2019 CITY OF ALEXANDRIA, VA Legislative Package

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The goal of the City's Legislative Package is to clearly communicate the City's legislative and budget priorities to legislators, staff, advocates, and the general public. The requests that form the Package generally originate from City Council members, City staff, and the City's many boards and commissions.

City Council's Legislative Subcommittee met with the City's General Assembly delegation on October 3, 2018 to discuss the City's preliminary 2019 Legislative Package. From this meeting, the Legislative Subcommittee proposed forty-seven issues for Council's consideration to be lobbied in Richmond during the 2019 General Assembly.

A public hearing on the Legislative Package was held on November 7, 2018 and input from the community was included in a number of items in the Package. In addition, a work session with the City's Legislative Delegation was held on November 27, 2018 to discuss the proposed Package in advance of final adoption that same night.

The current Legislative Package is presented in two parts. The first part identifies key budget and legislative initiatives for the City that would greatly benefit from the support of and collaboration with our State delegation. The second part identifies issues and legislative proposals of interest to our community and aligns them with the City's mission, vision, and values.

The 2019 General Assembly Session will be a "short" 45-day Session, beginning January 9, 2019 and ending February 23, 2019.

The Council Legislative Subcommittee will meet weekly beginning on January 4, 2019 and continuing until the Friday after the final day for bill introduction. These meetings allow the Legislative Subcommittee to review legislation, with the input of City staff subject matter experts, and recommend positions on legislation of impact to the City.

The City's Legislative Director, Sarah Taylor, will represent the City in Richmond this session, and will report regularly to Council on the status of legislative and budget issues throughout the 2019 General Assembly Session.

The City of Alexandria, Virginia City Council adopted this 2019 Legislative Package on November 27, 2019.

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The City of Alexandria considers the following proposals to be key initiatives for the City during the 2019 General Assembly legislative session:

1. State Funding for Combined Sewer Overflow (CSO) Project

Proposal: Request and support state funding for 20-percent of the estimated cost to complete Alexandria's legislatively mandated combined sewer overflow project by the 2025 deadline.

The top priority for the City's 2019 Legislative Package is securing state funding for Alexandria's legislatively mandated combined sewer overflow (CSO) project.

The City of Alexandria is the subject of a specific legislative mandate for its CSO system. In 2017, the General Assembly passed legislation mandating that Alexandria eliminate certain CSO outfalls by 2025, at an estimated cost of more than $400 million. Alexandria Renew Enterprises (AlexRenew) - the public service authority that collects and treats wastewater for Alexandria and part of Fairfax County - is the lead local agency to design, finance, and construct the City's CSO improvements to meet the General Assembly's mandate. The City and AlexRenew are partners in this endeavor and are working together to secure state investment in this project.

The legislatively mandated 2025 deadline creates an extremely aggressive timeline for such a significant infrastructure project. This aggressive timeline creates financial impacts for the project not borne by other similar CSO projects. To date, the state has provided no financial assistance to the City accompanying its mandate, despite making significant investments in similarly mandated CSO remediation projects in Richmond ($68 million) and Lynchburg ($51 million). The vast majority of Alexandria's CSO project will be funded through increases in sewer-related fees to Alexandria residents over the next decade. However, the cost of this project should not be borne solely by Alexandria ratepayers and state investment in this project is both appropriate and necessary.

The federal and state governments have long had a financial partnership with localities when it comes to capital infrastructure designed to improve water quality. This necessary financial partnership has existed due to federal and state laws and regulations mandating water quality improvements and local governments' limited resources to undertake these massive projects alone.

The City asks its delegation to support state funding for 20 percent of the total projected cost of Alexandria's CSO project, in the form of budget requests for one time funding, Virginia Public Building Authority Bonds, and/or locked-in low interest loans.

2. Funding for School Facility Renovations and New School Construction

Proposal: Support the full funding of existing school construction funding options, including the Virginia Public School Construction Grant Program, as well as innovative funding and financing opportunities for new school construction as well as renovating older school facilities.

Local governments are responsible for the majority of school capital costs. The state funding formula for education operating costs does not assist in most costs associated with new school construction costs or the costs to renovate crumbling school infrastructure throughout the Commonwealth.

The City supports legislation and appropriations to create innovative funding and/or financing opportunities for new school construction and renovation of older school facilities including, but not limited to, funding for the Virginia Public School Construction Grant Program (22.1-175).

3. Protection of Funding for Localities

Proposal: Support efforts to protect existing funding for localities and ensure that statutory changes made in addressing the allocation internet sales tax revenue include the existing funding formula currently in place for "brick and mortar" sales tax revenue, including funding for local governments.

As the legislature considers issues related to the allocation of new revenue and the need to fund both new and existing services and programs, the City is keenly aware of the need to protect existing funding structures that provide aid to localities, including K-12 education, transportation and other core government services. This includes existing HB 599 funds for local law enforcement, funds in the Communications Sales and Use Tax Trust Fund statutorily intended for localities, and the portion of sales tax revenue earmarked for local governments, transportation, and K-12 education.

The City supports efforts to protect existing state funding for localities. In addition, the City supports efforts to ensure that statutory changes made in addressing the allocation of internet sales tax revenue include the existing state formula for localities, K-12 education, and transportation currently in place for "brick and mortar" sales tax revenue.

The City of Alexandria has identified the following proposals for support during the 2019 General Assembly legislative session.

These issues are of interest and concern to the City and align with the City's mission, vision and values. These proposals are an integral part of our work that supports our mission, reflects our values and helps make our vision of Alexandria a reality in our community.

Alexandria's Vision: In 2022, Alexandria is a historic, inclusive city of kindness with distinct, vibrant and safe neighborhoods, a well-managed, government, flourishing arts, culture and recreation, a strong economy, thriving children and youth, active and secure older adults, environmental sustainability, healthy residents of all ages, and multimodal transportation.

A. Distinctive and Vibrant Neighborhoods

1. Notification from Virginia Department of Historic Resources of Preservation Projects and Issues

Proposal: Request the introduction of and support legislation to require the Virginia Department of Historic Resources to notify Certified Local Governments, like Alexandria, of historic preservation projects and issues in which VDHR is engaged within the CLG.*

The City of Alexandria carries the Certified Local Government (CLG) designation from the Virginia Department of Historic Resources (VDHR), which was created by the National Historic Preservation Act of 1966 (as amended in 1980). This designation establishes a partnership between the City and the VDHR with regard to local preservation efforts in place in our community.

However, this partnership is not always observed in practice and the City is often not notified, as required, of projects and issues that VDHR is engaged in within the City of Alexandria. In some cases, VDHR approves projects and programs without necessary and essential input from the City. The City believes that the partnership between VHDR and a CLG must include keeping the CLG informed of VDHR projects and issues within the CLG.

The City will request the introduction of and support legislation requiring VDHR to notify CLGs, like Alexandria, of historic preservation projects and issues in which VDHR is engaged within the CLG.

**Note that the City is pursuing non-legislative remedies to this concern but, should a legislative solution be necessary, this item will serve as the City's legislative package position.*

B. Inclusive City

1. Human Rights and Non-Discrimination

Proposal: Oppose any legislation that would restrict—and support any legislation that would expand—human rights for residents of, workers in, or visitors to the Commonwealth.

The City asks that its delegation support legislation to expand human rights for residents of, workers in, or visitors to, the Commonwealth or the City of Alexandria to the extent the Alexandria City Code, State or Federal law now protects such rights and oppose legislation that would restrict these same human rights.

2. Access to Voting

Proposal: Support legislation that makes it easier for Virginia citizens to exercise their right to vote.

The City supports legislation that makes it easier for citizens of the Commonwealth of Virginia to vote in elections, including:

- allowing for early voting and "no excuse" absentee voting;
- permitting voters to use a photo ID that was valid but has expired – this is especially important for older Virginians who may not need or want a valid driver's license;
- establishing a streamlined process for the restoration of voting rights for felons in state code, rather than relying on the good will of each governor to implement such a process by executive order.

3. Redistricting Reform

Proposal: Support legislation to reform the redistricting process in Virginia, so that the process is nonpartisan and "gerrymandering" does not occur.

In recent years, there have been a number of proposals to reform the redistricting process in Virginia so that the process is less partisan and new district lines are drawn legally and fairly.

The City continues to support such legislative proposals and specifically supports a Constitutional amendment implementing a nonpartisan redistricting commission to draw district maps for both state and federal elections in the Commonwealth.

4. Equal Rights for Women

Proposal: Support efforts to ratify the Equal Rights Amendment (ERA) in Virginia and support legislation to address the core issues of gender inequality in our Commonwealth.

The City of Alexandria believes that in order to fully provide women in our Commonwealth – and across our nation – the protections that the government affords them, the United State Constitution needs to be amended to make clear that we believe that people ought not to be discriminated against on the basis of their gender. Virginia has the opportunity to be the 38th state to ratify the ERA and advance this

effort to constitutionally protect women's rights to education, welfare and a fair workplace. Alexandria supports this effort to ratify the ERA.

Furthermore, while women have made undeniable advances since the ERA was first proposed, gender disparities remain, especially in low-income or rural areas and in communities of color. In addition to supporting the ratification of the Equal Rights Amendment, the City supports legislation to address the core issues of gender inequality, including equal pay, affordable childcare, paid family leave, access to appropriate healthcare, and protection from violence.

5. <u>Living Wage</u>

Proposal: Support legislation to raise the statewide minimum wage, or give localities the authority to do so for jobs within their jurisdictions.

Under Virginia law, cities and counties are unable to raise the minimum wage at the local level, despite of the rising costs of living throughout the Commonwealth. Currently, 29 states and the District of Columbia have minimum wages that are higher than the federal one, according to the U.S. Department of Labor – including our neighboring states of West Virginia ($8.75 per hour), Maryland ($10.10 per hour), and Washington, D.C. ($13.25 per hour).

To maintain the City's livability, assist in attracting workers in a tight labor market, and encourage further economic growth, the City supports legislation that would set the State minimum wage higher than the current federal minimum ($7.25/hour), or give localities the authority to "opt out" of the State minimum wage and set an appropriate "living wage" for jobs within their jurisdictions.

6. <u>Affordable, Workforce Housing</u>

Proposal: Support statewide options as well as additional local authority to address the need for affordable, workforce housing in our community.

The City of Alexandria knows that affordable, workforce housing is a vital part of a strong economy and a thriving community, region and Commonwealth. We also know that there is no one solution to the need for affordable, workforce housing in our community and in communities across the Commonwealth – what works for a dense, urban community like Alexandria may not work for other localities in Virginia.

The City supports a multi-faceted approach to increasing affordable, workforce housing in Virginia. The City supports statewide options, including a permanent source of funding for the Virginia Housing Trust Fund, as well as additional local authority to address the need for affordable, workforce housing in our community and in communities across the Commonwealth.

7. <u>Evictions</u>

Proposal: Monitor efforts by the Virginia Housing Commission and Virginia Coalition to Reduce Evictions on the issue of tenant protection and eviction and identify legislative proposals for City support.

The issue of evictions in our community – as well as the root causes of evictions – is of concern to the City. The City will monitor legislative proposals from the Virginia Housing Commission and the Virginia Campaign to Reduce Evictions and identify legislative proposals for City support.

8. Requiring Net Neutrality in Virginia

Proposal: Support legislation, or executive action, to require the principles of net neutrality be in force in Virginia and ensure a fair, open Internet in the Commonwealth.

In December 2017, the Federal Communications Commission voted to end net neutrality rules that had protected and promoted a fast, fair and open Internet, which is vital to innovation, education, and economic growth in our community and our Commonwealth. Since then, some states and localities have created their own net neutrality rules to prohibit Internet service providers from blocking, slowing down, or discriminating against lawful online content.

The City supports legislation that would protect the core principles of net neutrality in Virginia, including prohibiting Internet service providers from offering or renewing services to consumers whereby certain media is throttled, blocked or prioritized based on its content, format, host address or source. In addition, the City supports legislation, or executive action, requiring all state government agencies to contract for internet-related services only with providers who contractually agree to abide by net neutrality principles.

9. "Ban the Box"

Proposal: Support the incorporation of current "Ban the Box" policies into State law.

In April 2015, Governor McAuliffe issued an Executive Order which prohibits state agencies from asking on employment applications whether the applicant has ever been charged with or convicted of any crime, unless the position is a "sensitive" one (as defined in Virginia Code §2.2-1201.1). The City of Alexandria has "banned the box" in hiring for City jobs, with inquiries regarding prior criminal history made only after a conditional offer of employment has been issued.

The City supports legislation that would incorporate this policy into the Virginia Code, so that it does not have to be continued every four years by Executive Order.

10. Criminal Background Questions in Professional Licensing

Proposal: Support legislation that would limit questions regarding criminal history on any applications for professional licensure to only those crimes that are germane to performing the specific duties regulated by such licensure or that would be grounds for denial of the license.

A variety of professions – from trucking to barbering to positions in the health care field – require individuals to obtain licenses to practice. These occupational licenses are regulated at the state level, and in many cases, people who have been trained in or are seeking work in certain fields are ultimately prohibited from receiving the licensing they need due to criminal history that is unrelated to the license they are pursuing.

The City supports legislation that would limit questions regarding an applicant's criminal history to those crimes that constitute a barrier to licensure or to employment in the profession, trade, or occupation for which a license is required, unless the position is a "sensitive" one (as defined in Virginia Code §2.2-1201.1).

11. <u>Driver's Licenses for Undocumented Immigrants</u>

Proposal: Support or introduce, as a matter of public safety, legislation to enable undocumented immigrants to obtain a driver's license, which would provide access to the privilege of driving and serve as proof of identity, not citizenship.

Access to a driver's licenses for all residents, regardless of their immigration status, is a public safety and an economic issue for the Commonwealth. Providing access to a driver's license for undocumented immigrants would ensure that these individuals have passed a Virginia road skills and safety test and would enable those who need to drive do so safely.

Maryland, Washington D.C., and 12 other states and territories allow undocumented immigrants to obtain a driver's license or driving privilege card. Some of these states require proof that the applicant files federal and state income tax returns in order to qualify for a driver's license.

The City supports legislation that would enable undocumented immigrants to obtain a driver's license that would provide access to the privilege of driving and serve as proof of identity, not citizenship.

12. <u>Immigration and Law Enforcement</u>

Proposal: Oppose legislation that would require local law enforcement officials to enforce federal immigration laws, unless federal law requires such enforcement.

Alexandria is not a "Sanctuary City" and continues to comply with all requirements under federal law with regard to its role in immigration law enforcement, such as determining the legal status of those in custody at the City Detention Center.

However, the City opposes legislation that would require local law enforcement officials to enforce federal immigration laws, unless federal law requires such enforcement.

13. <u>Immigration and Higher Education</u>

Proposal: Support Attorney General Mark Herring's legal advice that students who are not American citizens but had been approved under the federal Deferred Action for Childhood Arrivals program may be eligible for in-state tuition if legislation seeks to overturn this policy.

In April 2014, Attorney General Mark Herring advised the presidents of Virginia's public colleges and universities that those students who are not American citizens but had been approved under the federal Deferred Action for Childhood Arrivals (DACA) program[1] could establish domicile in the

[1] DACA provides for a deferral of any action to deport any individual 31 and under who (1) was brought to this country prior to age 16 illegally, or has lost lawful status; (2) has resided in the United States from June 15, 2007 to the present; (3) has not been convicted of a felony or a significant misdemeanor [e.g. domestic violence; sexual abuse or exploitation; burglary; unlawful possession or use of a firearm; drug distribution or trafficking; or, driving under the influence]; and (4) has a high school diploma or GED certificate, or has been honorably discharged from the military.

Commonwealth – by maintaining a home in Virginia for at least a year with the intent to remain in Virginia indefinitely – and, thereby, become eligible for in-state tuition.

The City continues to support Attorney General Mark Herring's interpretation of the law, and supports any legislation that would allow DACA students to be eligible for in-state tuition at Virginia's public colleges and universities. The City is also concerned that opponents of DACA could introduce other legislation that could harm the program and asks the delegation to oppose any such bills.

14. <u>Family and Unisex Restrooms in Public Facilities</u>

Proposal: Support legislation requiring ADA accessible unisex or "family" restrooms in all newly built or significantly renovated, remodeled, or altered local government and school facilities.

ADA accessible, single-stall restrooms are important for regular users and visitors to local government and school facilities with special needs who are not well served by a traditional, multi-stall restroom facility. These restrooms offer flexibility to users with various needs, including individuals with visible and non-visible disabilities, families with young children – especially solo parents with children of the opposite gender – or those with particular privacy needs.

The City supports legislation requiring ADA accessible unisex or "family" restrooms in all newly built or significantly renovated, remodeled, or altered local government and school facilities and encourages private businesses to include similar facilities in their places of operation.

C. Well-Managed Government

1. <u>Net Metering for Localities</u>

Proposal: Support legislation that would allow localities to get credit, or be paid for, excess renewable energy generated at a location owned, leased or operated by a locality.

The City of Alexandria is committed to utilizing sources of renewable energy at our municipal facilities. As localities across the Commonwealth identify opportunities to use, and even generate, renewable energy at our facilities and on our land, there may be times where more renewable energy is generated at a location than is needed. Creating a process whereby localities can receive credit for excess energy produced at one location for energy used at a non-contiguous location is important and presents an opportunity to not only work toward being environmentally sustainable but to be good stewards of taxpayer dollars.

In order to be good stewards of our environment, our natural resources and our budget, the City of Alexandria supports legislation that enhances localities' options to take full advantage of the opportunity presented through net metering.

The City supports a narrowly tailored net metering program for localities that allows localities to get credit, or be paid for, any excess energy that is generated at one locally owned, leased or operated building or land for energy usage at locally-owned, leased or operated buildings or land at another location within the locality's jurisdiction.

2. Assessment of Court Costs to Support Law Libraries

Proposal: Support a "local option" for localities with publicly supported law libraries to increase court cost assessments on civil cases and utilize these funds to support their local law library.

Law libraries in Virginia are the beneficiaries of a $4 fee on civil litigation filed in the Commonwealth. This fee has been set at $4 for more than 30-years and has not been raised since at least 1988.

However, due to the high cost of civil litigation and the growing availability of alternative dispute resolution options, such as mediation, there has been a marked decrease in the number of civil suits filed. This has led to a significant decrease in funding for law libraries across the state, including a decline in filing fee revenue for Alexandria's law library from a high of $44,623.55 in FY 16 to a recent low of $13,827.72 in FY 18.

The Alexandria law library has implemented a number of significant austerity measures in order to work within the limited budget afforded to them, including decreasing materials purchases in each of the past several years and focusing on supporting online resources and access. Today, the law library offers access to a variety of legal resources, including databases (such as Westlaw and Lexis Nexis), legal forms and consumer law information to users. Law Library users include mainly pro-se litigants representing themselves in civil court actions, solo practitioners, and attorneys from small/boutique law firms. In addition, the law library provides access to notary services.

The City requests a local option for localities that operate law libraries to increase the existing assessment on civil cases to no more than $7, noting that each $1 increase in the fee would result in $12,000 to $15,000 in annual revenue for Alexandria's law library.

3. Decriminalization of Simple Marijuana Possession – SB 997 (Ebbin)

Proposal: Support Sen. Ebbin's legislation to decriminalize simple marijuana possession in Virginia.

The City supports, in concept, Sen. Ebbin's legislation (SB 997) to decriminalize simple marijuana possession in Virginia by making simple possession a civil penalty rather than a criminal misdemeanor. The City looks forward to continuing to work with him on this legislation with regard to marijuana and driving and the fine schedule outlined in his bill.

4. Body-Worn Cameras for Law Enforcement

Proposal: Support the use of body-worn cameras throughout the Commonwealth, but oppose legislation that creates an unfunded mandate for localities with regard to the review or storage of body camera footage.

The City is supportive, in principle, of the use of body-worn cameras in the Commonwealth.

However, the City has significant concerns about unfunded mandates on local budgets, local law enforcement, and our Commonwealth's Attorneys with regard to the review and storage of body camera footage. In addition, the City believes that the recommendations of the Compensation Board working group studying the workload impact of body-worn cameras on Commonwealth's Attorneys

offices should be integrated into all legislation and budget requests regarding the use of body-worn cameras in the Commonwealth.

The City opposes any legislation that creates an unfunded mandate on localities with regard to the review and storage of body worn camera footage.

D. Safe and Resilient Community

1. Animal Cruelty and Domestic Violence

Proposal: Request the introduction of and support legislation to make the abuse of household animals/pets, when done as a form of control and intimidation against a household member, a felony.

Research shows that there is an established link between cruelty to animals and domestic violence. Domestic violence offenders often commit acts of violence against household animals/pets as a form of control and intimidation against other household members.

The City will request the introduction of and support legislation that would legally acknowledge the nexus between animal cruelty and domestic violence by making animal cruelty a felony if "the person committed the offense with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member" as defined in State code.

2. Expand Definition of Family or Household Member and Include Definition of Dating Relationships in Domestic Violence Statutes

Proposal: Request the introduction of and support legislation to expand the definition of "Family or Household Member" in the domestic violence statutes and include a definition of "Dating Relationship" to the domestic violence statues.

The current definition of "family or household member" in Virginia's domestic violence statute is too narrow. The definition should be expanded to include a larger group, which will more accurately reflect today's often multi-generational, extended family households and not just the traditional "nuclear family" definition.

In addition, the current definition of "domestic violence" does not include a definition of "dating relationships," which could be simply defined as "frequent, intimate associations primarily characterized by the expectation of affection or sexual involvement independent of financial considerations" – a definition used in Alabama, California, Michigan, Nebraska and Nevada.

These limited, outdated definitions in our domestic violence statute prevent law enforcement from charging under the domestic violence statutes when the relationship is clearly domestic but does not fit in the legal, statutory definition of "domestic violence."

The City will request the introduction of and supports legislation to expand the definition of "domestic violence" to include these relationships and give law enforcement these additional tools in their efforts to protect Alexandrians from violence at home.

3. Emergency Protective Order "Check Boxes" Change

Proposal: Request the introduction of and support legislation to clarify the conditions placed on respondents on Emergency Protective Orders to better protect the petitioner.

When a magistrate issues an Emergency Protective Order (EPO), statute allows for a series of conditions to be placed on the respondent with regard to their contact with the petitioner and their behavior while under the EPO. Magistrates often do not check off the box for "The Respondent shall have no contact of any kind with the Petitioner" and only check off "The Respondent shall not commit acts of family abuse or criminal offenses that result in injury to person or property" on EPOs. This allows the respondent to contact and harass the petitioner in person or by phone.

The City will request the introduction of and support legislation making both conditions mandatory on all EPOs.

4. Common Sense Gun Regulations

Proposal: Support legislation to enact common sense gun regulations in Virginia.

The City of Alexandria acknowledges the limited ability of local governments to enact local gun regulation; the City also recognizes the impact this has on our core responsibility to our community to create a safe and resilient city.

The City urges the General Assembly to prioritize the safety of all Virginians and supports the passage of common sense gun legislation, including:

- "red flag" or "extreme risk protection order" laws to create a legal process for the temporary removal of firearms from individuals deemed to pose an imminent risk of violence to themselves or others;
- stronger background checks for all gun buyers, including requiring private sellers, who are not licensed dealers, to initiate a background check when transferring a firearm;
- prohibiting the sale of armor-piercing ammunition, assault weapons, high-capacity magazines, and bump stocks; and,
- child access prevention laws to limit child access to guns and reduce suicides and unintentional gun deaths and injuries of children;
- legislation prohibiting firearms of any kind on school property in the Commonwealth, specifically removing exemptions in § 18.2-308.1C for the possession of an unloaded, secured firearm in a motor vehicle on school property and the possession of a concealed handgun by a person with a valid concealed handgun permit in a motor vehicle on school property;
- legislation granting localities the authority to prohibit, via local ordinance, the possession of open and concealed carry firearms in recreation centers within their geographic boundaries.

5. Gun Possession by Individuals Involuntarily Committed to Psychiatric Facilities

Proposal: Support the request for an Attorney General's opinion and the formal study of the issue of gun possession by individuals involuntarily committed to psychiatric facilities in the Commonwealth.

Virginia code establishes a ban on individuals who are involuntarily committed to a psychiatric facility from possessing, transporting or purchasing firearms. A violation of this law is punishable as a Class 1 misdemeanor. While the law clearly addresses the restrictions related to gun possession for individuals who have been the subject of involuntary commitment and have been adjudicated as such, there is no clear legal mechanism in place to enforce the law with regard to the possession of firearms by the committed individual.

The City will work with the delegation to request an Attorney General's opinion on this issue in order to clarify that there is, indeed, a problem that needs a legislative solution in the future. In addition, the City will work with the delegation to request formal study of the issue of gun possession by individuals involuntarily committed to psychiatric facilities in the Commonwealth, including the need for a clear, formal process to ensure proper compliance with existing law as well as a path for individuals to have their rights restored at the appropriate time.

E. Flourishing Arts, Culture and Recreation

1. The "Appomattox" Statue

Proposal: Support legislation to give localities the authority to determine the placement of confederate monuments and statues on city property in their communities.

The City of Alexandria believes that the placement or relocation of statues and memorials on city property should be a City decision based on the will of the community.

In 1888, the Alexandria City Council approved the placement of a statue of a Confederate soldier (the "Appomattox" statue) at the intersection of Prince and South Washington Streets. The statue, which honors Alexandria's Confederate dead, was provided by the local chapter of the United Confederate Veterans, and was dedicated in 1889. The United Daughters of the Confederacy now owns the statue, which is located on a City-owned right-of-way.

Legislation passed in the 1890 General Assembly Session requires the statue to remain in its current location permanently. In addition, §15.2-1812 of the Code of Virginia prohibits the removal of memorials or monuments related to any war involving the United States, including the "War Between the States."

The City of Alexandria supports legislation that would give localities like Alexandria the authority to determine the placement or relocation of Confederate statues and memorials on city property.

F. Strong Economy

1. Communal ABC Permit

Proposal: Support legislation to create an ABC permit for local groups that would allow for open containers within a designated, managed common area during a permitted event.

The City of Alexandria is home to many vibrant, thriving neighborhood groups, business associations and other organizations that sponsor events that bring Alexandrians together and host visitors from across

the region and the nation. These events often include local restaurants and on-premise licensees, some of which may serve alcohol to patrons of age attending the event. Due to current ABC licensing rules and laws, individuals who choose to purchase an alcoholic beverage at an establishment that is within the designated area of the event must consume the beverage at the establishment and may not take it off the premises.

The implementation of a "communal permit" would allow patrons to bring their beverages into a common, defined area with permitted, controlled and monitored boundaries. The "communal permit" would be under the control of established organizations, such as neighborhood groups or business associations, hosting these events. This new permit is an expansion of a current "commercial lifestyle center license" which allows similar activity within shopping centers with an integrated outdoor setting.

The City supports legislation to create this "communal permit" and allow local groups and organizations to have access to this option for events.

G. Thriving Children and Youth

1. Funding the True Cost of K-12 Education

Proposal: Support additional State funding for the State's portion of K-12 education costs, including the Cost of Competing, At-Risk Add On funding, and other outlays.

The funding formula for education operating costs breaks down on a statewide level as 55 percent state funding/45 percent local funding. However, although required to fund 45 percent of K-12 education, localities are now funding 57 percent of the spending on K-12 education.

The Standards of Quality do not recognize the true cost of education borne by localities, including pupil transportation, school support staff, providing and updating technology including broadband service, and instructional staff and support salaries. Therefore, local governments match more than is required for basic state education dollars and struggle to identify scarce local tax revenue to keep up with the demands of meeting additional expanding, often unfunded, mandates.

Localities like Alexandria are committed to the investment necessary to create 21st century learning environments for our children. However, we believe that the Commonwealth needs to recognize and fund the true cost of public education in our communities.

The City supports additional state funding for K-12 education, including:

- Realistic and fully-funded Standards of Quality;
- Recognition of cost of living variations in state funding formulas, to more accurately determine a locality's true ability to pay, particularly for high cost of living areas;
- Restoration of full funding for Cost of Competing Adjustment (COCA) for support positions, a factor in the funding formula recognizing the competitive salaries required in high cost of living regions to attract and retain the highest quality instructional and support personnel; and,
- Appropriate recognition in state funding formulas of the increased costs required to serve children with higher level, more specialized needs, including special education students, English

language learners, and students living in economically disadvantaged households, to include At-Risk Add-On Funding.

2. <u>Funding for the Virginia Preschool Initiative</u>

Proposal: Support legislation to increase the preschool allocation in the state budget, reduce the local match for the Virginia Preschool Initiative (VPI), and allow localities and school systems to carry over unspent VPI funds from one fiscal year to the next.

The City of Alexandria is committed to the spirit and goals of the Virginia Preschool Initiative (VPI) and its goal to provide quality preschool for at-risk 4-year-olds who do not meet the requirements for Head Start. However, state funds designated for preschool are left on the table in many localities because the current per-child allocation of just over $6,000 is far below the average per-child cost of a preschool program and localities cannot afford to make up the difference. The City supports efforts to increase the VPI per pupil rate and reduce the match amount localities must provide for VPI slots. The City also supports ongoing funding for the Mixed Delivery Preschool Fund and Grant Program.

In addition, when State appropriated VPI funds are not spent by a locality, they lapse back into the State's General Fund at the end of the fiscal year. The City of Alexandria supports efforts to allow unspent VPI funds to carryover from one fiscal year to the next so they can remain available for Pre-K funding by the locality in the future.

3. <u>Local Option for Setting the Opening Day of School</u>

Proposal: Support legislation that gives local school boards the authority to set their school calendar and determine the opening day of school.

Current Virginia law forbids schools from beginning the school year before Labor Day. The so-called "Kings Dominion Law," passed in 1986, was intended to boost the region's tourism industry, and gave students who work in that industry the chance to work through the traditional end of summer before going back to school. Although there are some exceptions in place for school systems that experience a significant number of closures, many school systems – including Alexandria – do not qualify for such a waiver and are required to set the opening day of school after Labor Day.

Many school systems believe students and educators would realize benefits by starting school before Labor Day, including: increasing knowledge retention over summer break and experiencing less summer learning loss; reducing food insecurity for low income students; and increasing time to work with students prior to state and national exams.

The City supports legislation that would grant local school boards the authority to set their school calendar as is appropriate for their community and determine the opening day of school as they see fit.

4. Centralized Statewide CPS Hotline

Position: Oppose legislation to create a mandated, statewide hotline to receive all calls in Virginia reporting suspected child abuse and neglect.

There has been discussion of the creation of a Virginia Department of Social Services (VDSS)-run centralized, statewide Child Protective Services (CPS) Hotline that would be mandated to be the primary receiver of all calls reporting suspected child abuse or neglect in Virginia.

Currently, each locality in Virginia runs their own hotline or otherwise takes calls directly from their community about concerns, while VDSS runs a minimally staffed "secondary" statewide hotline that provides after-hours coverage and serves as a backup during business days.

Local hotlines, like the one in Alexandria, have established relationships with mandated reporters, which make the difficult phone calls easier to handle appropriately and in a timely fashion. Additionally, local hotline social workers often know the buildings, neighborhoods, and families that callers are referencing which allows operators to get more details, ask better questions, and provide a better response to calls. Essentially, the quality of the work done at the local hotline level allows for better, more efficient decisions at the early, important screening stage.

The City believes that the local hotlines provide better service to some of our most vulnerable residents during their time of greatest need and supports the continuation of this model, rather than the implementation of a statewide CPS hotline.

The City of Alexandria believes that the creation of a statewide, mandated VDSS Hotline would significantly harm the quality of this vital service in our locality and opposes efforts to mandate a centralized CPS hotline.

H. Environmental Sustainability

1. Stormwater Management

Position: Request the introduction of and support legislation to expand the Virginia BMP Clearinghouse list of accepted stormwater quality Best Management Practices (BMPs) to include practices recognized by the Chesapeake Bay Program.

Recent years have seen significant improvements in water quality throughout the Commonwealth. However, there are additional options for development and redevelopment projects that localities should have access to in their ongoing efforts to meet the cleanup mandates of the Chesapeake Bay Total Maximum Daily Load (TMDL). Adding BMPs that are already accepted by the Chesapeake Bay Program – including urban stream restoration, retrofits including continuous monitoring and adaptive control (CMAC), living shorelines, wetlands creation and restoration – to the list of stormwater quality BMPs in the Virginia BMP Clearinghouse will provide localities greater flexibility in achieving Chesapeake Bay TMDL cleanup mandates for development and redevelopment projects.

The City of Alexandria will request the introduction of and support legislation that expands the list of accepted BMPs for development and redevelopment to include some or all of those recognized by the Chesapeake Bay Program as acceptable to address the cleanup mandates of the Chesapeake Bay TMDL.

2. Plastic Bags

Proposal: Support legislation to allow Virginia cities and counties to levy a fee on single use plastic shopping bags at large retail stores.

The City of Alexandria is committed to alternative methods of waste disposal in our community, including recycling. However, many items – including plastic shopping bags – cannot be recycled and continue to find their way into our drains, waterways and landfills.

The City supports legislation to allow localities to levy a fee on single use plastic bags at large retail stores.

3. "Bottle Bill"

Proposal: Support legislation to implement a beverage container deposit law in Virginia.

As part of its ongoing commitment to achieving sustainability and seeking to create an environmentally healthy city and Commonwealth, the City of Alexandria supports measures to implement a beverage container deposit law, or "Bottle Bill," in Virginia. The deposit-refund system, which has been implemented in 10 other states and requires refundable deposits on certain glass, plastic and aluminum beverage containers, is designed to reduce litter and capture bottles, cans, and other beverage containers for recycling.

A "bottle bill" helps increase recycling because consumers have a financial incentive to return their beverage containers and so they capture and return larger percentages of those materials. In addition, because containers (glass, plastics, and cans) are collected separately, which results in less contamination, a "bottle bill" can result in more material actually being recycled, as opposed to ending up in a landfill because the material is too "contaminated" and unfit for recycling by the end market.

The City supports legislation to implement a beverage container deposit law to incentivize recycling in the Commonwealth.

4. Reducing Greenhouse Gas Emissions

Proposal: Support legislation to reduce greenhouse gas emissions.

The City of Alexandria is committed to creating an environmentally, economically and socially healthy city where people can live, work and play for decades to come. Through the Eco-City Alexandria effort, the City continues to work toward the goals of leading in the new green economy, addressing the challenges of climate change, and continuing its high quality of life while decreasing the city's carbon and ecological footprints.

The City supports legislation to reduce greenhouse gas emissions, including but not limited to the legislative priorities laid out in the City's Environmental Action Plan 2030 Phase 1 Update.

I. Healthy Residents

1. Mitigating Budget Cuts to Community Service Board

Proposal: Support the restoration of funding to CSBs for FY 19, the re-examination of the assumption that enrolling residents in Medicaid will provide sufficient funding to make up for cuts in FY 20 and beyond, and efforts to restore all future cuts to the CSBs that cannot be made up for through enrollment.

Community Service Boards (CSB) statewide are slated for substantial state general fund reductions in FY 2019 and 2020 — $11 million statewide this Fiscal Year 2019 and $25 million statewide in Fiscal Year 2020, including $330,758 in cuts to Alexandria's CSB in FY19 and $876,373 in cuts to Alexandria's CSB in FY20.

The Virginia Department of Behavioral Health and Developmental Services (DBHDS) estimates that by enrolling newly eligible residents through Medicaid expansion, CSBs will be able to make up for these cuts. However, if these cuts occur but projected revenues are not realized, CSBs in Alexandria and across the Commonwealth will likely have to cut staff and reduce services to the most vulnerable in our community in a time of growing need.

The City supports efforts to restore funding to the Community Service Boards for FY 19 and re-examine the assumption that enrolling residents in Medicaid will provide sufficient funding to make up for cuts in FY 20 and beyond. In addition, the City supports efforts to restore all future cuts to the CSBs that cannot be made up for through enrollment.

2. Access to Dignity Items

Proposal: Support legislation to remove sales tax on dignity items, including incontinence supplies and feminine hygiene products.

Virginia is one of many states that continue to tax the most basic dignity items, including incontinence supplies and feminine hygiene products, such as menstruation pads, tampons, and menstrual cups.

The City supports legislation that would remove sales tax on these dignity items, making them more easily available to the many people in our communities who rely on these basic hygiene necessities. In addition, the City supports any proposals offered by the Commission for Women that would make women's basic hygiene necessities more affordable and accessible in the Commonwealth.

3. Opioid Crisis

Proposal: Support legislation and budget requests to address the Commonwealth's growing epidemic of heroin and opioid addiction through community-based treatment and prevention programs and efforts to reduce the demand for and limit the supply of opioids in our communities.

Incidences of opioid addiction, overdoses and deaths are rising to epidemic proportions across the U.S., affecting all ages, ethnicities, income levels and communities. In Alexandria, people throughout our community are feeling the consequences of opioid misuse and addiction. Those affected range from

persons with addiction and their children and families to their neighborhoods and schools, as well as to their employers and the many City and other professionals performing their work in Alexandria. City staff are working together to respond locally to this crisis through the City's Opioid Work Group.

The City supports legislation that would increase funding for community-based treatment and prevention programs – including funding for local detoxification and medication-assisted treatment programs and continuing to ensure localities have adequate access to Narcan/naloxone – and support efforts to reduce the demand for and limit the supply of opioids in our communities.

4. Raise Tobacco Purchase Age in Virginia to 21

Proposal: Support legislation to raise the tobacco purchase age in Virginia to 21.

For over 50 years, the United States has seen many efforts to reduce tobacco use. Much of this has been aimed at young people, with the hope that they will never start to smoke cigarettes or otherwise use tobacco. Virginia state law (§18.2-371.2) now prohibits the sale of any tobacco product or nicotine vapor product (e-cigarettes) to those under 18. In 2013, the Institute of Medicine (now called the National Academy of Medicine) convened a panel of experts to study the effects of raising the minimum age to purchase tobacco products. In 2015, this panel released a report that said that raising the age to 21 would significantly reduce the number of adolescents and young adults who start smoking, reduce smoking-caused deaths, and immediately improve the health of adolescents, young adults and young mothers, who would be deterred from smoking, as well as their children. Six states (Massachusetts, Maine, Hawaii, California, New Jersey, and Oregon) and the District of Columbia along with at least 350 localities, including New York City, Chicago, San Antonio, Cleveland, Minneapolis and both Kansas Cities have already enacted such a law. Some of the localities are in states that subsequently enacted statewide laws.

The City supports legislation to raise the tobacco-purchase age in Virginia to 21.

5. Expanded Prescriptive Authority for Expedited Partner Therapy

Proposal: Support legislation to expand current Expedited Partner Therapy (EPT) prescriptive authority to practitioners who are employees of the Department of Health, a locally administered health department or of a program managed by a local health district.

Expedited Partner Therapy (EPT) is a best practice in public health. Current law regarding EPT does not include prescriptive authority for does not include employees of locally administered health departments (such as Fairfax or Arlington) or employees of local jurisdictions working in programs administered/managed by a local health district (including employees of the Alexandria Health Department's Teen Wellness Center). By amending the current EPT statute, it would expand EPT prescriptive authority to include those practitioners who work in the broadest arenas of public health in the City of Alexandria and throughout the Commonwealth.

The City supports legislation to expand current EPT prescriptive authority to practitioners employed by a locally administered health department or a program managed by a local health district.

6. Inclusion of Adult Dental Benefit in Medicaid

Proposal: Support legislation to include an adult dental benefit in Medicaid.

Oral health is an essential part of overall health care. Health and social conditions linked to poor oral health including adverse pregnancy outcomes, diabetes, heart disease, and lost work and school hours. Including oral health in the adult Medicaid benefit, beyond extractions, would allow for clinical interventions prior to the crisis interventions that are currently available to our underserved adults.

The City supports legislation that would include an adult dental benefit in the Medicaid program beyond emergency extractions.

7. Cigarette Tax Increase for Low-Income Healthcare

Proposal: Support an increase in the cigarette tax (50 cents/pack in 2019, 75 cents/pack in 2020, $1.00/pack in 2021) across the Commonwealth to generate revenue towards expanding primary care for low-income Virginians who do not benefit from Medicaid expansion.

While Medicaid expansion will provide insurance coverage to a large portion of Virginians, many will still fall short of access to coverage. For those individuals across the Commonwealth who remain ineligible even under an expanded Medicaid universe, the City supports a phased-in cigarette tax increase to raise revenue to support "safety net" healthcare providers who will provide services for patients who remain financially vulnerable and will not benefit from Medicaid expansion.

J. Multimodal Transportation

1. Northern Virginia Transit/Transportation Funding

Proposal: Support efforts to protect existing multimodal transportation funding and identify revenue options that will restore funding to Northern Virginia Transportation Authority (NVTA).

Dedicated funding for Metro was a priority for Alexandria in 2018 and we are pleased that Virginia, Maryland, and the District came together to reach a historic funding agreement during the 2018 legislative session. Unfortunately, for Virginia – and Northern Virginia in particular – the solution resulted in diverting significant funding away from multimodal transportation initiatives, some already programmed for local and regional projects.

Because of the redirection of existing revenue streams away from the Northern Virginia Transportation Authority (NVTA), several local and regional projects designed to move more people around Alexandria and throughout Northern Virginia and the broader DC region have been delayed. Restoration of NVTA funding is vital for local and regional multimodal transportation projects in Northern Virginia.

The City of Alexandria supports efforts to protect existing multimodal transportation funding and identify new revenue options to restore funding to NVTA.

2. Pedestrian Safety

Proposal: Support legislation to require drivers to stop, not just yield, to pedestrians in crosswalks.

Pedestrians – especially in densely populated, urban communities – need assurance that when they use crosswalks and have the right of way as they cross, oncoming drivers will actually stop and allow them to cross the street. Unfortunately, Virginia law does not currently provide that security.

In Virginia, drivers are required to yield, but not necessarily stop, for pedestrians in crosswalks. According to the Virginia Highway Safety office at the Department of Motor Vehicles, 114 pedestrians were killed in traffic crashes in 2017 and pedestrian deaths accounted for 13.5% of all persons killed in traffic crashes in Virginia in 2017. In addition to those killed, another 1,571 pedestrians were injured in traffic crashes, with 447 of those injuries classified as serious.

The City supports legislation that would require drivers to stop and remain stopped until a pedestrian in a crosswalk has safely crossed the street. This position is in line with the City's goal of eliminating all traffic deaths and serious injuries in Alexandria by 2028, starting with vulnerable road users such as pedestrians.

3. Bicycle Safety

Proposal: Support legislation to allow localities to grant bicycles the same right to cross a street with a walk signal as pedestrians, when pedestrians have a leading pedestrian interval phase.

Use of leading pedestrian intervals (LPIs) is a proven safety measure for pedestrians, and bicyclists could benefit from being allowed to proceed when pedestrians get a green signal. A Leading Pedestrian Interval (LPI) typically gives pedestrians a 3 to 7 second head start when entering an intersection with a corresponding green signal for vehicles in the same direction of travel. Data shows that LPIs reduce pedestrian-vehicle collisions by as much as 60% at such intersections and is particularly effective at intersections with a history of conflict.

Because bicycles are treated as vehicles at intersections, they may not proceed with a walk signal when a traffic light is red, even when pedestrians have the walk signal for the crosswalk next to them. Allowing cyclists to use the pedestrian signal at intersections with LPIs would give cyclists a "head start" on vehicular traffic and allow them to stay a safe distance ahead of drivers.

The City supports legislation to allow localities to grant cyclists the right to "use pedestrian signals" at intersections where pedestrians have a leading pedestrian interval phase. The City supports the requirement of signage at such intersections to ensure all road users know who can proceed and when.

4. Distracted Driving

Proposal: Support legislation that would expand prohibitions on the use of handheld devices by drivers to include any use of a handheld device that substantially diverts a driver's attention away from operating their vehicle.

In 2017, 208 fatal car crashes in Virginia involved distracted driving, an 18.2% increase over 2016. In order to decrease the number of traffic fatalities and injuries involving distracted driving, it is time for Virginia to enact a comprehensive distracted driving bill.

"Texting while driving" is currently a secondary offense in Virginia, however the law has been slow to catch up with technology and while crafting a text or email while driving is illegal, it is currently legal to scroll through Facebook or like posts on your Twitter feed without technically breaking the law.

The City supports legislation to expand prohibitions on the use of handheld devices while driving to include any use that substantially diverts a driver's attention from the operation of their vehicle.

5. <u>Cut-Through Traffic in Neighborhoods</u>

Proposal: Support legislation to strengthen localities' efforts to prohibit the routing of through traffic on certain local roads.

The use of digital routing providers like Waze and Google Maps has increased the amount of cut-through traffic in many Alexandria neighborhoods. Some of these popular cut-through routes push commuter traffic onto neighborhood streets that are, in many cases, narrow, have significant pedestrian traffic, and have schools with significant numbers of students and parents both on foot and trying to access the schools by vehicle.

Alexandria has a number of specific neighborhoods where, as drivers look to get on the Beltway to go over the Woodrow Wilson Bridge during the evening rush hour or head south to I-95, traffic backs up for blocks in otherwise quiet residential neighborhoods. This often makes it difficult for residents to drive to their houses or even to get out of their driveways during those times.

The City of Alexandria supports legislation that would strengthen localities' efforts to designate certain roads as "off limits" to cut-through traffic to reduce unsafe cut-through traffic on local streets.

6. <u>Automated Speed Enforcement</u>

Proposal: Support legislation to allow localities to establish a speed enforcement program utilizing cameras to create a disincentive to speed in areas where pedestrian safety is of significant concern.

Speed is the biggest factor in severity of vehicles crashes and is often the difference between whether someone lives or dies in such an accident. Controlling speeds, especially on streets that have significant pedestrian traffic or significant use by vulnerable users, is important for public safety. However, it is unsustainable and inefficient to use police personnel-based enforcement on every street at all times where speeding occurs.

The City supports legislation to allow localities the opportunity to utilize speed enforcement cameras as part of their traffic management and pedestrian safety efforts. The City encourages legislation in this area to have a delayed effective date to implement education efforts and fines earmarked for public safety personnel and programs specifically in the area of speed enforcement, traffic management and pedestrian safety.

7. E-Bikes and Scooters

Proposal: Monitor legislation related to e-bikes, scooters and other dockless shared mobility devices.

As dockless electric bicycles, or "e-bikes," and scooters have started to proliferate in many cities across the US, and soon will be expanding in Virginia including Alexandria, there may be a need for legislation on the State level to address issues related to regulation, safety and other unintended consequences of this new mode of transportation.

The City will monitor legislation related to electric bikes, scooters and other dockless shared mobility devices for legislation that is of impact to the City and its efforts in this area.

Other Board and Commission Legislative Proposals

1. Proposals from the Commission on Aging

Proposal: Support the legislative priorities of the Northern Virginia Aging Network.

The Commission on Aging traditionally seeks authorization to support the legislative platform of the Northern Virginia Aging Network (NVAN), assuming it contains no proposals detrimental to the City (staff cannot recall this ever being the case). The NVAN platform usually contains a number of proposals—far too many for City staff to promote and track. However, by getting the City's endorsement of the NVAN platform, Commission members can themselves lobby for these items and note City support. Staff proposes a continuation of this practice, and presents the NVAN Platform for review:

- Require licensed assisted living facilities to have and maintain onsite generators for emergencies when electric power goes out.
- Authorize mentally capable adults who are terminally ill to request Medical-Aid-in Dying (MAID).
- Appropriate an additional $200,000 for the Virginia Geriatric Training and Education Initiative, administered by Virginia Center for Aging, to develop the skills and capacities of the gerontological and geriatric work force.
- Appropriate $200,000 annually to support the pilot Lifespan Respite Voucher Program administered by the Department for Aging and Rehabilitative Services (DARS).
- Appropriate $ 487,000 - 25 % of full funding needed ($1,946,823) - toward bringing the state's Long-Term Care Ombudsman Program up to the state and national standard.
- Appropriate $1,000,000 to the Virginia Insurance Counseling and Assistance Program (VICAP) to provide counseling for Commonwealth Coordinated Care Plus (CCC+) Virginia residents.
- Provide living wages, paid sick days, overtime pay, and training for long-term care workers to build a quality, cost-effective workforce.
- Funding Improve dental care for older Virginians through education, enhancing services in long-term care and through community clinics, and improving services for adult Medicaid beneficiaries.
- Expand the Livable Homes Tax Credit from $1 million to $1.5 million per year; create a Livable Homes Grant Program at $1 million per year for lower income homeowners.
- Fund home and community-based services through Area Agencies on Aging and Centers for Independent Living.
- Direct the Department of Corrections to develop a plan to meet the specialized needs of incarcerated older adults and develop an Elder Reentry Initiative that brings together key stakeholders to provide support for older inmates throughout the reentry experience.
- Increase the auxiliary grant rate to providers of licensed assisted living and terminate the requirement that local governments pay 20 percent to the cost of the program.
- Expand voting access by enhancing accessibility for people who need assistance registering and/or casting a ballot, and by enacting no-excuse absentee voting.