



Date: December 11, 2018

To: Federal Legislative Committee

From: Patrick H. West, City Manager 

Subject: **FY 18 Federal Legislative Session in Summary**

Introduction

This memorandum summarizes the City of Long Beach's (City) engagement on federal public policy proposals during the 115th Congressional Session and President Trump's second year in office.

Federal Policies Debated

Affordable Housing. The City is committed to developing strategies to make housing attainable for all residents. These strategies, combined with the Federal Legislative Agenda, allow the City to communicate support or opposition to policies that would significantly affect the housing market.

On August 9, 2018, the City conveyed support for Senate Bill 3250, Rent Relief Act of 2018. This legislation proposed to address the burden of high cost rents faced by Americans across the nation through the provision of a tax credit for rent paid more than 30 percent of the renter's gross income for the taxable year. The bill has remained with the Committee on Finance since July 19, 2018.

East San Pedro Bay Ecosystem Restoration Feasibility Study. The U.S. Army Corps of Engineers (Army Corps) began the East San Pedro Bay Ecosystem Restoration Feasibility Study (Study) in January 2016. The goal of the Study is to restore and improve aquatic ecosystem structure and function for increased habitat biodiversity and ecosystem value within East San Pedro Bay.

In September 2018, the Army Corps informed the City that we have reached the environmental review portion of the study, and that six alternatives would be advancing forward for environmental review. On September 24, 2018, the City shared with the community six draft alternatives to the ecosystem restoration plan. In addition to supporting the City's interest in evaluating opportunities for improvements to ecosystem health, water quality improvements and the recreational value of the City's beaches within the Study, the City will also continue to advocate for federal funding to complete the Study.

Port Truck Drivers. On February 20, 2018, City Council voted unanimously to approve a recommendation to add language to the City's State and Federal Legislative Agendas to support legislation that improves working conditions for port truck drivers.

The City supported the House of Representatives Bill 4144, Port Driver Bill of Rights. This bill seeks to improve working conditions for port truck drivers by establishing a Truck Leasing Task Force to review lease-to-own truck agreements, assess compliance, and potentially recommend regulation changes associated with truck driver living wage protections. The bill has remained with the Subcommittee on Highways and Transit since October 27, 2017.

Economic Development. When President Trump took office, federal taxes were a top priority for the Administration and Congress. On December 7, 2017, the Tax Cuts and Jobs Act was signed into law which lowers the tax rate for top tier wealth holders and maintains or decreases the tax rates for other tiers to slow the progression of annual inflation adjustments through 2025. This was the first amendment to the Internal Revenue Code since 1986.

Immigration. The City of Long Beach City Council adopted federal legislative positions on immigration, citizenship and the Deferred Action for Childhood Arrivals (DACA) program into the City's 2018 Federal Legislative Agenda on January 23, 2018.

The debate on immigration resulted in a myriad of federal legislative proposals. Some were introduced as standalone bills, and others as amendments to non-immigration specific legislation. On February 21, 2018, the City communicated our position on immigration via a letter to the Long Beach federal delegation enumerating statements from our Federal legislative agenda, as they pertained to immigration. Despite our efforts, in April of 2018, the Trump administration declared a "zero tolerance" policy effecting the southwest border causing confusion and family separation and immigration continues to be a topic of debate today. The City is continuing to watch this policy closely to advocate according to the Federal Legislative Agenda.

Small-cell Deployment. On April 18, 2018, the City of Long Beach City Council approved Ordinance 18-0012 (The Small-Cell Ordinance) which enables the City to regulate and implement installations of wireless telecommunications facilities (small-cells) in the public right-of-way. The ordinance addresses design and aesthetic standards, and clearly sets forth increased clarity of regulations and efficiency of processing applications from the wireless industry.

Consistent with the direction of Ordinance 18-0012, the City communicated opposition to Senate Bill 3157, Streamlining the Rapid Evolution and Modernization of Leading-edge Infrastructure Necessary to Enhance Small Cell Deployment Act. S. 3157 imposed several limitations on local governments' abilities to regulate small-cells in public spaces and transfers the power to telecommunication companies. The bill has remained with the Committee on Commerce, Science, and Transportation since June 28, 2018.

While the legislative effort to strip cities of local control with respect to small cell deployments in the public right-of-way has stalled, federal regulations issued by the Federal Communications Commission (FCC) will likely achieve the same outcome. The City is partnering with the National League of Cities and other municipalities to identify legal actions that can be taken to protect local land use authority on this issue.

Next Steps

City staff will continue to monitor policy debates impacting the City. If you have questions or comments, please contact Diana Tang, Manager of Government Affairs, at 562-570-6506.

- cc: Mayor and Members of the City Council
- Charles Parkin, City Attorney
- Laura Doud, City Auditor
- Tom Modica, Assistant City Manager
- Kevin Jackson, Deputy City Manager
- All Department Directors
- Rebecca Jimenez, Assistant to the City Manager
- Diana Tang, Manager of Government Affairs
- Dentons, LLC