption of a long-term federal transportation authorization that provides a stable and reliable funding stream for transportation. Federal gas taxes for transportation have not changed since 1993.

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.

***Electric Vehicles and Infrastructure:** Support legislation that accelerates the transition to electric vehicles, including the City’s fleet vehicles.

Public Safety

Public Safety: Support legislation that would require or greatly encourage those convicted of drug possession to enter drug treatment programs. Support legislation and funding that enhances non-sworn field response capability to those experiencing homelessness and/ or mental health crisis. Oppose legislation limiting the use of less-than-lethal tools to assist in mitigation of violent riots, sideshows or criminal caravans.

Safe Schools: Support legislation that provides funding for school safety programs, including School Resource Officers (SRO's), Safe Routes to School, Out-of- School Time Programs, 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 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). Oppose legislation limiting the use or storage of automated license plate reader data.

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.

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

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.
- Before and After School Programs that support the health, wellness and stability of families.
- 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: Support funding for family economic self-sufficiency programs, such as 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 also supports funding for programs that integrate or “bundle” financial and workforce development services, creating effective pathways to economic opportunity for lower income families.

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, families, and 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 and State funding that allows local jurisdictions to implement localized approaches meant to reduce and prevent homelessness, including housing navigation centers, safe parking programs, and acquisition of underutilized hotels.

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, shifting of 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 health for all ages. The City also supports any funding that is allocated for providing services to homeless individuals with mental illness.

*** Justice, Diversity, Equity and Inclusion:** Support legislation and funding for local government to promote and develop further justice, diversity, equity and inclusion training and policy.

Nutrition and Wellness: Oppose any cuts to the CalFresh Program and 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.

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

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

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 and state government in meeting or exceeding local or state established goals of reducing global warming pollution levels, provided that cities maintain autonomy and discretion over whether to implement, including reducing dependence on fossil fuels, developing alternative energy resources and developing fuel-efficient technologies.

***Homelessness Impacts:** Support legislation, policies, and program funding that assist local governments in mitigating the environmental impacts of unhoused populations in their community. Mitigation measures could include providing funding for sanitation services, debris management and other efforts designed to reduce discharges for these local sites.

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 to address litter control and abatement problems in California.

Recycling: Support legislation and program funding that supports current State waste diversion requirements and goals, as well as 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: The City supports 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 Mobile and Stationary Sources: Support growth in the use of zero-emission mobile and stationary end uses and designate revenues generated from greenhouse gas-related fees or taxes to local or municipal government entities; support efforts that accelerate the transition to zero emissions among passenger and fleet vehicles as well as stationary sources including space heating, water heating, cooking, industrial processing, and backup power; ensuring sufficient and dedicated zero emissions vehicle incentive programs, especially service disadvantaged communities and low income Californians.

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 without preempting local planning decisions.

Energy Efficiency: Support legislation that assists regional and local governments in development and implementing energy efficiency and conservation strategies and ensure that local governments can continue, and not be preempted in, their efforts to achieve economic improvements through increased energy efficiency and conservation plans that seek to decrease carbon emissions.

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, transportation improvements, building improvements, 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.

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.

***Development Impact Fees:** Oppose legislation that would set a cap on justifiable development impact fees used to fund infrastructure needed to serve new development.

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.

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 or federal governments.

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 2020/21
