

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	December 6, 2021
Action Required:	Approval of Legislative Position Statements for 2022 GA Session (Motion/Vote--one reading)
Presenter(s):	Council Legislative Committee (Councilors Snook and Magill)
Contacts:	City Attorney Lisa Robertson; Deputy City Attorney Robinson Hubbard; City Environmental Sustainability and Facilities Development Manager Kristel Riddervold
Title:	Council Legislative Positions (2022)

Background:

Each year, the localities in the Thomas Jefferson Planning District region adopt legislative statements and positions on issues of importance and concern to local governments. These positions form the basis for local advocacy efforts during the General Assembly session each winter. The City Attorney's Office works in conjunction with TJPDC's legislative liaison during the session to provide advocacy on behalf of the City's interests. Additionally each year, City Council establishes a statement of legislative positions, as a means of communicating to legislators (i) issues of concern and interest to Council, and (ii) requests, if any, for legislative action items.

Discussion:

TJPDC Program—The TJPDC legislative program has been drafted based on discussions with and input from the six localities in the region. The recommendations, requests and positions in the program cover a range of issues and topics that are anticipated to become the subject of proposed legislation or the state budget during the upcoming session, and that may be of concern to the region or to individual localities in the region.

City Position Statement—The City Position Statement has been drafted to reflect ongoing issues of concern and interest specifically to Council. We try not to repeat positions that are repetitive of those advocated within the TJPDC Program, but where City Council has a slightly different position than TJPDC as a whole, it's appropriate to point that out within Council's position statements.

This year, it has been suggested that this lengthy list of position statements is unlikely to assist our local legislators as they navigate the politics of the 2022 General Assembly and Governor's Administration. For example, it has been suggested that asking legislators to invest political capital on supporting new affordable housing initiatives, new programs, etc., would not be as efficient as identifying five or six priority issues that Council would like them to strongly advocate. Within the City's Draft 2022 Position Statements, we have

highlighted using a blue font six initiatives/ issues that we believe may be Council's top priorities for the 2022 GA Session. Please let us know whether, as a matter of format, you would like us to carve out this smaller list of prioritized positions within a revised document (eliminating all of the other position statements), or, alternatively, whether you would like us to re-work the lengthier list of position statements [attached] to more prominently identify the shorter list of priorities upon which you'd like the legislators to focus.

The City's Position Statement has been assembled with input from Council's Legislative Committee (Councilors Magill and Snook), with consideration having been given to information and recommendations received from other organizations of which the City is a member, recommendations of the City's Human Rights Commission pursuant to City Code §2-433(4) (previously transmitted to you via email on 9/20/2021), and recommendations of the City's Environmental Sustainability Manager.

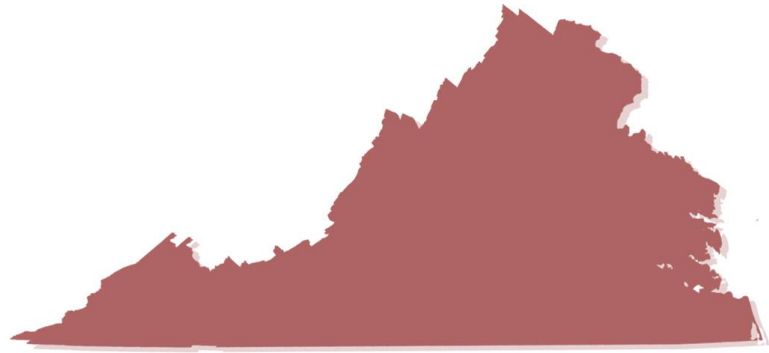
Budgetary Impact: none at this time.

Alignment with Council Vision Areas and Strategic Plan: yes.

Community Engagement: n/a

Attachments:

- TJPDC 2022 Legislative Program
- City 2022 Legislative Program



Thomas Jefferson Planning District

2022 LEGISLATIVE PROGRAM

DRAFT

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

October 2021

Jesse Rutherford, Chair
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Support for Recovering Communities

PRIORITY: The Planning District’s member localities support continued action at the federal, state and local levels to protect local communities and to ensure their viability during ongoing recovery from the global pandemic.

The COVID-19 pandemic has Virginia communities facing ongoing challenges to their post-COVID local economies and the restoration and strengthening of them. While impacts on state and local revenue streams were minimal in many cases, some sectors and the revenue they produce were hit especially hard, as we saw service-sector purchases greatly curtailed, while federal stimulus dollars helped stimulate purchases of goods.

We believe retention of current businesses remains vital. Small businesses, which have accounted for two-thirds of net new jobs since the Great Recession, continue to need support systems that link them to critical resources. We need local flexibility to work with local businesses and to promote economic development as our localities come out of this pandemic.

We support the use of federal relief funds provided to the State through the American Rescue Plan Act (ARPA), and federal infrastructure funding that may be provided in the future, to invest in the likes of broadband, wastewater and stormwater improvements, school capital needs, reimbursement for workers’ compensation claims filed under the new presumption for COVID-19, and replenishment of the Unemployment Trust Fund. We encourage the State to coordinate with local governments in deployment of relief funds so that each federal dollar can be maximized for the benefit of Virginia residents.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to enhance state aid to localities and public schools, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State develops revenue and spending priorities for the next biennium, we encourage support for K-12 education, health and public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. Especially in these critical times, the State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

The State should fully fund its share of the realistic costs of the Standards of Quality (SOQ) without making policy changes that reduce funding or shift funding responsibility to localities. We believe localities need an adequately-defined SOQ so that state dollars better align with what school divisions are actually providing in schools. This could include recognizing additional

instructional and non-instructional positions, to include school bus drivers; increasing state-funded staffing ratios; and providing funding for mental health positions/services in schools.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We believe a changed business landscape will necessitate a review of revenue sources to localities, along with new ideas and actions to broaden and diversify local revenue streams. Any tax reform efforts also should examine the financing and delivering of state services at the local level. Accordingly, we support the legislature 1) making additional revenue options available to localities in order to diversify the local revenue stream; and 2) further strengthening for counties, those revenue authorities that were enhanced during the 2020 legislative session. The State also should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sates and Use Tax Trust Fund dollars and the local share of recordation taxes.

Broadband

PRIORITY: The Planning District's member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas.

Access to high-speed internet, is essential in the 21st century for economic growth, equity in access to public education and health services, community growth and remote work. Localities understand the importance of robust broadband for economic viability; the COVID-19 pandemic further stressed the need for broadband for homes and businesses, and to address K-12 education and telemedicine access without delay. Cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives, to ensure access to service at an affordable cost are key. Approaches that utilize both fiber and wireless technologies, public/private partnerships and regulated markets that provide a choice of service providers and competitive prices should be utilized. Accordingly, we support the ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.

We believe state and federal support for broadband expansion should include the following:

- While we appreciate state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we support state and federal efforts to offset further funding requirements and to address concerns such as easement usage associated with deployment.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.

LEGISLATIVE POSITIONS

Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools; additionally, we support rate setting by the state for private day placements.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources is crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- Increased state funding for regional planning district commissions.

Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.
 - Concerning school facilities, we urge state financial assistance with school construction and renovation needs, and that the State discontinue seizing dollars from the Literary Fund to help pay for teacher retirement. We also support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities.
 - We support legislation that 1) establishes a mechanism for local appeal to the State of the calculated Local Composite Index (LCI); and 2) amends the LCI formula to recognize the land use taxation value, rather than the true value, of real property.
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Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges, and training should be available for local governments to meet ongoing costs associated with local stormwater programs.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include investing in regional projects.
- The State should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs.
- We support maintaining local authority to address impacts and choices associated with utility-scale installation of solar, wind and energy storage facilities. As the move to non-carbon sources of energy continues, we support the creation of stronger markets for distributed solar and authority for local governments to install small solar facilities on government-owned property and use the electricity for schools or other government-owned buildings located nearby.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to carry out their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation, whether they are traditional, electronic, internet-based, virtual or otherwise, while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; procedures for adopting ordinances; and procedures for conducting public meetings.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State. We also support use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.
- We urge state funding to address shortfalls in elections administration dollars, as elections administration has become more complex and federal and state financial support for elections has been decreasing. Specifically, we request that the State adequately fund costs associated with early voting requirements and any extra required elections due to Census delays and redistricting.
- We support expanding the allowable use of electronic meetings outside of emergency declarations, with flexibility for public bodies to determine how to accommodate public comment and participation. Any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning creation of customized records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support expanding local authority to regulate smoking in public places.
- We support enhanced state funding for local and regional libraries.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping the disabled, the poor, the young and the elderly achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for the local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care that helps divert people from needing

a state hospital level of care, as well as having services such as outpatient and permanent supportive housing available. We also support measures to address census pressures at state hospitals that will enable them to receive admissions of individuals subject to temporary detention orders without delays; such delays have been burdensome for law enforcement agencies making these transports.

- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District's member localities believe that every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to expand and preserve the supply and improve the quality of affordable housing for the elderly, disabled, and low- and moderate-income households. Accordingly, we take the following positions:

- We support the following: 1) local authority and flexibility in the operation of affordable housing programs and establishment of affordable dwelling unit ordinances; 2) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; 3) the provision of other funding to encourage affordable housing initiatives; and 4) measures to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Land Use and Growth Management

The Planning District's member localities encourage the State to resist preempting or circumventing existing land use authorities, and to support local authority to plan and regulate land use. Accordingly, we take the following positions:

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support broader impact fee authority for facilities other than roads, authority that should provide for calculating the cost of all public infrastructure, including local transportation and school construction needs caused by growth.
- We support changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure, and 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations.

- We request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space and support greater flexibility for all localities in the preservation and management of trees.
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Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
 - We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
 - We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
 - We encourage needed funding for successful implementation of programs that supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment, and state funding for alternative transportation options for such individuals.
 - Jail per diem funding should be increased to levels that better represent the costs of housing inmates, and be regularly adjusted for inflation. The State should not shift costs to localities by altering the definition of state-responsible prisoner.
 - We support the ability of local governments to adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities. The State should provide financial support for localities using such camera systems.
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Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges and for keeping pace with growing public needs and expectations. In the face of revenues falling short of projections, we encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to implement the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to carry out local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.

- We support ongoing state and local efforts to coordinate land use and transportation planning, and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

**CHARLOTTESVILLE CITY COUNCIL
STATEMENT OF LEGISLATIVE POSITIONS
FOR THE 2021 REGULAR GENERAL ASSEMBLY SESSION**

A. Endorsement of TJPD and VML Priority Statements

As a member of the **TJPD, Virginia First Cities** and of the **Virginia Municipal League**, we are supportive of the Legislative Positions presented by those organizations. On a few issues, the City's interests may differ, and those issues are included within our position statements following below.

B. Children's Education, Services and Programs

1. We endorse state funding provided to support implementation by local school divisions of extended school day/extended school year programs and encourage continuation of these dollars.
2. We would support changing the education funding formula ("Local Composite Index") to take poverty within each locality's jurisdiction into account.
3. We support the state authorizing local school divisions to construct housing for teachers on school-board-owned, or local-government-owned property.
4. We support expansion of preschool and after-school programs for children with working parents, the provision of subsidies for low-income families, and the allocation of state grant money to businesses that institute childcare or other family support programs within the workplace.
5. We support allowing all localities the option of enacting a one-cent sales tax increase to provide local revenue for the construction or renovation of public-school facilities. Currently, only a few localities have been designated as "qualifying localities" under the provisions of Va. Code §§58.1-602, 58.1-605.1, and 58.1-606.1 to raise revenue in this manner, yet the need for this additional revenue source extends beyond those few localities that have it.

C. Affordable Housing; Regulation of Development

Local Authority over Local Real Estate

1. We encourage the State to consider enactment of legislation authorizing mandatory affordable housing set-asides for large developments.
2. We support any legislative action that would allow localities greater flexibility in (i) the range of methods that may be applied to implement local affordable housing programs, and (ii) the use of public funding for the promotion and establishment of affordable housing.
3. We support establishment of a statewide rental assistance voucher program, calibrated to fit regional housing markets, and funded through the state Housing Trust Fund and/or Communities of Opportunity Tax Credit and Vibrant Community Initiative administered by Virginia Housing.
4. The state should enhance funding for affordable homeownership grants and loans, through Virginia Housing. The state should provide funding for housing assistance to employees of state universities earning less than 60% AMI.

5. We oppose any legislative action that would limit our local authority to regulate the nature and intensity of specific uses of land, in relation to their location(s) within our city; we oppose any legislation that would single out specific land uses for special treatment throughout the Commonwealth without regard to the impact of such land uses in particular locations.

6. We call for state legislation that will require AirBnB, VRBO, and similar short-term rental platforms to disclose information about short term rentals to local government officials, sufficient to allow local officials information necessary to verify that local taxes are being paid and local zoning ordinances are being complied with.

D. Environment

We encourage our representatives to endorse policies, legislation, and funding to address sustainability efforts, including those that reduce greenhouse gas emissions from responsible sectors (i.e., buildings, transportation, and waste), through support for energy efficiency implementation, renewable energy expansion, equity integration, and job creation. Supporting positions include authorizing local governments to establish requirements for building performance and reporting, removing caps on renewable energy programs, and incentivizing public and private fleet electrification.

Water Quality/ Stormwater Management Positions:

Background: The City of Charlottesville is committed to a Water Resources Protection Program that prioritizes compliance, flooding and draining improvements, water quality, and stewardship.

1. The state should maintain at least the FY22 \$50M Stormwater Local Assistance Fund (SLAF) appropriation that provides matching grants to localities for stormwater management projects and best management practices.

2. We continue to oppose any legislation that would require a locality to waive stormwater utility fees, or to exempt railroad companies or other entities from the requirement to pay local Stormwater utility fees--all landowners should be required to share in the cost of stormwater utility programs.

Chesapeake Bay Preservation Act Positions

The City of Charlottesville does not oppose expansion of the CBPA beyond its current tidal river boundaries. In this regard, our position differs from TJPD position.

Clean Energy Positions:

Background: The City of Charlottesville is committed to reducing its community-wide greenhouse gas (GHG) emissions associated with energy use. This has been formalized in the recent adoption of updated GHG reduction goals for 45% reduction by 2035 and carbon neutrality by 2050. Increasing the availability of financial resources, including grant programs and incentives, to a broader range of community members is one key to our success. We oppose any legislation to repeal or weaken any policies that promote carbon-free power generation, including the Clean Energy and Community Flood Preparedness Act and the Virginia Clean Economy Act. We continue to encourage our representatives to endorse policies, legislation, funding, and data sharing proposals that reduce greenhouse gas emissions as well as support energy efficiency, renewable energy use, equity, and job creation. Accordingly, we support the following positions:

Energy Efficiency:

1. Energy efficiency programs and policies that assist low- and moderate-income citizens in order to address disproportionate utility cost burdens.

Renewable Energy:

1. Distribute solar support through incentives such as tax credits, rebates, and/or low-interest loans, and financing aimed at a broader population (including those that currently lack access to cost-effective financing tools); and ensure these incentives reach members of low-income communities and people of color.
2. Remove barriers for localities seeking to participate in net and virtual net metering through the state's existing municipal net metering pilot program allowing for eligibility of facilities installed and operated pursuant to power purchase agreements (PPAs) and raising or removing system size limits that are inconsistent with state's net metering provisions.
3. Expand the availability of the shared solar programs by increasing program caps, bounding scale of customer minimum bills, ensuring the equity component is maintained, and ensuring public entities can realize savings from shared solar.
4. Solar-plus-storage support for buildings that can serve as resilience hubs for communities, especially those in low-income areas, during storm events and other widespread grid outages.

Buildings:

1. Public benchmarking, disclosure, energy performance standard
2. Locality authority to require commercial building energy benchmarking.
3. An energy data sharing standard to support the development and targeting of energy improvement programs.
4. State to adopt residential and commercial building codes that meet or exceed the latest national and international standards.
5. Locality authority to require greater energy efficiency (stretch codes) within their jurisdictions.

Vehicles and Transportation:

1. Accelerated adoption of electric vehicles through state incentives, enabling tax benefit powers for localities, authorizing localities to incentivize the installation of EV charging facilities at residential and commercial locations, and amending statewide building codes to ensure residential, office, and retail development have "EV ready" wiring.
2. Funding of the EV rebate program that was established in 2021.
3. State funding to support localities in their efforts to electrify their fleets.
4. Participation in the Transportation and Climate Initiative to build on the RGG.I program model of establishing a funding source to support emission reduction in the transportation sector.
5. Proposals for state cost-share funding for public transit and school buses to include a zero-emission bus (ZEB) comparison analysis.

Landfill Diversion Positions:

Background: As the City is working to further strategies for reduction, reuse, and recycling in an effort to align waste management programs with sustainability-related goals and commitments, we support:

1. Movement toward a framework extended producer responsibility (EPR) approach to address difficult-to-handle products and packaging in the Commonwealth. This would establish legislative or regulatory criteria for the inclusion of specific products and/or packaging in the Commonwealth's EPR program. A framework EPR approach would better keep pace with the evolving products and packaging in the marketplace in Virginia, reduce waste, support a recovery and circular economy, and distribute the burden of disposal and recycling on those responsible for the manufacture, distribution and use of these products.
2. Local authority to prohibit yard waste and brush from municipal solid waste (landfill) collection.

E. Transportation

We urge legislators to increase state funding:

1. for the expansion and maintenance of all modes of our transportation infrastructure,
2. for important local and regional Smart Scale projects, including those that promote walking and bicycling as viable modes of transportation for commuting (not just recreation) and as a key strategy related to GHG reduction goals. We also support the establishment of a “Smart Scale-type” prioritization for rail and transit projects,
3. for lane-mileage rates for funding of local street maintenance (primary/urban funds),
4. for public transit and transit planning, to leverage local investments in public transit and infrastructure that accommodate walking and bicycling, as well as automobile travel,
5. for passenger rail projects connecting communities across the Commonwealth, including funding for improvements to Charlottesville Union Station.

We request that localities receive the flexibility needed to apply transportation funding in a manner that they deem most beneficial to their own communities. Localities should determine whether allocations of state funding are spent on new construction or for the maintenance of existing roads. We also support the state applying equal weight to projects that enhance bicycle and pedestrian mobility as well as public transit systems in determining Smart Scale funding priorities.

F. Criminal Justice Reform

1. The State should increase funding to the Virginia Juvenile Community Crime Control Act (VJCCCA) program, which has demonstrated effectiveness in substantially reducing the number of juvenile justice commitments over the past decade.
2. The State should end mandatory minimum sentencing.
3. The State should revisit Virginia’s policies on parole and decriminalize offenses that do not threaten public safety. Additional funding should be provided to support diversion programs (such as rehabilitative and educational programs) as alternatives to prison for first time offenses, especially for women.
4. The State should repeal all laws that automatically exclude individuals with criminal convictions from public benefits, housing, driver’s licenses, civic participation (voting), and educational and employment opportunities.
5. We encourage legislation that would allow restricted driver licenses to be issued for as long as a court deems appropriate, and to allow courts to issue restricted licenses when necessary to facilitate the employment, or continued employment of an individual who is otherwise subject to revocation of his or her driver license.
6. We encourage legislation designed to assist individuals released from incarceration acquire employment, educational programming, mental health counseling, and reliable housing. We support funding for organizations seeking to assist those recently released from incarceration and understand that providing support for these individuals will reduce recidivism and homelessness, lower reincarceration costs, and create better outcomes for families and communities throughout the Commonwealth.

G. Policing; Public Safety

1. Civilian Review Board legislation:

We encourage the General Assembly to amend Section 2.2-3711 of the Virginia Freedom of Information Act, to expressly allow police civilian review boards (“PCRB”) the authority to convene within closed meetings, to protect the privacy of complainants and to deliberate on police officer personnel and disciplinary matters.

2. Local policing:

The state should provide funding for the following: 1) community policing initiatives, including housing assistance payments for local police officers who live within the communities they serve; 2) recruitment of women and minorities into professional policing careers; 3) continued training and implementation of uniform, DCJS-approved, best practices for crowd management at civil disturbances, especially for urban police departments; and 4) implementation of 21st century policing strategies in all aspects of management and operations of urban police departments.

3. Photo-speed-monitoring:

We encourage the General Assembly to authorize local law enforcement agencies within urban areas to utilize photo-speed-monitoring devices in residential areas. Such devices have been in use within DC and Maryland for years, and state police are now authorized to use them. These devices would enhance safety within urban jurisdictions.

4. Marcus Alert Calls:

We encourage the General Assembly to allocate appropriate funds to develop and promote the Marcus Alert Plan, allowing for mental health professionals to respond to emergency calls based on behavioral health crises, with the eventual goal of providing mobile crises services and stabilization services state-wide. This plan promotes public safety and decriminalizes mental health crises, while reducing arrests and stigmas surrounding mental health, by prioritizing de-escalation and non-lethal force.

H. Local Firearms Regulation

We support the General Assembly’s efforts to undertake a comprehensive reform of Virginia’s gun control legislation. We support implementation of the Report and Policy Recommendations of the Safe Virginia Initiative (2019), including raising the minimum age required to purchase a firearm to 21, requiring universal background checks, and closing known loopholes in the background check process.

I. Public Service Corporations

1. We oppose any legislative action that would further expand the ability of telecommunications companies or other entities to install new above-ground poles or other support structures in City rights-of-way, on terms or conditions mandated by state law.

2. We support doubling the scope of Dominion Virginia Power’s Pilot Program for Undergrounding Utility lines and the utility entering into cost share agreements with local governments for undergrounding lines or “open ditch” policies allowing the burial of power lines either within or adjacent to a public Right of Way (ROW). Dominion also should be allowed to impose a surcharge on affected customers, if undergrounding is requested by a locality, to coincide with local projects removing and replacing natural gas, water, and sewer lines within a public ROW.

J. Procurement

1. We oppose legislative action that would restrict our ability to make local procurement decisions that are best for the citizens we serve. Any erosion of local authority to implement the policies of the Virginia Public

Procurement Act, through means tailored at the local level to assure acquisition of the best goods and services at the most competitive rates, is contrary to fiscal responsibility objectives.

2. We support legislation that would authorize use of preferences by public bodies in awarding contracts to persons, firms, or corporations having principal places of business in the locality in which the procuring public body is located (“local preference”).

3. We support allowing localities the ability to procure goods and service by competitive negotiation (instead of using the lowest-responsible-bid process), in situations where job creation and tax base expansion would be part of a “best value” analysis of competitive proposals.

4. We believe the state should review the SWAM certification program, to ensure greater participation by businesses within each locality, and to make it easier for localities to hire local, small, women-owned and minority-owned businesses within local procurement processes.

K. Budget, Revenues and Taxation

We believe the process for evaluating local fiscal impacts of proposed legislation should be improved. Actions that would impose additional administrative burdens on local governments without sufficient financial resources or administrative flexibility will jeopardize the quality of services delivered at the local level and will ultimately jeopardize the potential success of state programs and initiatives.

1. We oppose any shift of the cost(s) of state programs to localities.

2. We oppose any legislative or budgetary action that would remove or reduce any existing sources of state and local funding (e.g., HB599 funding for law enforcement; diversion of fines, fees and forfeitures relating to violations of local ordinances; etc.).

3. We oppose state cuts to education funding.

4. We support expanded funding for programs such as tuition remission at community colleges, and childcare and transportation assistance that support workers seeking to upgrade their skills or change careers due to layoffs or other job losses.

5. The state should direct a study of the effectiveness of state income tax and fee structures in terms of progressivity and capacity to meet growing public needs. The study should include the effectiveness of local real estate taxation and consider enabling legislation for localities to enact more progressive local real estate taxes.

6. The state also should expand funding to support programs (such as tuition remission at community colleges, and childcare and transportation assistance) that support workers seeking to upgrade their skills or change careers due to layoffs or other job losses.

7. We oppose any state legislation that would single out any internet-based businesses and services for special treatment for purposes of local taxation, licensing, and regulation. We ask our legislators to protect our local ability to regulate businesses on a level playing field, whether they are traditional, electronic, internet-based, virtual, or otherwise. Creating a level playing field for competition among businesses offering goods and services is the best way to ensure safety, reliability, and fair access to goods and services for consumers. By carving out exceptions to business licensing or local taxes for special interest groups, state legislators would harm traditional local businesses and deprive local governments of stable and reliable sources of revenue.

8. Please support legislation to amend Virginia Code §15.2-1414.6 to remove the limitation on annual salaries for city councils. City councils in Virginia should be permitted to establish the annual salaries for councilors at the local level. Each locality's needs are unique and maximum compensation should be a local decision, based on the will of the electorate and the financial resources of a locality.

9. We support legislation to abolish the grocery tax, but only in a manner which is revenue-neutral to localities, and which more properly places the taxation burden on those who can afford to pay.

L. Prosperity, Health, and Well-Being

1. We encourage the Commonwealth to raise the minimum wage to \$15 per hour. As part of raising the minimum wage, we encourage the State to provide funding for childcare assistance if federal income-eligibility thresholds are exceeded due to a household member making \$15 per hour.

2. We support budgetary and legislative initiatives that will increase access to health care for all Virginia residents and that will reduce the cost of health care—including reduction of insurance premiums.

3. The State should provide financial incentives for the establishment of grocery stores in “food desert” areas.

M. Diversity, Equity, and Civil Rights

1. We support legislative action that creates a Right to Counsel for tenants in eviction proceedings, by ensuring that all tenants who receive public assistance, or have incomes at or below 200% of the federal poverty level, have access to public attorneys at no cost. Such legislation would create a statewide right to counsel or would authorize localities to fund programs intended to provide counsel to low-income litigants in eviction matters. Adopting such legislation would reduce homelessness, protect tenants' rights, and combat systemic inequalities in housing.

2. We support legislation designed to abolish the designation of R-1 or “single-use” zoning areas throughout the Commonwealth. R-1 zoning inhibits the efficient use of urban land, encourages “urban sprawl,” and further exacerbates housing inequality. Policies encouraging “inclusionary zoning” would allow for more affordable housing and create more diverse communities.

3. We encourage the General Assembly to adopt changes in housing law that will promote and advance tenants' rights, including “just cause” evictions, and policies that can make housing more affordable for low and middle-income residents.

4. We support a comprehensive review of Medicaid in the Commonwealth, including conducting a class and comparison study, with the focus on eliminating inefficiency in the administration of care. We understand that the anticipated \$654 million surplus in Medicaid funding is due largely to a lack of service providers or overall denial of service. We believe that a comprehensive review of state policy, including a reassessment of the Medicaid reimbursement rate, would lead to expanded health coverage for our most vulnerable citizens.