



**DATE:** January 22, 2019

**CATEGORY:** New Business

**DEPT.:** City Manager's Office

**TITLE:** **Proposed Federal Legislative  
Priorities and Issues for 2019**

### **RECOMMENDATION**

Approve recommendations for Federal legislative priorities and issues for the annual Council Washington, D.C., trip to the National League of Cities Congressional City Conference (March 10 to March 13, 2019), as outlined in this report and consistent with the National League of Cities and League of California Cities priorities, as well as Council policy.

### **BACKGROUND**

The NLC Congressional City Conference brings together more than 1,000 elected and appointed city leaders to focus on the Federal policy issues that are important to local governments. The NLC is a bipartisan organization dedicated to helping city leaders build better communities. Throughout the year, NLC advocates for cities and towns in Washington, D.C., through full-time lobbying and grassroots campaigns. The Congressional City Conference is an opportunity for city leaders to join NLC's efforts and advocate on behalf of NLC's Federal action priorities, benefiting cities everywhere.

The conference will include sessions, learning opportunities, and an Advocacy Day on Capitol Hill, where local government officials can gather tangible takeaways to bring back home on a variety of topics important to their communities, such as infrastructure, public safety, community resilience, and Federal regulations that make local government officials stronger advocates for their communities. The Advocacy Day on Capitol Hill provides Councilmembers with an opportunity to meet with Members of Congress and their staff to advocate for City priorities and share how decisions made by Congress impact the Mountain View community.

In recent years, the City's advocacy efforts have been focused on the National Aeronautics and Space Administration (NASA) Ames issues and the preservation of important local government programs such as Community Development Block Grant

(CDBG) and HOME Investment Partnerships Program (HOME), and the Edward Byrne Justice Assistance Grant (JAG). Historically, staff has prepared general background material for Council, and the NLC has provided advocacy information in Washington, D.C. In 2015, the Council requested that staff provide a Federal priorities and issues report for review and approval prior to the NLC conference.

To draft this report for 2019, staff has conferred with all departments for input. Meetings will be requested for the Councilmembers who attend, based on the adopted priorities.

## **ANALYSIS**

Staff recommends Council focus on the following Federal issues, which are consistent with the City's existing legislative and Council priorities, when in Washington, D.C.:

- Preserving Federal Funding to Cities
- Supporting Affordable Housing
- Supporting Transportation and Infrastructure Funding
- Supporting NASA Programs, particularly those targeted to Ames
- Promoting Environmental Sustainability
- Protecting Vulnerable Populations
- Supporting FAA Action to Minimize Airplane Noise

After the priorities are adopted, staff will make requests for meetings with relevant Federal officials, such as Congresswoman Anna Eshoo, Secretary of the U.S. Army, NASA, the Department of Transportation (DOT), the Federal Aviation Administration (FAA), and the Department of Housing and Urban Development (HUD), as well as applicable group meetings organized by the NLC and/or League of California Cities (LCC). It should be noted that scheduled meetings with Federal agencies have the potential to conflict with NLC conference sessions and that if the current Federal government shutdown extends beyond January, it might be challenging to set up meetings with senior Trump Administration officials. It should also be noted that meetings are frequently rescheduled and even cancelled, so flexibility will be required.

More detail on these and other issues follows below.

### **Federal Funding Opportunities**

- City staff routinely reviews grant eligibility with City administrative and policy implications and match commitments. The major areas of City interest include housing, transportation, public safety, and environmental sustainability.
- Federally funded projects in the City this fiscal year include the following. Staff recommends the Council advocate for continued/expanded funding for these and similar programs that support local priorities:

<b>Federal Agency</b>	<b>Project/Program Funded or Partially Funded</b>	<b>FY 2018-19 Amount</b>
HUD	CDBG Program	\$536,360
HUD	HOME Program	\$281,994
DOT	Safe Routes to School Education Program VERBS	\$500,000
MTC	Modifications to Castro Street	\$840,000
Surface Transportation Program (STP)	El Camino Real Streetscape Plan	\$260,000
NHTSA	Selective Traffic Enforcement Program (STEP)	\$115,000
FEMA	Severe Winter Storms, Flooding (Stevens Creek Trail)	\$494,000

### **Housing**

- Mountain View is in the epicenter of Silicon Valley, which continues to have some of the highest housing costs in the nation.
- The gap between market rents and affordable rents is happening after California cities have lost one of the main tools for providing affordable housing, redevelopment agencies. While new tools and programs have recently been created at the State level, more is required to address the full need for affordable housing.

- The regional and local housing crisis and increased homelessness are significant issues for Mountain View.
- Since 2011, the CDBG and HOME funding has declined by 14 percent and 25 percent, respectively. Given the cost of housing and the City's goal to maintain the quantity, diversity, and affordability of housing in our community, it is a priority to maintain and ideally expand the two largest Federal block grants received by the City – CDBG and HOME.
- While CDBG and HOME funds can be used for homelessness/homeless prevention, they are not specifically dedicated to homelessness. The City encourages greater funding to those programs targeted for homelessness and homeless prevention, primarily funding for the McKinney-Vento Homeless Assistance grant program and the HUD Veterans Affairs Supportive Housing (VASH) program. The McKinney-Vento Homeless Assistance Grant provides funding through two programs, the Emergency Solutions Grant (ESG) program and the Continuum of Care (CoC).
- Some Mountain View residents are being displaced due to development. Currently, there are no Federal programs that focus on displacement of low-income households. Federal support to provide financial assistance to displaced residents is encouraged.
- The City is implementing several short-term strategies to provide for basic human needs and building longer-term partnerships with Santa Clara County and community-based service providers to assist homeless and unstably housed persons. Many of these efforts are distinctive for a city of our size. Federal support for these or other programs to assist low- and middle-income residents in high-cost areas would be welcome. If Council agrees affordable housing is a priority, staff will develop a more detailed issue paper for Washington and seek a meeting at HUD.

### **Transportation/Infrastructure**

- Mountain View, like all of Silicon Valley and most other metropolitan areas, is faced with severe traffic congestion, which could hinder the economic growth for an area that has been a major economic engine for the State and nation. Significant resources are needed for transportation management, infrastructure maintenance, and mode-shift projects, including mass transit, bicycle/pedestrian mobility improvements, and "last mile" connections for users of public transit.

- The City is continuing to leverage limited local funding to obtain Federal grants to meet and address important transportation needs in our community. Mountain View is seeking support for new, innovative, and transformative approaches to transportation, including the current Automated Guideway Transit project. The current study seeks to connect the highly utilized Mountain View Transit Center and the North Bayshore employment area with an automated transit system operating on a dedicated guideway. Partnerships with Federal funding to State, County, and regional transportation agencies will be crucial for such innovative systems to succeed. The DOT Federal Transit Administration competitive discretionary grants or other grants should provide funds to advance the research and deployment of such systems (also known as Automated Transit Networks, Personal Rapid Transit, and Autonomous Transit) that show promise for the future of transportation in our region and nationally.
- The 2016 FAST Act will expire on September 30, 2020. The City encourages continued Federal support for keeping the FAST Act intact and ensuring funds are appropriated consistent with the FAST authorization levels which support the programs authorized below:
  - Sustain the Federal Surface Transportation Block Grant Program (STBGP)/Congestion Mitigation and Air Quality (CMAQ) funding programs.
  - Sustain the Federal Transit Administration (FTA) Section 5309 Capital Investment Grant program—Core Capacity category of projects. Core Capacity projects are substantial corridor-based capital investments in existing fixed guideway systems that increase capacity by not less than 10 percent in corridors that are at capacity today or will be in five years. Future Core Capacity projects for Caltrain could fund platform modifications, more cars, track improvements, and potentially some grade separation costs.
  - Support FTA’s Strategic Transit Automation Research (STAR) program. This is a five-year program that will conduct research and conduct pilot projects for autonomous transit. The City has an interest in participating in a pilot project and that could serve as a potential funding source and highlight the City’s current Shoreline Bus Lane, North Bayshore transportation policies, and AGT innovative projects.
  - Congress is considering the AVStart bill that would potentially establish national standards for Autonomous Vehicles (AVs), which could override State and local government regulations. The City wants to ensure the bill provides enough safety and regulation provisions for State and local

governments. The City urges Congress to preserve local control and authority of all local traffic enforcement and curb management as part of the AVStart bill.

- In November 2016, Silicon Valley voters approved new transportation funding. However, we still need a reliable partner in Washington to empower our communities to thrive by safely and efficiently moving people and goods around and help to leverage severely needed investments in transportation infrastructure and programs. Significant gaps in funding sources remain for major regional projects that benefit the region and Mountain View directly, including:
  - Rail/Road Grade Separations
  - Mountain View Transit Center
  - Caltrain
  - State Route 85 Transit Corridor

If Council agrees that transportation is a priority, staff will develop a more detailed issue paper for Washington and seek a meeting with DOT.

### **NASA Ames Housing**

- In 2017, NASA Ames issued a Request for Proposals (RFP) for the lease of a 46-acre site with proposals due in February 2018. NASA selected MV Housing LLC, a holding company of Clark Realty. Approximately 1,930 rental housing units will be constructed, with a minimum of 10 percent set aside as affordable housing, together with 100,000 square feet of ancillary commercial space. Employees who currently work at Moffett will have priority of available housing units. A lease was projected to be signed by the end of fall 2018, with a portion of the development preliminarily scheduled to be completed by 2022.

The property is within the Sphere of Influence of the City, but has not been annexed. The property is currently subject to Exclusive Federal jurisdiction, which means the State and its political subdivisions cannot enforce criminal and civil matters. Additionally, under Exclusive Federal jurisdiction, any lease of the property would not be subject to a possessory interest tax (a property tax on otherwise exempt property) to help fund schools and other municipal services. The City has an interest in resolving these and other policy issues as the development progresses. The current status of the development is unknown due

to the Federal government shutdown. Staff will develop an issue paper with an update on this property when more information becomes available.

### **Army Properties**

- The City has a keen interest in two Federal properties in our Sphere of Influence:
  - Shenandoah Housing (Moffett Boulevard and West Middlefield Road) – The Council authorized a Gatekeeper application in 2015 to develop a Precise Plan for this 17-acre property, and annex the property into the City. Council held a Study Session in November 2016 and provided preliminary direction on residential density and heights, public park size, public street improvements, affordable housing targets, and tenant relocation objectives. City work on the Precise Plan has been on hold at the request of the Army while they pursue final approvals for property conveyance. The Army had hoped that the Office of the Secretary of Defense (OSD) would complete their review in September 2018 and advance the property conveyance proposal to the Office of Management and Budget (OMB) for final review and approval. At the writing of this report, the review had not been formally advanced to OMB. The California Military Communities LLC (the public/private partnership between the Army and Clark Realty) selected a broker in summer 2018 and is ready to proceed with marketing the property (for sale or ground lease) once the necessary Federal government approvals are achieved, after which it is expected that City work on the Gatekeeper application would continue once a developer has acquired the property.
  - Orion Park (Moffett Field) – Due to the current Federal government shutdown, staff has been unable to receive status updates on the development of the Orion Park land use developments. Staff will develop an issue paper with an update on this property when more information becomes available.

### **Environmental Sustainability**

- The City encourages Congress to consider introducing legislation for a proposed “Green New Deal” (GND), an economic stimulus program that aims to address both economic inequality and climate change.
- A GND that invests in clean energy and green jobs could have significant environmental and economic benefits. In discussing the role of the Federal government in supporting climate change action at the local level, there is a lot of

focus on the energy sector. However, it is important not to overlook the importance of Federal transportation policy and funding programs. Transportation accounts for the largest share of greenhouse gas emissions not just in the City of Mountain View, but nationally. Increased investment in transit, including supporting electrification of rail and bus systems, is one of the best ways for the Federal government to support effective climate action, especially since these projects have large capital costs and often span jurisdictional boundaries. A GND stimulus program could align with, and support the City's goals of reducing traffic congestion, reducing air pollution, and improving transportation options for residents.

- The current administration has pushed for a rollback of the Corporate Average Fuel Economy (CAFE) program standards for vehicles to prevent increases in required fuel efficiency levels, which would lead to increased air pollution and greenhouse gas emissions. California currently has a waiver from the Environmental Protection Agency (EPA) to have stricter standards than the Federal government and allow other states the ability to use California's standards. However, the current administration has threatened to revoke California's waiver. It is critical for California to have ability to set the stricter standards necessary to reduce air pollution in our communities and reduce the impact on climate change. A CAFE program standard for vehicles aligns with the City's goals to improve environmental and human health for the community.
- Mountain View would support both direct funding and tax incentives to encourage reductions in greenhouse gases.

### **Public Safety**

- The City urges full funding and continued support for the public safety grants such as the JAG Program grants, the Community-Oriented Policing Services (COPS) program, the Staffing for Adequate Fire and Emergency Response (SAFER), and the Bureau of Justice Assistance funding for bulletproof vests (BJA).
- It is a priority to provide support for 9-1-1 service enhancements to improve quality and reliability. The City requests that the needs of public safety continue to be communicated to the Federal Communications Commission.

### **Protecting Vulnerable Populations**

- The City values the diversity of the Mountain View community and supports policies that protect the rights of all residents. The City urges Congress to address

the nation's broken immigration system with a comprehensive approach that not only addresses equitable enforcement but also incorporates bipartisan solutions to address the Deferred Action for Childhood Arrivals (DACA) Program.

- The 2020 Census is instrumental in determining Federal representation and is used to distribute Federal funding to states and local governments. In California, more than 70 Federal programs that benefit our residents use the Census data and population counts as part of their funding formulas, including the Community Development Block Grant Program (CDBG) and other essential programs, and redraw Federal and State legislative district boundaries. The Census Bureau's proposal to include a specific citizenship question on the 2020 Census intensifies immigrant fears and distrust, and discourages historically undercounted communities, specifically communities of color and households with noncitizens, from participating in the census. The City is supportive of legal efforts being waged in Federal courts to ensure a complete and accurate count of the 2020 Federal Census.

### **Other Federal Issues**

#### **Airplane Noise**

- The City urges the Federal Aviation Administration (FAA) to work closely with Congress to be transparent and inclusive when working with the newly created Santa Clara/Santa Cruz Counties Airport/Community Roundtable in developing solutions to mitigate airplane noise in the region. The City also urges the FAA to expeditiously review and implement the recommendations identified by the Ad Hoc Committee on South Flow Arrivals and the recommendations of the Select Committee on South Bay Arrivals.

#### **Federal Support for Libraries and Museums**

- The mission of the Institute of Museum and Library Services (IMLS) is to advance, support, and empower America's museums, libraries, and related organizations through grant-making, research, and policy development.
- The Federal Institute of Museum and Library Services (IMLS), through its Grants to States Program, provides funding for California's libraries from the Federal Library Services and Technology Act (LSTA), administered in California by the State Librarian. The funds are used to provide financial support for service improvements; to facilitate access to, and sharing of, resources and services between libraries and between libraries and partner institutions; and to achieve

economical and effective delivery of services for the purpose of cultivating an educated and informed citizenry.

- The City of Mountain View Public Library receives grant funding from the California State Library and supports Federal funding appropriations for IMLS.

### **Recycled Water**

- The City is a member of the Western Recycled Water Coalition, a collaboration of cities, water and wastewater districts, and investor owned water utilities that are pursuing locally managed projects to help ensure the security of water supplies to the western United States. The Coalition works to secure funding for Coalition member projects. The Coalition previously secured a \$5 million grant for Mountain View and Palo Alto that offset the construction costs of the City's existing recycled water system. Coalition member agencies will be working with their Washington-based consultant, California Senators, Members of Congress, and Congressional committees to seek introduction and support for legislation addressing the following objectives:
  - Supporting the enactment of an infrastructure-funding bill that includes funding for water recycling.
  - Reauthorizing the WIIN (Water Infrastructure Improvements for the Nation) Act water recycling grant program.
  - Reauthorizing the Clean Water State Revolving Fund (a Federal/State partnership that provides communities a permanent, independent source of low-cost financing for a wide range of water quality infrastructure projects).
  - Supporting higher funding levels in Fiscal Year 2020 appropriations for the Clean Water State Revolving Fund, Title XVI traditional and competitive grant programs, and WaterSMART.
  - Supporting the return of earmarks, including earmarks for recycled water projects, in the infrastructure bill and the Fiscal Year 2020 appropriations process.

### **FISCAL IMPACT**

There is no fiscal impact associated with the adoption of these Federal advocacy priorities and issues.

## **CONCLUSION**

Staff recommends approval of the issues raised in this report as Federal-level priorities for advocacy in Washington, D.C. After receiving Council direction, staff will develop a briefing book and try to set up appropriate meetings in Washington, D.C.

## **ALTERNATIVES**

1. Do not approve Federal-level priorities and issues.
2. Modify the Federal-level priorities and issues.
3. Provide other direction on Federal-level priorities and issues.

**PUBLIC NOTICING** – Agenda posting.

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Attachments: 1. [NLC Federal Action Agenda](#)  
2. [LCC 2018 Federal Priorities](#)  
3. [Positions on Ballot Measures and Legislative Advocacy – Council Policy A-16](#)