



| ACTION   | TYPE OF ITEM   |
|--|--|
| <input type="checkbox"/> Approved Recommendation | <input checked="" type="checkbox"/> Info/Consent       |
| <input type="checkbox"/> Ord. No(s) _____        | <input type="checkbox"/> Report                        |
| <input type="checkbox"/> Res. No(s) _____        | <input type="checkbox"/> Public Hearing (Info/consent) |
| <input type="checkbox"/> Other _____             | <input type="checkbox"/> Other _____                   |

Prepared By: Martin R. Erickson *MRE* Agenda Item No. **I-3**

Reviewed By: City Manager *SMH* City Attorney *SA* Finance *JW* Other (Specify) \_\_\_\_\_

DATE: January 28, 2011

TO: City Council

FROM: Martin R. Erickson, Special Assistant to the City Manager *Martin Erickson*

SUBJECT: **Support for City's Legislative Program and Federal Funding Requests for Fiscal Year (FY) 2011/12**

**RECOMMENDATION**

That City Council:

1. Adopt an update of the Legislative Program for FY 2011/12; and authorize the City Manager to prepare letters in support of or in opposition to, as appropriate, legislative matters outlined in the Legislative Program with such letters to be signed by the Mayor, or the Mayor Pro Tem in the Mayor's absence.
2. Authorize staff to prepare the requisite grant applications for the following FY 2011/12 federal funding requests, previously approved by City Council on February 2, 2010: Levee Project in the Santa Clara River Floodplain, Intelligent Transportation Systems (ITS) Traffic Mitigation Program, Groundwater Recovery Enhancement and Treatment (GREAT) Program, College Park Master Plan, Comprehensive Critical Assets Remote Surveillance Program, Colonia Branch Library Expansion.

**DISCUSSION**

The City Council has requested federal funding for critical projects for the City of Oxnard for many years. In September, 2007 the City Council adopted a Legislative Program which allowed staff to more efficiently carry out City Council direction with respect to a variety of critical areas of concern to the City, including water resources, transportation needs, and preservation of local control. With a new session of Congress underway and a temporary two year moratorium on federal earmarks, the City must be aggressive in pursuing federal grant program funding and regulatory relief to fund high priority projects.

This request for federal funding complements the Legislative Program, and positions the City well to respond to potential funding opportunities, and protects the City's interests. Although the City Manager's Office serves as the focal point of these efforts, the funding requests and the Legislative Program represent broad input from all City departments, from Public Works to the Library. This inclusive effort has paid off in the past with federal and state monies to a variety of critical projects.

While the City of Oxnard has maintained an aggressive and effective legislative program, with the downturn of the economy, staff is enhancing its grant seeking activities, particularly with respect to social programs which may be affected by pending state cutbacks.

Staff will continue to maintain direct and consistent contact with contracted state and federal lobbyists and monitor the League of California Cities' Priority Focus, California Water Association, and other sources to identify pending legislation that may impact the City. Letters expressing the City Council's position will be drafted for the Mayor's signature, with copies distributed to each Councilmember. Pending legislation not addressed by the Legislative Program or staff recommendations that differ from the Legislative Program would be placed on the agenda for City Council consideration.

Last year, on February 2, 2010 City Council authorized staff to seek submit grants for the six ongoing projects, which are also consistent with the Legislative Program; staff is seeking to re-submit these grants for FY 2011/12:

1. Levee Project in the Santa Clara River Floodplain: A recent flood study by the Federal Emergency Management Administration (FEMA) has re-drawn the 100 year floodplain map of the Santa Clara River. FEMA's updated maps for Ventura County place certain residents from Oxnard, Fillmore, Santa Paula, and unincorporated areas of the County in the 100-year floodplain. The City and the County of Ventura Public Works Department and Watershed District staff have been actively engaged in discussions with FEMA staff regarding the proposed changes. In the event that the changes are implemented by the federal government, construction of levees may be necessary. Prudence dictates that the City takes a pro-active stance in relation to this matter.
2. Intelligent Transportation Systems (ITS) Traffic Mitigation Program: As a thriving and growing City, Oxnard needs innovative methods for managing and monitoring the increase in traffic flow that is being experienced countywide. The ITS responds to this by utilizing a system of closed circuit television cameras and computers to monitor critical intersections throughout the City. City staff will coordinate this activity from a Traffic Management Center (TMC) to improve traffic flow, as well as provide enhancements in travel time for emergency vehicles and public transit services.
3. The Groundwater Recovery Enhancement And Treatment (GREAT) Program: The GREAT Program is a comprehensive water supply program that would bring about the following benefits to the nearly 200,000 residents of Oxnard: Improving water quality deliveries, reducing imported water requirements, guaranteeing sufficient supply to meet increasing needs, alleviating severely depressed groundwater levels, and development of recycled water.

4. College Park Master Plan Implementation: This has been an on-going application for funding to complete the various outstanding phases of the College Park development. Recently, the playground and basketball courts were completed, which have been highly utilized. When completed, the 75-acre College Park site will provide a recreational and economic asset that will meet the community-wide demand for lighted soccer and softball/baseball fields, as well as partnership opportunities with the surrounding schools.
5. Police Department's Comprehensive Critical Assets Remote Surveillance Program: This project will significantly enhance the Oxnard Police Department's capability (through the Security Operations Center) to monitor critical areas throughout the City of Oxnard. In addition, businesses and schools with video surveillance systems already in place could enroll in remote surveillance programs to provide law enforcement personnel with instantaneous information from live video feeds.
6. Colonia Branch Library Remodel and Expansion: With a multitude of schools and new homes being built in the Colonia area of northeast Oxnard, the community has outgrown its existing one-room Colonia Branch Library. A larger improved facility would not only allow for an increase of books and media, but enable the library to conduct programs such as homework assistance for school children, access to computers for the general public, quiet study areas, and life-long learning opportunities.

## **FINANCIAL IMPACT**

There is no financial impact at this time as this item involves legislative policy for on-going operations. The receipt of federal funds for these projects would benefit the City.

Attachment #1 Draft City of Oxnard FY 2011/12 Legislative Program.



## City of Oxnard 2011-2012 Legislative Program

The foundation for the City's legislative priorities is based in the mission statement adopted by the Oxnard City Council in January of 2005:

"The City of Oxnard will have clean, safe, prosperous and attractive neighborhoods with open, transparent government."

The following Legislative Program was developed to enable the City to respond to pending state and federal legislation in a proactive manner. The Mayor (or Mayor Pro Tem in the Mayor's absence) would be authorized to sign correspondence expressing the City Council's position on legislation consistent with this Legislative Program and/or other positions approved by the City Council.

Staff would maintain direct and consistent contact with contracted state and federal lobbyists and monitor the League of California Cities' *Priority Focus*, California Water Association, and other sources to identify pending legislation that may impact the City. Letters expressing the City's position will be drafted for the Mayor's signature, with copies distributed to each Councilmember. Pending legislation not addressed by the Legislative Program or staff recommendations that deviate from the Legislative Program would be agendized for City Council consideration.

### **Basic Principles**

#### **A. Local Control**

1. Support legislation mandating that the state and federal governments provide full cost reimbursement to cities for all required programs and for all programs resulting in revenue loss to cities.
2. Support legislation that protects the ability of cities to recover the costs of mandated programs through fees that are exempt from Proposition 218.
3. Advocate legislation that enhances local control of resources and tools that assist the City Council to address the needs of City residents.
4. Oppose legislation that limits or interferes with City Council authority over local municipal affairs.
5. Oppose legislation that eliminates or restricts the taxing authority of cities over development; weakens existing Government Code section 66000 fee authority; or redefines any development tax, condition, or other monetary change as development fees.
6. Oppose legislation that mandates changes that interrupt the City's operations, services to the community, or impairs or weakens its infrastructure.

**B. Local Budget**

1. Advocate for state and federal funding supporting City infrastructure projects and City programs.
2. Support reforming the local government finance structure in a way that establishes long-term financial stability to assure future growth and provide needed public facilities and services.
3. Support discretionary revenue sources to cities over directed and limited sources.
4. Advocate for fair implementation and distribution of state infrastructure bond funds to assure the City has access to receiving an adequate share for local improvements and programs.
5. Oppose legislation that negatively impacts the City's fiscal viability by adding further financial burden through unfunded mandates.
6. Oppose legislation that reduces the City's revenue base.
7. Oppose legislation that cuts state or federal grant funding for existing programs and services, e.g., Community Development Block Grant (CDBG).

**Time Sensitive/Specific Issues**

**A. Telecommunications**

1. Oppose legislation that negatively impacts the City Council's authority to manage and control the public right-of-way and for the City to receive compensation for its use.
2. Oppose legislation that diminishes or eliminates the collection of local franchise fees or diverts its collection by the federal or state governments.
3. Oppose legislation that authorizes "redlining" or "cherry picking" and precludes equal access to affordable cable television, Internet and digital services.

**B. Transportation Needs**

1. Advocate for state and federal transportation funding to construct critical transportation projects in the City of Oxnard, including the projects in the Port Intermodal Corridor (Rice Avenue/5th Street Grade Crossing, Hueneme Road Widening), and the Del Norte/101 Freeway Interchange.
2. Support increased funding to enhance existing public transportation programs.
3. Advocate for state and federal funding for street, road, and alleyway repair within the City of Oxnard.
4. Advocate for state and federal funding for Transit Oriented Development (TOD) projects that support the goals of SB 375 (Steinberg).
5. Advocate that fundamental responsibility for transportation decision making

should be at the local level.

6. Oppose any state or federal reductions to existing transportation grants and programs, including Americans with Disabilities Act funding.
7. Oppose legislation that limits and/or decreases the existing amount of retention proceeds withheld from any payment by a public entity to a contractor on a public project.

**C. Waste Management**

1. Support legislation that provides cities with financial assistance for programs designed to provide for the safe disposal of solid, hazardous, and special waste.
2. Support legislation that strengthens cities' ability to direct municipal solid waste flow to designated solid waste facilities.
3. Support legislation that streamlines AB 939 tracking and reporting requirements.
4. Support legislation that promotes recycling and expands the market for recycled materials.
5. Support legislation that encourages the innovative use of biosolids for regional beneficial uses, including, but not limited to alternative daily cover for landfills and soil amendments.
6. Oppose legislation that would restrict or limit the City Council's authority to franchise refuse and recycling collection services, to direct municipal solid waste flow, or to contractually require haulers to guarantee achievement of AB 939 goals.

**D. Water Resources**

1. Support legislation and funding to clean up contaminated soil and/or polluted water wherever found, including but not limited to, surface water, ground water, estuaries, or near shore ocean areas.
2. Support legislation and funding to abate sources of soil and/or water pollution wherever found, including septic systems, leaking underground fuel tanks, and agricultural and residential applications of fertilizers and pesticides.
3. Support legislation and funding to develop recycled water as an alternate water source, including treatment, storage, and distribution.
4. Support legislation and funding to develop brackish groundwater.
5. Support legislation and funding to manage groundwater and surface water salinity.
6. Support legislation and funding that encourages innovative and cooperative water resources projects that will be of regional benefit.
7. Support legislation that provides a mechanism to fund the construction,

operations, maintenance, and administration of stormwater programs and projects that improve quality, minimize runoff, maximize infiltration and beneficial uses, maximize flooding protection, and minimizes negative environmental impacts, and exempt fees and charges supporting these programs and projects from Proposition 218 restrictions.

8. Support legislation that prohibits the use of numeric criteria for stormwater discharges until the State Water Resources Control Board develops a policy for same.
9. Support legislation that encourages the development of consistent statewide water quality policies for the development and implementation of standards for impaired water bodies (303(d) listed), including Total Maximum Daily Loads (TMDL) allocations, National Pollutant Elimination System (NPDES) permits, and monitoring programs.
10. Support legislation that establishes a fee-sharing program for general stormwater permits issued by the State Water Resources Control Board.
11. Advocate for amendments to the existing California Water Code to support local collection and discharge of groundwater.
12. Oppose legislation that would establish drinking water quality standards or treated water quality discharge standards without sound scientific basis.

***E. Redevelopment/Economic Development***

1. Oppose legislation that would prohibit or limit the establishment of new redevelopment project areas and/or the expansion of existing project areas.
2. Oppose legislation that reduces the amount of gross tax increment allocable to redevelopment agencies.
3. Oppose measures that would diminish the current authority or financing capabilities of redevelopment agencies.
4. Support actions that fully fund CDBG as a direct allocation to cities, with the broad objective of helping low and moderate income people.

***F. Affordable Housing***

1. Support legislation that provides financial support and incentives for programs that provide affordable housing for disabled and low-income residents, families, and senior adults.
2. Support legislation that protects and maintains existing affordable housing opportunities for disabled and low income residents, families, and senior adults.

**G. Public Safety**

1. Support legislation that allows use of state and federal public safety grants for intervention and prevention efforts to curb gang crime and youth violence.
2. Support legislation that would provide cities with a greater share of fines and forfeitures.
3. Support legislation that promotes the efforts of the Oxnard Police Department in its role to serve and protect the community with relevance to local enforcement.
4. Support legislation that allows law enforcement to better combat gun violence through investigation, interdiction, and prevention of firearm related crimes.
5. Support legislation that allows use of state and federal public safety grants for maintenance efforts in addition to service increases.

**H. Land Use Planning**

1. Support legislation that provides for shared land use determinations among counties and cities when the general plan of the city establishes a planning area consistent with Government Code provisions.
2. Support efforts that are consistent with the doctrine of "home rule" and the local exercise of police powers, through planning and zoning processes, over local land use.

**I. General Government**

1. Support legislation that provides financial assistance for local public libraries without the imposition of new taxes
2. Advocate for federal stimulus funding to support City infrastructure projects and City programs.
3. Support legislation that limits libraries' contributions to the Educational Revenue Augmentation Fund.
4. Support legislation that makes funds available to refurbish and improve parks.
5. Oppose legislation that reduces funding for libraries including public library funds.
6. Support legislation that makes funds available to upgrade, remodel existing libraries, and build new libraries.
7. Support legislation that improves library services.
8. Support legislation and programs that maintains or enhances funding for the Oxnard School District's school safety and intervention and preventions; oppose legislation which reduces funding to these programs.
9. Oppose legislation that reduces or restricts local authority to regulate public right-of-way.
10. Support legislation and funding for energy-efficiency projects and programs for

public buildings and facilities.

11. Support legislation and seek funding for the needed construction, repair, and enhancement of the Santa Clara River levee system.
12. Support legislation and seek funding for the complete remediation of the EPA Superfund Site located on Perkins Road in Oxnard (former Halaco site).

## **J. Military Bases**

1. Support legislation that provides funding or additional missions to the military bases in Ventura County.
2. Support the legislative efforts of the Ventura County Regional Defense Partnership for the 21st century (RDP-21).
3. Support legislation to add aircraft for the firefighting capability of the Air National Guard within Ventura County.