

City of Fontana

2012 Legislative Priorities



LEGISLATIVE PRIORITIES PURPOSE STATEMENT

The 2012 Legislative Priorities provides a framework for the City of Fontana's Legislative Program. Adopted annually, the City's Legislative Priorities serves as a reference guide for legislative positions and objectives that provide direction for the City Council and staff throughout the year. The Legislative Priorities is 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 clearly stated legislative issues at the start of the legislative session. By doing this, the legislative approval process is streamlined by receiving clear direction at the beginning of the legislative session from the City Council on legislative issues.

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 Inland Empire 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, state and county legislative proposals and policies consistent with the Legislative Priorities may be supported by the City. These policies or proposals that are 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's 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 international issues.

City departments are encouraged to monitor and be knowledgeable of any legislative issues related to their discipline. However, 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.

Legislative 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 potential impact on the City.
- Serve as an active participant with other local governments, the League of California Cities, regional agencies such as SANBAG, SCAG, SCAQMD, Omnitrans, IEUA, 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.

Legislative Strategies/Actions:

- I. Communicate legislative positions on proposed Federal, State, and County legislation, measures, initiatives and governmental regulations.
 - A. Work with City departments and our legislative advocates to develop positions on proposed Federal and State legislative measures.
 - B. Staff will review the positions and analysis done by the League of California Cities, our legislative advocates' feedback, and other local government/professional associations in formulating our positions.
 - C. The City will take positions only on proposals that clearly impact our City.
 - D. Actively track key bills through the legislative process, utilizing the City's advocacy services, various Legislative web sites, and government/professional associations.
 - E. Communicate the City's position to our Federal, State, and County Legislators, bill authors(s), committees, and Legislature, through correspondence, testimony, and in-person meetings.
 - F. Work cooperatively with other Cities, associations, and the League of California Cities on advocating our legislative positions.
 - G. As necessary, participate in the drafting and amending of proposed Federal and State measures that have the potential to significantly impact the City.
 - H. Meet with Legislators and their representatives, as well as other Federal, State, and County government officials 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.
 - A. Annually identify City projects for potential submittal for Federal earmark consideration. Develop a submittal packet for Legislators that provides information and need for the projects.
 - B. Provide information to City departments on potential grant funding opportunities and recognition programs.
 - C. 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.
 - A. Actively participate in the League of California Cities' Inland Empire Division activities.
 - B. Participate in League of California Activities, 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.
 - C. Interact with other cities on issues of mutual concern or impact.
 - D. Interact with regional groups that are involved with legislative programs (e.g., Chamber of Commerce, SANBAG, CalTrans, SCAG, SCAQMD, etc.)
 - E. Review requests from other governmental and regional organizations to consider supporting their legislative positions.
 - F. Consider letters submitted from professional associations requesting support or opposition on legislative issues that are submitted through City departments.

- IV. Share information with the City Council, City staff, and the community on legislative issues.
 - A. Work closely with department heads and staff to determine their legislative priorities and funding needs for the upcoming legislative session.
 - B. Provide updates on legislative issues to the City Council and departments throughout the year.
 - C. Educate and involve the community in the City's advocacy efforts on legislative issues and State/Federal funding requests.

2012 Legislative Priorities



COUNTY/REGIONAL

- Ensure local City input on all regional land use and planning issues.
- Support joint efforts to develop mutual development standards for unincorporated areas that are binding upon the County and the City.
- Support efforts to increase the amount of transportation funds allocated to local jurisdictions for discretionary projects.
- Pursue funding for projects that improve the quality of life in Fontana.
- Support regional economic development policies that provide for planned economic growth in the City and neighboring communities.
- Pursue funds from economic development programs administered by the County of San Bernardino on behalf of federal and state agencies.
- Oppose unfunded mandates to the City for any new or continuing program/service.
- Support local control over the administration of local programs.
- Ensure that the County's responsibilities for mandated programs are not passed on to the City in the form of undue burdens/financial mandates.
- Support efforts to promote clean air programs in cooperation with the South Coast Air Quality Management District (SCAQMD).



STATE

ADMINISTRATIVE AND EMPLOYMENT RELATED

- Support efforts to enact workers' compensation reforms that lower employers' costs while still protecting workers.
- Oppose legislation or regulations that would unreasonably increase employer medical costs for workers' compensation.
- Oppose legislation which would increase employer liability for unemployment compensation, or which would reduce local discretion to manage this risk.
- Support local government efforts to establish succession planning and mentoring programs.
- Support reasonable limitations on tort liability, including tort immunities for public entities for unauthorized use of public property.
- Support limitations on the joint and separate liability of governmental agencies to a liability equal to their percentage of their wrongdoing.
- Oppose 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 legislation that provides incentives or grant opportunities for community improvements.
- Support legislation that provides funding for transportation services, including for senior citizens.
- Support legislation that provides funding and resources for local governments to implement Healthy Cities programs and policies aimed at reducing obesity, childhood obesity, high rates of diabetes, heart disease and other health conditions.
- Support legislative efforts to increase opportunities for community-wide citizen volunteer programs.
- Support funding for a coordinated and comprehensive approach to address the needs of youth in the community.



ECONOMIC DEVELOPMENT

- Oppose legislation that is deemed by the City to be “anti-business” and/or “job killer”.
- Oppose regulations that impose unwarranted restrictions on local businesses.

ENVIRONMENT

- Oppose legislation that imposes undue hardship on local agencies to implement environmental regulations.
- Support legislation that provides resources and funding to local governments for the implementation of SB 375 - California’s Sustainable Communities Strategy and Climate Protection Act.
- Support streamlined environmental processing for federal regulatory permits issued by Caltrans and various other State and Federal agencies for the purpose of expediting public infrastructure developments.
- Support a statewide action plan for addressing water-related issues including availability, quality, import, export and reclamation.
- Support 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.
- Oppose air quality legislation that restricts the land use authority of cities.
- Oppose the expansion of the state listing of endangered or threatened species without economic impact analyses and valid scientific data.
- Support the delisting of endangered species that have thrived and recovered through effective resource management.

HOUSING, AND LAND USE PLANNING

- Support legislation that strengthens the concept of local control/local home rule for local decision making on land use and zoning matters.
- Support legislation that preserves municipal authority over the public right-of-way including fair and reasonable compensation for use of the right-of-way.
- Support a streamlined right-of-way acquisition process.



- Oppose 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.
- Oppose additional affordable housing production mandates without necessary funding to support said housing mandate.
- Support efforts that increase the City's ability to reasonably oversee the location of community care facilities.
- Support legislation that provides funding for the identification, acquisition, maintenance and restoration of historic sites and structures.

PUBLIC SAFETY

- Support 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.
- Support efforts that strengthen local law enforcement's ability to prevent and fight crime.
- Support legislation that minimizes alcohol-related criminal behavior and underage drinking.
- Oppose legislation that alters distribution of revenues from traffic and parking violations, resulting in lower revenue for local governments.
- Oppose legislation that would impede local law enforcement from addressing crime problems and recovering costs resulting from a crime committed by the guilty party.
- Support legislation that limits the placement of sex offender and parolee homes within the City limits.
- Support statewide efforts to coordinate disaster preparedness programs in local jurisdictions and support guidelines to identify the strengths and weaknesses of local preparedness efforts.
- Support and promote programs that enhance the benefits of mutual aid agreements between local governments.
- Support increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.



- Support additional funding in order for local agencies to recoup the costs associated with fire safety in the community.
- Support legislation which increases home rule in adopting Fire and Life Safety Codes.
- Oppose legislation that restricts local authority jurisdiction over the enforcement of fire and life safety regulations.
- Support efforts which strengthen local fire and life safety services.
- Support legislation that provides resources and funding opportunities related to wildlife prevention and wildlife response.
- Support regional efforts to improve interoperability of voice and data communications equipment.
- Support 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.
- Support 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.

REVENUE AND TAXATION

- Oppose legislation that would make local agencies more dependent on the State for financial stability and policy direction.
- Oppose legislation that would impose State mandated costs for which there is no guarantee of local reimbursement or offsetting benefits.
- 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.
- Continue to work with Legislators to implement new legislation to reinstate the City VLF revenue from newly annexed areas (SB 89).
- Work with State Legislators to modify the City's property tax rate, returning it to pre-ERAF rate levels.



- Oppose any legislation that would pre-empt or reduce local discretion over locally-imposed taxes.
- Support full cost reimbursement to the City for all federal, state and county-mandated programs.
- Oppose new or continuing unfunded mandates to the City.
- Oppose 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.

TRANSPORTATION AND PUBLIC WORKS

- Support legislation or policy that provides funding to local governments for local transportation and water, sewer and storm drain projects.
- Support legislation that provides funding and resources for alternative fuel vehicles for replacement of municipal fleet equipment.
- Support efforts to provide adequate charging station infrastructure for emerging electric vehicle technology.
- Support legislation that provides funding and resources for retrofitting municipal buildings to increase energy efficiency.
- Support efforts for continuing and increasing funding sources for street maintenance projects and transportation improvements.
- Support legislation that would lift the minimum requirement of payment of prevailing wages on municipal Public Works projects.
- Support legislation that promotes the expansion of public parks/recreational facilities, including funding for such expansion.

UTILITIES

- Oppose legislation that diminishes or does not assure local franchise fees for all utilities' use of City right-of-way.
- Support legislation that improves the availability of renewable energy and increases energy efficiency programs.
- Oppose legislation that seeks to lessen the City's ability to enforce contractual language agreed to and contained within existing franchise documents.

FEDERAL



- Pro-actively seek grants and discretionary funding across federal agencies and departments including, but not limited to:
 - Housing and Urban Development - Oppose cuts to Community Development Block Grant (CDBG), HOME program, Emergency Shelter grant funds.
 - Department of Justice – Support Juvenile Justice Assistance Grant (JAG), Byrne Grants, and COPS. Advocate for a more streamlined application process and for greater flexibility of local appropriation and use of monies.
 - Department of Transportation – Support the reauthorization of the SAFETEA-LU surface transportation bill to provide critical funding for highways, highway safety and public transportation.
 - Department of Commerce – Economic Development Administration
 - Agricultural Farm Bill Reauthorization – “Healthy Fontana”
 - Department of Health and Human Services – Affordable Health Care Act (ACA) and “Healthy Fontana”.
 - Department of Energy – Green initiatives
 - Environmental Protection Agency - Perchlorate
- Endangered Species Act - Support 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.
- Support 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.
- Internet Tax - Support collecting and remitting state and local state taxes to the state in which the purchaser is residing (e.g. purchases made over the internet, by mail order, by catalog, etc.). Two current bills: H.R. 2701- Main Street Fairness and S. 1832 – Marketplace Fairness Act.



- Support local/regional control and administration of federal programs and strategic placement of federal personnel to ensure expedited decision-making.
- Oppose 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.
- Support legislation to modify inappropriate sections of the Federal Fair Labor Standards Act (FLSA) as it relates to regulating public sector employees.