

# 2016 Legislative Priorities



## LEGISLATIVE PRIORITIES PURPOSE STATEMENT

The 2016 Legislative Priorities provides a framework for the City of Indian Wells' Legislative activities. The City's Legislative Priorities serves as a reference guide for legislative positions and objectives that provide direction for the City Council and Staff as they conduct their business throughout the year. The Legislative Priorities sets forth the City's position on a variety of topics to be used as the foundation of a focused advocacy strategy.

## LEGISLATIVE PROGRAM

The primary objective of the Legislative Priorities is for the City Council to adopt official City positions on legislative issues. By doing this, the City's participation in the legislative process is streamlined because the City's position on pertinent legislative issues is known providing guidance to City Council Members and Staff.

The Legislative Priorities is developed and maintained using the goals and objectives of the City Council, a review of legislative priorities from the League of California Cities, League's Riverside County Division, input from City Council and Staff, research of current law and pending legislation, as well as, discussions with local legislative staff and the City's legislative advocates.

Federal and State legislative proposals and policies consistent with the Legislative Priorities may be supported by the City. Those policies or proposals inconsistent with this agenda may be opposed by the City.

For proposed legislation, either consistent with the City's Legislative Priorities or consistent with legislative positions the City has taken in the past; City staff shall be authorized to prepare position letters for the Mayor or Council Member signature. Items not addressed in the City's Legislative Priorities may require further Council direction. 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 social or international issues.



City departments are encouraged to monitor and be knowledgeable of any legislative issues related to their discipline. However, any requests for the City to take positions on a legislative matter must be directed to the City Manager's Office. City departments may not take positions on legislative issues without City Manager's Office review and approval.

## **PROGRAM GOALS AND STRATEGIES/ACTIONS**

The Legislative Program Goals and Strategies/Actions are outlined below.

### **Program Goals:**

- Advocate the City's legislative interests at the Federal, State and County levels.
- Inform and provide information to our Legislators, City Council, and Staff on the legislative process and key issues and legislation that could have a potential impact on the City.
- Serve as an active participant with other local governments, the League of California Cities, regional agencies such as CVAG, SCAG, RCTC, SunLine Transit, and local professional organizations on legislative/regulatory issues that are important to the City and our Region.
- Seek grant and funding assistance for City projects, services, and programs to enhance services for our community.

### **Strategies/Actions:**

- I. Communicate legislative positions on proposed Federal, State, and County legislation, measures, initiatives, and governmental regulations.
  - Work with City departments and our legislative advocates to develop positions on proposed Federal and State legislative measures.
  - Review the positions and analysis done by the League of California Cities, our legislative advocates' feedback, and other local government/professional associations in formulating the City's positions.
  - Take positions only on proposals that clearly impact our City or are a threat to local control.
  - Actively track key bills through the legislative process, utilizing the City's advocacy services, various Legislative websites, and government/professional associations.
  - Communicate the City's position to our Federal, State, and County Legislators, bill author(s), committees, and Legislature, through correspondence, testimony, and in-person meetings.
  - Work cooperatively with other Cities, associations, and the League of California Cities on advocating the City's legislative positions.



- As necessary, participate in the drafting and amending of proposed Federal and State measures that have the potential to significantly impact the City.
  - Meet with Legislators and their representatives, as well as other Federal, State and County government officials on a regular basis, to discuss local government issues, proposed legislation, requests for funding assistance, and City programs and services.
- II.** Seek Federal, State, and County funding through earmarks, grants, and other discretionary funding for City projects, services, and programs.
- Identify City projects for potential submittal for Federal earmark consideration.
  - Develop a submittal packet for Legislators that provides information and need for the projects.
  - Provide information to City departments on potential grant funding opportunities and recognition programs.
  - Make available the ability for Staff to obtain professional help to draft and pursue grants on an as needed basis.
  - Advocate and request letters of support for City projects and grant applications or other resources that are being considered for Federal, State, and County funding.
- III.** Work closely with the League of California Cities, our legislative advocates, and other cities and organizations in advocating for City’s Federal, State, and County legislative interests.
- ❖ Actively participate in the League of California Cities’ Riverside County Division activities.
  - ❖ Participate in League of California Cities, including active involvement in League Policy Committees and other organization briefings and activities in order to stay updated on trends, upcoming initiatives, and pending legislation.
  - ❖ Support the League of California Cities Multi-Year Strategic Initiatives and Advocacy Strategies.
  - ❖ Interact with other cities on issues of mutual concern or impact.
  - ❖ Interact with regional groups that are involved with legislative programs (e.g., CVAG, CVWD, SCAG, etc.)
  - ❖ Review requests from other governmental and regional organizations to consider supporting their legislative positions and/or funding requests.



**IV. Share information with the City Council, City Staff, and the community on legislative issues.**

- Work closely with department heads and staff to determine their legislative priorities and funding needs for the upcoming legislative session.
- Provide updates on legislative issues to the Council and departments throughout the year.
- Educate and involve the community in the City's advocacy efforts on legislative issues and State/Federal funding requests.
- Subscribe to periodicals that allow Staff to be informed about the legislative issues.

## **League of California Cities**

The League of California Cities board of directors adopted the following strategic goals for 2016:

1. **Increase Funding for Critical Transportation and Water infrastructure.** Provide additional state and federal financial assistance and new local financing tools to help meet the critical transportation (streets, bridges, active transportation and transit) and water (supply, sewer, storm water, flood control, etc.) infrastructure maintenance and construction needs throughout California's cities.
2. **Improve Housing Affordability.** Increase state and federal financial support, reduce regulatory barriers, and provide additional incentives and local financial tools to address chronic homelessness and improve housing affordability and availability in cities throughout the state.
3. **Update the Local Government Tax Structure to Respond to the New Economy and Stimulate Economic Growth.** Consistent with existing constitutional protections for property, sales and local taxes, develop and enact reforms to the local government tax structure to respond to the growth in e-commerce, the shift from the consumption of goods to the consumption of services, changing patterns of commerce and innovations in technology



# 2016 LEGISLATIVE PRIORITIES

The City of Indian Wells strongly promotes local control and home rule for cities and will support or oppose legislation and proposed constitutional amendments based on whether they advance maximum local control by city governments over city revenues, land use, community development and other municipal activities.

## STATE

### ADMINISTRATIVE AND EMPLOYMENT RELATED

#### Support:

- Efforts to enact workers' compensation reforms that lower employers' costs while still protecting workers.
- Local government efforts to establish succession planning and mentoring programs.
- Reasonable limitations on tort liability, including tort immunities for public entities for unauthorized use of public property.
- Limitations on the joint and separate liability of governmental agencies to a liability equal to their percentage of their wrongdoing.
- **Efforts to stabilize California Public Employee's Retirement System employer rates.**

#### Oppose:

- Legislation or regulations that would unreasonably increase employer medical costs for workers' compensation.
- Legislation which would increase employer liability for unemployment compensation, or which would reduce local discretion to manage this risk.
- Legislative efforts to impose binding arbitration that would remove local government authority on matters of local interest. Specifically, support all legislative and legal efforts to overturn any legislation that implements binding arbitration on local government.



## COMMUNITY AND HUMAN SERVICES

### Support:

- Funding for a comprehensive approach to expanding and enhancing arts programs in the community.
- Legislation that provides incentives or grant opportunities for community improvements.
- Legislation that provides funding for transportation services, especially for those homebound and elderly.
- Legislation that provides funding and resources for local governments to implement Healthy Cities programs and policies aimed at reducing obesity, high rates of diabetes, heart disease, and other health conditions.
- Legislative efforts to increase opportunities for community-wide citizen volunteer programs.

## ENVIRONMENT

### Support:

- Support and encourage legislation to address the revitalization and restoration of the Salton Sea.
- Legislation that provides resources and funding to local governments for the implementation of climate action plan for the reduction in greenhouse gas (GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities.
- Streamlined environmental processing for federal regulatory permits issued by various state and federal agencies for the purpose of expediting public infrastructure developments.
- Legislation to provide changes to AB 939 that will streamline its provisions and assist in compliance, placing more emphasis on implementation of waste diversion programs and less on strict mathematical accounting.
- Financial incentives for water reuse and legislation that encourages the treatment of municipal wastewater for non-potable reuse and promote the development of reasonable regulations to encourage and maximize the responsible use of reclaimed water as an alternative to California's fresh water supply.
- Efforts to streamline and improve the CEQA process.
- **Support and encourage legislation for critical water infrastructure maintenance and construction projects and local financing tools.**

**Oppose:**

- Legislation that imposes undue hardship on local agencies to implement environmental regulations.
- Air quality legislation that restricts the land use authority of cities.
- **Legislation seeking to circumvent local government’s ability to regulate, approve and/or deny “green technology” projects.**

## HOUSING, LAND USE PLANNING AND COMMUNITY DEVELOPMENT

**Support:**

- Legislation that strengthens the concept of local control/local home rule for local decision making on land use and zoning matters.
- Legislation that preserves municipal authority over the public right-of-way including fair and reasonable compensation for use of the right-of-way.
- Legislation that expands community and economic development tools and funding options for City services.
- Legislation that enhances the City’s ability to promote economic development and job creation.
- Efforts that increase the City’s ability to reasonably oversee the location of community care facilities.
- Legislation that provides funding for the identification, acquisition, maintenance and restoration of historic sites and structures.
- **Legislation that provides clarification and improvements to the Redevelopment Dissolution process.**

**Oppose:**

- Legislation that imposes a mandatory cap on local parking standards in transit intensive areas.
- Efforts by any regulatory commission from promulgating rules and regulations that infringe on local land use decisions and management of the public right-of-way.
- Additional affordable housing production mandates without necessary funding to support said housing mandate.
- **Legislation that prohibits local government’s ability to prohibit and/or regulate the act of sleeping in an unlawful location (i.e. vehicle).**

## PUBLIC SAFETY

### Support:

- Efforts to secure Federal funding sources for Dignitary (Presidential) visits
- Efforts to maintain permanent, sufficient Public Safety Realignment funding and establish an equitable county allocation formula in order for local governments to adequately manage the shifting of inmates from state prisons to local jails.
- Efforts to increase frontline public safety funding for cities to address increases in crime as a result of Public Safety Realignment and the early release of prisoners.
- Legislative “fixes” to AB 109, the 2011 Corrections Realignment, in order to minimize its impacts on public safety.
- Efforts to equally allocate State Local Assistance Funding approved by voters with Proposition 30 to all city police departments, including cities that contract for police services.
- Legislation that provides funding support for disaster preparedness, earthquake preparedness, Homeland Security, hazardous material response, State COPS program, booking fee reimbursement and other local law enforcement activities.
- Efforts that strengthen local law enforcement’s ability to prevent and fight crime.
- Legislation that minimizes alcohol-related criminal behavior and underage drinking.
- Legislation and funding for Elder Abuse and Identity Theft (especially as it relates to the elder population) programs.
- Legislation that limits the placement of sex offender and parolee homes within the City limits.
- Statewide efforts to coordinate disaster preparedness programs in local jurisdictions and support guidelines to identify the strengths and weaknesses of local preparedness efforts.
- Programs that enhance the benefits of mutual aid agreements between local governments.
- Increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.
- Additional funding in order for local agencies to recoup the costs associated with fire safety in the community.
- Legislation which increases home rule in adopting Fire and Life Safety Codes.
- Efforts which strengthen local fire and life safety services.
- Legislation that provides resources and funding opportunities related to wildfire prevention and wildfire response.
- Regional efforts to improve interoperability of voice and data communications equipment.

- Legislation that provides local law enforcement agencies authority to recover any costs associated with complying with any federal, state or court-ordered licensing, registration and testing requirements.
- Efforts to promote and fund programs to combat pet overpopulation, increase pet adoptions and spay/neuter programs and educate citizens on the dangers and nuisance of roaming, uncontrolled animals and other animal control issues that risk public health and safety and quality of life.

**Oppose:**

- Legislation that alters distribution of revenues from traffic and parking violations, resulting in lower revenue for local governments.
- Legislation that would impede local law enforcement from addressing crime problems and recovering costs resulting from a crime committed by the guilty party.
- Legislation that restricts local authority jurisdiction over the enforcement of fire and life safety regulations.
- **Legislation seeking to require criminal conviction for drug asset forfeiture.**

## REVENUE AND TAXATION

**Support:**

- Efforts to protect local government revenue sources and the provisions of Proposition 1A. Support legislation/initiatives that ensure that all local funding sources remain a dedicated revenue source for local governments.
- Full cost reimbursement to the City for all federal, state and county-mandated programs.

**Oppose:**

- Any legislation that would make local agencies more dependent on the State for financial stability and policy direction.
- Legislation that would impose State mandated costs for which there is no guarantee of local reimbursement or offsetting benefits.
- Any legislation that would pre-empt or reduce local discretion over locally-imposed taxes.
- Legislative and administrative efforts by online travel companies to circumvent remittance of transient occupancy taxes to local governments from hotel reservations purchased using the internet.
- Legislation that removes the municipal bond tax exemption.

## TRANSPORTATION, UTILITIES AND PUBLIC WORKS

### Support:

- Legislation or policy that provides funding to local governments for local transportation and water, sewer and storm sewer system projects.
- Legislation that provides funding and resources for alternative fuel vehicles for replacement of municipal fleet equipment.
- Efforts to provide adequate charging station infrastructure for emerging electric vehicle technology.
- Legislation that provides funding and resources for retrofitting municipal buildings to increase energy efficiency.
- Efforts for continuing and increasing funding sources for street maintenance projects and transportation improvements.
- Legislation that would lift the minimum requirement of payment of prevailing wages on municipal Public Works projects.
- Legislation that improves the availability of renewable energy and increases energy efficiency programs.
- Legislation that provides clarification and improvements to Infrastructure Financing District (IFD) Law that will enable local agencies to use this tool for a variety of infrastructure financing needs
- Legislation from the PUC that increases the access and reliability of the service and reduces overall cost to the end users.
- **Efforts to secure state and federal financial assistance for transportation infrastructure maintenance and construction needs, including local roads and bridges.**
- **Efforts to provide passenger rail service between Los Angeles and the Coachella Valley.**

### Oppose:

- Efforts to redirect, eliminate, or reduce amount of Highway User Tax Account (HUTA) that cities receive for street maintenance and improvements.
- Any legislation that diminishes or does not assure local franchise fees for all utilities' use of City right-of-way.
- Legislation that seeks to lessen the City's ability to enforce contractual language agreed to and contained within existing franchise documents.
- Legislation that places the burden and liability of replacing all sidewalks solely on cities.

## FEDERAL

### Support:

- Support and encourage legislation to address the revitalization and restoration of the Salton Sea.
- The continued reauthorization of MAP-21 surface transportation bill in order to provide ongoing critical funding for highways, highway safety and public transportation.
- Efforts to reinstate funding for Safe Routes to Schools programs.
- Continued federal investment in resources critical to enabling local law enforcement to adequately provide public safety services, including full funding for Byrne/JAG and COPS programs.
- Streamlined environmental processing for federal regulatory permits issued by the US Army Corp of Engineers, US Fish & Wildlife Service, Federal Highway Administration and various other state and federal agencies for the purpose of expediting public infrastructure projects.
- Continued funding for the Energy Efficiency Block Grant Program in order to provide resources directly to local governments for programs that improve energy efficiency, develop and implement energy conservation programs, and promote and develop alternative and renewable energy sources.
- Efforts to streamline or eliminate the Medicare Secondary Payer process.
- Legislation to include consideration of the economic impacts of proposed species listings, as well as, support the delisting of species no longer threatened or endangered.
- Collecting and remitting state and local sales taxes to the state and city in which the purchaser is residing, (e.g., purchases made over the Internet; by mail order; by catalog, etc.).
- Local/regional control and administration of federal programs and strategic placement of federal personnel to ensure expedited decision-making.
- Support legislation to modify inappropriate sections of the Federal Fair Labor Standards Act (FLSA) as it relates to regulating public sector employment

### Oppose:

- Legislative or administrative actions that prohibit or hinder local government's ability to implement Property Assessed Clean Energy (PACE) programs.
- Legislation and the promulgation of rules and regulations that allow any regulatory agency to encroach on, or supersede, local authority, including, but not limited to, the City's right to franchise for the right to operate in the public right-of-way.
- Funding cuts to Community Development Block Grant (CDBG), HOME program and Section 8 Housing funds. Advocate for a more streamlined application process and for greater flexibility of local appropriation and use of monies.

