



# City of Merced

## 2020-21 Regional, State and Federal Legislative Platform

### Platform Overview

The purpose of the Legislative Platform is to provide a means for summarizing the City of Merced's core legislative principles for the purpose of advocacy efforts at the regional, state and Federal level. The Legislative Platform contains broad policy statements pertaining to a variety of issues that impact the City of Merced.

The Legislative Platform sets forth the City of Merced's legislative objectives for the 2018-19 Congressional and State Legislative Sessions and provides direction for our legislative advocates as they work to secure clear and strategic initiatives in Sacramento and Washington, D.C. Approval of the Legislative Platform also streamlines the City of Merced's process and allows the Executive team, Mayor and Mayor Pro Tem to effectively respond and take immediate action on pressing legislation under City Council direction.

The City Manager's Office will annually update the Legislative Platform taking into account new issues or priorities and State and Federal budget as they relate to Merced or other regional partners. Additionally, the policies established within the platform do not preclude City Council consideration of additional legislative matters arising throughout the year that may be brought forward for City Council action.

The City of Merced's primary legislative focus includes protecting local government control, maintaining local government revenue, and obtaining funding for environmental sustainability, public safety, transportation, recreational, technology and infrastructure improvements.

Council will receive copies of correspondence to representatives and regulators regarding pending legislation, policies and rules, along with updates on any substantial meetings that take place.

The Legislative Platform includes the following guiding principles:

- The City favors legislation that enhances our ability to provide services to our residents;
- The City favors legislation that relieves the local government from rules and regulations with advantages and benefits that exceed the disadvantages to City residents;
- The City favors legislation that provides additional revenue or enables us to seek new or innovative revenue streams;
- The City opposes legislation that limits our self-rule or inhibits the ability of our residents to participate in local government decisions;
- The City opposes legislation that adds new or unjustified rules and regulations with disadvantages that exceed the benefits and advantages to City residents; and
- The City opposes unfunded mandates or any other legislation that adds more costs to City operations that aren't reimbursed, or takes away City funding or revenue streams without replacing the funds.

The Legislative Platform is organized into several broad categories that cover the breadth of the City of Merced's services, operations and assets, and other responsibilities. These categories include:

1. General Government
  - a. Local Control
  - b. Economic Sustainability
  - c. Sustainable Public Pensions
2. Public Safety, Emergency Management and Homeland Security
3. Community Development and Transportation
4. Community Services, Housing and Homelessness
5. Water and Utilities
6. Environmental Sustainability
7. Regional Partnerships

## **1. General Government**

- Oppose additional State and Federal unfunded mandates.
- Oppose any State or Federal mandates without the direct or indirect reimbursement for the costs associated with complying with new and/or modified laws, regulations, policies, procedures, permits and/or programs.
- Oppose legislation that would result in the City and/or its residents to be unduly burdened by new or increased fees, levies, rates, charges or taxes that don't have a direct and measurably benefit to the public.
- Oppose legislation that would require public agencies to share information that could be used by malicious intended groups or individuals to compromise the systems, services or private information of public employees or citizens.
- Support best practices in fiscal sustainability and best practices administrative initiatives to ensure the delivery of superlative City services.
- Monitor initiatives which seek changes in fiscal relationships at the local, State and Federal level.
- Support legislation that guarantees on-going revenue sources for local government.
- Pursue funding opportunities for public facilities and services including capital improvement projects, public works projects, homeland security, public safety, technology, and parks and recreation.
- Support legislation that would prohibit the flying of helicopters or other aircraft at low altitudes over residential neighborhoods excluding police, fire or other public safety or other health and safety or industrial aircraft.
- Support legislation that would establish statewide regulations prohibiting the use of unmanned aircraft to record or transmit any visual or audio recording of any person or private real property in which the subject person or owner of property has a reasonable expectation of privacy, excluding public safety agencies.

### **Local Control**

- Support legislation that enhances local control of resources and allows cities to address the needs of local constituents within a framework of regional cooperation.
- Oppose pre-emption of local authority whether by State or Federal legislation or ballot propositions.

- Support legislation that encourages the use of Federal and State incentives for local government action rather than mandates.
- Oppose legislation that would prevent public comment or review where it is currently allowed, prevents public comments from being used for the basis of regulatory decisions and oppose legislation that removes Council oversight of land use and other regulatory processes.
- Monitor land use issues and support legislative and administrative efforts to maintain the integrity of local government control over land use, planning and zoning matters.
- Support legislation that would preserve local control for regulation of cannabis sales, delivery, distribution, warehousing, growing and testing facilities. Also support preserving the City's right to tax the sales of cannabis products and keep revenues from local taxes, and prevent lowering the consumer protections of Proposition 64 and 215.
- Support measures increasing local autonomy, protecting privacy and maintaining local authority over public records. This includes measures that provide for the recovery of costs with regards to public records requests.
- Support transparent government and the role of the California Public Records Act while simultaneously observing and protecting the current Rule of Law in California including better legislation for the protection of privacy of public records and enhancing laws related to digital records.
- Oppose any legislation that would undermine voter-approved initiatives to guarantee on-going revenue sources for local government.
- Oppose legislation that would pre-empt local authority over local taxes and fees.
- Protect the City's right to levy and collect Transient Occupancy Taxes from hotels, including online hotel intermediaries.
- Oppose any Federal or State legislation that would provide immunity to online hotel intermediaries and/or prohibit the City from collecting, retroactively or otherwise, Transient Occupancy Taxes.
- Oppose any attempt to eliminate or limit the traditional tax exemption for municipal bonds.
- Continue to promote increased flexibility for the utilization of municipally-generated revenues.

- Engage in, and advocate for, legislation or ballot measures to prevent the State from borrowing, raiding or otherwise redirecting local government funds (local taxes, property taxes, etc.).
- 
- Support legislation to enhance local control to define franchise requirements for public, educational, government access (PEG) channels, and oppose defining any franchise requirement as a “in-kind” contribution under a cable franchise agreement.

### **Economic Sustainability**

- Advocate for measures that support the City’s continued efforts to retain and promote the success of local businesses and industries.
- Support tourism and its role in creating jobs and economic benefits to the City.
- Support legislation that would allow local brick-and-mortar retailers to compete more effectively against out-of-state internet sellers.
- Oppose legislation or other measures that would change sales tax distribution processes or prohibit local governments from entering into agreements to share sale tax revenues with distribution companies to help mitigate for health and infrastructure improvements, as well as to guarantee employment and wage levels.
- Support legislative efforts on behalf of the Investing in Opportunity Act that would result in the creation of Economic Opportunity Zones, and, support efforts to have the Governor designate Economic Opportunity Zones in Merced.

### **Sustainable Public Pensions**

- Support League of California Cities and other legislative efforts for reform and to achieve sustainability of pensions and other post-employment benefits (OPEB).
- Oppose legislative efforts that constrain the ability of the California Public Employees’ Retirement System (CalPERS) to effectively manage its investment portfolio or otherwise impair the sustainability of the pension system.

Monitor legislative initiatives designed to achieve public employee pension reform.**2.**

**Public Safety, Emergency Management and Homeland Security**

- Support legislation and seek funding that will assist in preventing and reducing crimes, primarily related to drugs, violence, mental illness, and pedestrian safety.
- Oppose legislation to expand “early release” for low-risk serious and violent offenders without an increase in sustained funding to ensure responsible supervision by parole agents and for local agencies that provide post-release supervision.
- Oppose any efforts to further decriminalize existing crimes in California or lessen the sentences of any offenses that would result in the release of serious criminals who would further threaten the safety of the public and law enforcement personnel.
- Support a more effective and relevant reporting of local public safety agency data, and ensure that any disclosed data be fair and equitable.
- Advocate to maintain peace officer privacy rights in Pitchess motions and Public Record Act requests.
- Advocate against any extension of the statute of limitations in public safety worker’s compensation cases.
- Support strategies, legislation and funding that promote emergency management, resilience and recovery efforts.
- Oppose legislation or other administrative actions that seek to limit the Police Department’s ability to collect and utilize asset forfeiture funds for a wide variety of police services.
- Support legislation that provides frontline funding for police services associated with the early release of state prisoners as a result of State-mandated criminal justice realignment.
- Support the development and use of new firefighting technology that result in higher levels of health and safety.
- Advocate for legislation and funding that would take advantage of current technology to prevent crime (i.e. the ability to use surveillance cameras and automatic license plate recognition technology).
- Support the deployment and research of new emerging technologies that provide law enforcement with tools to provide the highest level of service including:
  - Next Generation 911

- Mobile and Body Worn Cameras
  - New Generation Investigative Technology
  - Collect, store and retain digital evidence
- Support interoperable communication solutions that meet radio spectrum needs of first responders and funding to digitize public safety communications.
- Advocate for Interagency Communications Interoperability System (I.C.I. System) participation among jurisdictions and funding for equipment and operations.
- Support efforts to eradicate human trafficking.
- Support legislation that aids paramedics and other emergency medical service practitioners in their ability to be responsive to community needs.
- Seek grants and pilot project/demonstration project funding for public safety programs and priorities.
- Support funding initiatives for Peace Officers Standards and Training (POST) and other law enforcement support organizations.
- Support and encourage legislation and budget negotiations that retain funding for State and local law enforcement agencies, including behavioral health treatment, drug and trafficking taskforces, crisis intervention teams, and adequate patrol staffing.
- Identify opportunities for reimbursements to supplement increased custodial and supervision costs resulting from prison realignment.
- Oppose legislation with mandates for local agency adherence to operations and programs that may not be reimbursable by State budget funds.
- Support legislation that expands the treatment of, and response to, mentally ill persons and the growing issues associated with the mentally ill.
- Support funding for the increased demand being placed on fire and law enforcement for response to societal issues including homelessness; substance abuse and dependency; and unpredictable and potentially harmful behavior towards the public and public safety officers.
- Support funding opportunities for local homeland security, public safety and emergency management programs including, training, and new technology and equipment (e.g. closed-circuit television) that does not supplant other City funding, services or operations.

- Seek grants and pilot project/demonstration project funding for City homeland security, public safety and emergency management priorities.

### **3. Community Development and Transportation**

- Support legislation to streamline and increase efficiency of the California Environmental Quality Act (CEQA) while ensuring environmental stewardship is retained.
- Oppose legislation that adds more mandatory elements or requirements to City and County General Plans, including the Housing Element, or reduces or eliminates public input into local land use decisions.
- Support legislation that furthers the needs of UC Merced and oppose legislation that would impede its mission to educate students and continue its research mission.
- Support measures and discretionary grant opportunities that provide funding for critical transportation infrastructure projects to improve goods movement, safety and mobility for residents and visitors in and around Merced.
- Support legislation that expands transportation, planning, funding, and voluntary incentives to include an increasingly multi-modal perspective focusing on transit, alternative fuel vehicles and fleets, pedestrian walkways, bikeways, multi-use trails and parking.
- Support legislation that brings the California High-Speed Rail Project to Merced and oppose legislation that impedes its progress. Support strategies, legislation, regulatory efforts and funding that promote the location of the California High Speed Rail Heavy Maintenance Facility and other support facilities in Merced and advocate with the High-Speed Rail Authority on behalf of that location.
- Support legislation that brings the Altamont Commuter Express (ACE) to Merced and oppose legislation that impedes its progress.
- Oppose legislation that would prevent the City from providing regulatory oversight or requiring licensing to online transportation networks.
- Support State and Federal legislation that enhances the safety of City streets for automobile, bicycle and pedestrian traffic, including issues related to photo speed radar enforcement, traffic congestion reduction programs, air quality improvement and regional transportation improvements.
- Support measures which provide the City's fair share of funding from the State's cap and trade funding sources.



- Support legislation that would discourage the misuse of disabled parking placards or parking spaces.
- Work with other agencies in the region to support current State and Federal funding levels and encourage increased funding and flexibility in both operating and capital funding for mass transit.
- In conjunction with Merced Association of Governments (MCAG) and other agencies, support legislation that provides incentives for the development of local transportation corridors.
- Support local, regional, State and Federal legislative, administrative, and regulatory efforts that will expand and/or supplement funding for maintaining and upgrading major thoroughfares in the City, allowing for better traffic flow, goods movement, improved air quality and pedestrian safety.
- Support efforts to increase State or Federal funding for necessary infrastructure improvements.
- Support increased State and Federal resources to mitigate traffic congestion and improve air quality on City streets and rebuild and maintain roads.
- Support legislation and other efforts that would assist the City in the creation and financing of quiet zones and enhancing rail safety.

#### **4. Community Services, Housing and Homelessness**

- Support legislation that provides for increased services to, or funding for, at-risk populations such as adult and aging, homeless, disabled and other challenged populations.
- Continue to support legislation that enhances the health of the general population, with an emphasis on programs that focus on youth, adult, aging and at-risk populations.
- Support legislation that encourages policies and programming that promote healthy lifestyles; e.g. physical activity, preventative screenings, healthful eating and core wellness for people of all ages and abilities.
- Support efforts to increase State resources for local arts, cultural events, and education and library programs, including performing and visual arts programs.
- Support funding for ADA facility, sidewalk and park upgrades.

- Support legislative and administrative efforts that ensure equitable and transparent distribution of funding from Proposition 68 for park, recreation and related purposes.
- Support legislation that addresses the need for housing and supportive services, (e.g. health, mental health and social services) for the City's homeless population.
- Support legislative efforts to regulate second-hand smoke of any substance.
- Support efforts to provide additional services to veterans, especially homeless veterans, ranging from medical care to counseling to education and employment.
- Pursue incentive-based housing legislation to encourage expanding the housing supply in the City, including more flexibility for local jurisdictions to work together to provide housing that counts towards Regional Housing Needs Assessment (RHNA) requirements.
- Support Federal and State funding for affordable senior and veteran housing opportunities and projects.
- Support continued or expanded funding for the Community Development Block Grant (CDBG) Program.
- Oppose Legislation that would usurp local housing processes and community character.
- Support efforts to provide funding mechanisms for developing housing and other related infrastructure, as well as funding for effective housing development and ownership programs.
- Support efforts to provide funding for grant programs that connect housing with employment, recreation, schools, and public services.

Support legislation and other efforts that improve the quality of life for the residents of Merced, including additional funding for arts and cultural activities and events, historic, cultural and artistic preservation, and the potential creation of a Downtown Arts District.

## **5. Environmental Sustainability**

- Advocate for cost-effective, sustainable, and responsible environmental policy and programs in the areas of energy efficiency, greenhouse gases, potable water, clean air, and wastewater, solid waste removal and storm water.
- Support legislation protecting, preserving and restoring the natural environment where it does not conflict with local control and land use designations.
- Support efforts to create partnerships between the City government, County government, School Districts, Water Agencies, other entities, businesses, residents and all other community stakeholders as necessary to achieve a sustainable community.
- Support funding to foster an energy-efficient, walk-able community that provides ample goods, services and benefits to all residents while respecting the local environment.
- Support legislation and other efforts that would provide funding and resources to address the effects of climate change, including water, flood, drought, wildfire, and others.

## **6. Water and Utilities**

- Ensure the State continues to fund the California Department of Transportation (Caltrans) capital construction budget for offsetting their requirements to limit their total maximum daily load (TMDL) for pollutant discharge. Encourage Caltrans to continue to enter into Cooperative Implementation Agreements with local jurisdictions to fund storm water capture and retention projects.
- Ensure the State Water Resources Control Board continues to provide Caltrans a Compliance-Based Credit System that includes compliance based on using funding to support storm water projects that would meet statewide TMDLs.
- Support legislation for funding storm water infrastructure improvements, including building facilities to capture storm water runoff and integrate with local, regional and statewide water resources.
- Support legislation that would provide pragmatic compliance in statewide and regional National Pollution Discharge Elimination System (NPDES) permits.
- Support State and regional efforts to develop avenues for agencies to collect revenue to support storm water retention efforts.
- Support legislation that would classify storm water as a utility similar to water, wastewater and solid waste services.

- Support measures that uphold the ability of locally-elected City Councils to regulate and manage their publicly-owned water utility so that local authority is not eroded by State or Federal agencies, authorities or other regulatory agencies.
- Oppose legislation that adds requirements to provide services that utility customers do not value, want or need.
- Support legislation that ensures local ratemaking authority is preserved and remains meaningful.
- Support policies that recognize, support and credit the role of water conservation and use of efficiency in reducing greenhouse gas emissions.
- Support local control of groundwater uses and groundwater rights.
- Support local control for planning management and use of water supplies to address local needs and contribute to long-term sustainability.
- Support efforts that seek to bring Federal sources of funding to California for water infrastructure development and renewable energy development through water management.
- Support cost-effective water conservation programs and incentives that are funded by the State or Federal government.
- Support flexible funding options that will help local communities upgrade and replace water and wastewater infrastructure.
- Support legislation for State and Federal funding and permitting for the development of local water supplies and water conservation efforts, along with additional surface water and groundwater storage and recharge efforts.
- Support legislative and administrative efforts that ensure equitable and transparent distribution of funding from Propositions 1 and 68, as well as any future bond measures, for water- and wastewater-related projects.

## **7. Regional Partnerships**

- Support legislation in conjunction with Merced County that will result in additional funding, services or programs that will benefit City residents including law enforcement, homeless housing, veterans support, transportation and mental health services, and work with Merced County to oppose legislation or regulations that would cut those services, programs or funding.

- Support legislation working with local educational institutions including the Merced City School District, Weaver Union School District, Merced Union High School District, Merced County Office of Education, Merced College and the University of California, Merced, that will result in additional funding, services or programs that will benefit City residents including job training, STEAM teaching and new and upgraded facilities.
- Support legislation working with the Merced Irrigation District and other water partners that will result in additional funding, services or programs that will benefit City residents, including funding groundwater basin studies and floodwater mitigation measures, or creating additional water storage.
- Support legislation and other efforts that would assist and finance the City's future plans to establish a program to use reclaimed water from the Wastewater Treatment Plant.
- Support legislation working with the Continuum of Care and other agencies to support those who are facing the challenges of homelessness.