

# City of Alexandria, Virginia

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## MEMORANDUM

**DATE:** JUNE 5, 2019

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** MARK B. JINKS, CITY MANAGER /s/

**DOCKET TITLE:**

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Consideration of a Report on Federal Issues of Interest and Impact to the City of Alexandria.

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**ISSUE:** Federal Issues of Interest and Impact to the City of Alexandria.

**RECOMMENDATION:** That City Council receive this report.

**BACKGROUND:** One of the responsibilities of the City's Legislative Director is to monitor and report to Council and staff on federal legislative, budgetary and regulatory actions affecting Alexandria and coordinate analysis of any impact to the City. As part of the Legislative Director's ongoing efforts to focus concerted effort and attention on federal matters, we have worked to bring the members of Alexandria's Congressional delegation before Council to report on issues of importance and impact to City residents and on the delivery of City services and execution of City programs in the community. In 2019, Council has welcomed Congressman Don Beyer and, now, Senator Mark Warner to the chamber for a report on and discussion of these issues, with Senator Warner's visit on June 11, 2019 being the Senator's first visit to Council since his election to the Senate in 2008.

**FISCAL IMPACT:** Varies by issue.

**DISCUSSION:** There are a number of issues important to the City drawing attention and/or action at the Federal level. Many of these are of interest to and have impacts for the City of Alexandria and its residents.

**WMATA Dedicated Capital Funding.** While the WMATA Compact states worked hard in 2018 to put together a historic funding package for ongoing, dedicated revenue for Metro from the states, we need to ensure that federal grant money for Metro remains in place. Currently, Metro receives its \$150 million annual allotment from the federal government under the 2008 Passenger Rail Investment and Improvement Act (PRIIA). DC, Maryland and Virginia have matched this funding on a 1:1 basis. On top of that, each jurisdiction provides additional subsidy

for operating and capital costs. For FY20, Alexandria will provide approximately \$37 Million from in local funding for operating and capital costs, and transferring an additional approximately \$29 million in state and regional aid.

Continued bipartisan support for Metro will ensure WMATA makes ongoing progress towards making the system safer, returning it to a state of good repair, and restoring its status as a world-class system that is vital to our residents, businesses and visitors. The \$150 million in dedicated federal funding needs to be reauthorized for an additional ten years (FY 2020 through FY 2029) as the federal government is a vital user and partner in Metro funding for the region.

**Potomac Yard Metro Station.** Financing through the Transportation Infrastructure Finance and Innovation Act (TIFIA) is a key part of the City's financing package for this vital project which is integral to significant ongoing development in the Potomac Yard area, including the Virginia Tech Innovation Campus. It is important to the City that the federal TIFIA program remains in place or is augmented as has been proposed in some discussions of expanding federal infrastructure funding.

**Aircraft Noise.** Aircraft noise is a long-standing issue in communities close to Reagan National Airport's takeoff and landing patterns, including Alexandria. Because Washington's airports are owned by the federal government and operated on the government's behalf by the Metropolitan Washington Airports Authority (MWAA), efforts to mitigate the impact of aircraft noise on our communities are intrinsically linked to the Federal government. Many Federal organizations, including the Federal Aviation Administration (FAA) and Secret Service, are involved in these efforts.

In 2015, the FAA modified existing flight paths at National Airport as part of the agency's implementation of the NextGen air traffic control program, which using GPS technology allows aircraft to fly more direct routes, saving fuel and improving efficiency. However, in some cases, the new flight paths affect neighborhoods that had not previously been exposed to the noise of aircraft traffic, or now experience an increased number of flights, including some neighborhoods in Alexandria.

We understand that this is not a simple problem and, through the City's participation in the MWAA Aircraft Noise Community Working Group, the City is working with neighboring jurisdictions so that one community's concerns do not result in shifting the problem unfairly onto another community. In order to come to a reasonable solution, the City must continue to work with MWAA, the airlines, and the federal agencies, FAA in particular. We urge them to gather and report out reliable, detailed noise impact data as well as engage a third party to study alternative flight path solutions in order to properly address the concerns expressed by the Alexandria community as well as by our regional neighbors.

**Implementation of the Family First Prevention Services Act.** In the coming year, the state will make a number of decisions about how to implement prevention services for families of children at-risk of entering foster care that will now be available through the provisions of the Family First Prevention Services Act. Family First includes long-overdue historic reforms to help keep children safely with their families and avoid the traumatic experience of entering foster care, emphasizes the importance of children growing up in families, and helps ensure children

are placed in the least restrictive, most family-like setting appropriate to their special needs when foster care is necessary. While many decisions are up to the state, the federal government is continuing to provide guidance for implementation. In addition, there is a need for advocacy of the federal level to require the use of the California Evidence Based Clearinghouse for Child Welfare as the basis for the evidence standards that practices will need to meet in order to be eligible for Family First dollars.

**CSO Project.** The City continues to work in partnership with AlexRenew on the remediation of the City's Combined Sewer system (CSO) to prevent the discharge of combined sewage into Virginia's waterways. This \$370 million to \$550 million project, now called RiverRenew, involves the construction of a tunnel system, sewer improvements, and upgrades to Alexandria's wastewater plant – all before the July 1, 2025 deadline mandated by the Virginia General Assembly.

RiverRenew is the largest infrastructure initiative in the history of Alexandria. Generational infrastructure projects, with impacts far beyond the borders of our City or even our Commonwealth, are the kinds of projects that are ideal for Federal investment and funding. With ongoing discussion of a Federal infrastructure funding package, we are hopeful that the opportunity for Federal funding for major infrastructure projects such as our CSO remediation may develop.

**5G/Small Cell Rules.** The authority of local governments to determine the placement, construction, and modification of wireless telecommunications facilities, subject to certain restrictions, has long been established law. Regrettably, in 2018 the Federal Communications Commission (FCC) substantially reduced that local authority, imposing new restrictions on localities' ability to regulate small cell facilities without imposing any requirements on telecommunications companies to expand service, even though service expansion was the stated goal of its actions. The 2018 decision by the FCC limited the associated fees localities can charge telecommunication providers for installing the equipment. These fees in some cases also differ from the fee schedule laid out in 2018 by the General Assembly. In addition, the FCC decision included a burdensome collocation "shot clock" which, when paired with the FCC's previous decision exempting small wireless facilities from federal historic and environmental review, this places an unreasonable burden on local governments to prevent historic preservation, environmental, or safety harms to the community.

Late in 2018, two dozen cities and counties filed lawsuits against the FCC over the rules governing the implementation of 5G wireless equipment. As this lawsuit proceeds, the City remains steadfast in its belief that our staff is best suited to work with telecommunications providers to determine where to locate these facilities so they have a minimal impact on our unique neighborhoods and resident's quality of life.

The City welcomes 5G network deployment in Alexandria and has always worked with private business to build the best broadband infrastructure possible for our residents. We believe this restriction of local authority limits local control in the decision-making around this technology while limiting the obligations providers have to communities. Local governments have an important responsibility to protect the health, safety and welfare of residents, and we are aware that these preemption measures compromise that traditional authority. We believe that

preemption is an overreach of local decision-making authority that has the potential to produce unintended consequences, and fundamentally conflicts with the careful balance struck by between federal and local authority. Staff is working diligently to identify what these unintended consequences may be while working with carriers to address community concerns while meeting their needs.

**Federal Funding for Housing and Community Development.** The City supports robust funding for the Community Development Block Grant program (CDBG), the HOME Investment Partnerships Program (HOME), Emergency Shelter Grants and the Continuum of Care (CoC). Currently, the City receives about \$800,000 per year in CDBG funding, about \$500,000 per year in HOME funding and over \$800,000 per year in CoC funds.

The City believes that CDBG and HOME funds are needed now more than ever to provide a lifeline to the elderly, victims of domestic violence, the homeless, the disabled, youth, and our veterans, to name a few. These funds are a critical component of the City's resources to develop and rehabilitate housing that serves low-income households.

The CDBG program provides communities like Alexandria with resources to help address various community development needs, including funds for localities to provide decent housing, living environments and expanded economic opportunities – particularly for low- and moderate-income Americans. CDBG funds support many of the needs of Alexandrians to include the City's Home Rehabilitation Loan program, RAMP (the Rental Accessibility Modification Program, which helps low- and moderate-income renters who have physical disabilities make accessibility modifications to their residences), Fair Housing Testing, the Winter Shelter for the Homeless, and Transitional Assistance.

The HOME program provides formula grants to States and localities that are used – often in partnership with local nonprofit groups – to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households and the City has used HOME funding to support the Housing Opportunities Fund and Office of Housing Program Administration. Recent proposals to make the HOME Program more efficient and improve program performance by eliminating the 24-month commitment deadline and the 15% set-aside for Community Housing Development Organizations (CHDOs) would provide significant benefits for participating jurisdictions like Alexandria. These proposed changes would allow greater flexibility in administering the funds to improve program performance, better leverage scarce local and federal funding resources, and achieve the greatest impact with these funds in our community.

In addition, the Alexandria Redevelopment and Housing Authority (ARHA) receives significant federal funds to support its public housing programs. The City supports increased federal funding in the Fiscal Year 2020 Budget for Public Housing Operating and Capital funds along with the Housing Choice Voucher program, which provide critical housing options for Alexandria residents.

Finally, over the past two years, local nonprofits have been successful in receiving funds from the federal Housing Trust Fund to serve extremely low-income households along with gap funding for construction and rehabilitation projects. The federal Housing Trust Fund must be fully capitalized and implemented, and we must ensure that is not threatened by efforts to remove or redistribute its funding.

**Community and Human Services Programs.** It is the responsibility of government at all levels – federal, state, and local – to aid the most vulnerable members of our communities and help them to meet their own most basic needs. Healthy and productive children, individuals and families are the foundation of our community, and safeguarding this foundation requires a strong partnership among all levels of government to maintain the critical social safety net, which protects us all, including:

- Additional support for Alexandria’s youngest residents, including funding for early childhood grants for Alexandria Early Head Start, Child Care Partnership grant awards and Preschool Development Grants;
- Funding for trauma-informed systems prevention and response especially for immigrant communities. Our current national socio-political climate is creating additional stress and anxiety for immigrant communities. Social services entities should have the support and resources to ensure staff are trained in trauma-informed response and cultural proficiency to identify when immigrant communities are faced with the challenges and that they take appropriate steps to ensure that their interactions and response do not create additional burdens;
- Investment in the Child Care and Development Block Grant (CCDBG) in order to meet the needs of families seeking assistance paying for child care, reform and improve Virginia’s subsidy policies (including bringing more providers into the vendor system; eliminating barriers for families; and making additional improvements to payment rates), and improve the quality and availability of child care for hard working, low-income residents;
- The Reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA) to include adequate funding for core services that strengthen families, improve child well-being, and prevent child abuse and neglect. In addition, the reauthorization of CAPTA would be an opportunity to a re-orient the child welfare system around the developmental needs of infants, toddlers and families and using CAPTA state grants to create a structure for transforming child welfare through a lens of trauma, equity and early family supports;
- Review, retool, and provide appropriate funding for the work requirement component of the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) to align with practices that achieve outcomes and positively affect the participants. The current focus is process oriented, overshadowing the intent of the program;
- Continue to invest in the Community Development Block Grant and the Community Services Block Grant, which are essential to meet Alexandria’s safety net needs.

**Opioid Crisis.** Government at all levels must work together to combat the growing epidemic of heroin and opioid addiction in our community and our nation. 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 continue to work to respond locally to this crisis through the City's Opioid Work Group.

The City supports efforts to increase funding for Opioid Response Grants, which support the work of Alexandria's community-based treatment and prevention programs – including local detoxification and medication-assisted treatment programs and ensuring adequate access to Narcan/naloxone – as well as efforts to reduce the demand for and limit the supply of opioids in our communities. Additionally, establishing a network of federal drug courts, as recommended by President Trump's Commission on Combating Drug Addiction and the Opioid Crisis could help connect individuals with substance use disorder to appropriate treatment.

**Common Sense Gun Control.** Widespread and comprehensive gun control legislation has failed at both the federal and state levels. Despite this ongoing failure, the federal and state governments must continue efforts to combat gun violence and identify solutions that protect public safety while preserving Second Amendment individual rights. These common sense gun control measure must include: stronger background checks for all gun buyers; “red flag” laws to aid earlier identification and court-ordered removal of guns determined to pose a danger to the owner or others; prohibiting the sale of armor-piercing ammunition; and bans on assault weapons and high-capacity magazines.

**Sanctuary Cities/Immigration Enforcement Mandates for Local Governments.** The issue of “sanctuary cities” and immigration enforcement mandates for local governments is one of concern for many localities, including the City of Alexandria. The City already complies with all existing requirements under federal law, such as the determining the legal status of those in custody at the City Detention Center. However, the City opposes any expanded federal efforts, which would require local law enforcement officials to enforce federal immigration laws. The City believes we have the right and the responsibility to use its resources as it sees fit, and that the administration/Federal government should not conscript state and local officials to carry out federal immigration policy.

**Net Neutrality.** 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. The City supports ongoing efforts to reenact net neutrality rules, 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.

**ATTACHMENTS:** None.

**STAFF:**

Sarah Graham Taylor, Legislative Director  
Laura B. Triggs, Deputy City Manager