

**DATE:** October 29, 2019

**TO:** Honorable Mayor and City Council

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**VIA:** Daniel H. Rich, City Manager

**TITLE:** **Intergovernmental/Legislative Advocacy Program Options**

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## **PURPOSE**

The purpose of this Study Session is to describe the City's current intergovernmental/legislative advocacy program and seek Council direction on parameters for potential changes to this program.

## **BACKGROUND**

As part of the Council two-year Major Council Goals for Fiscal Year 2019-20 and Fiscal Year 2020-21, the Council prioritized a project to "Hold a Study Session to identify objectives and resource needs for the City to take a more active role in addressing State and Federal actions that impact local control." The purpose of this report is to provide options for Council consideration and to receive direction for developing a more proactive legislative and policy advocacy program.

### **Council Legislative Advocacy Policy**

Council Policy A-16, Positions on Ballot Measures and Legislative Advocacy, was adopted by the City Council in 1994 and subsequently revised in 2006 and 2013 (Attachment 1). The purpose of the policy is to guide how the City takes positions on ballot measures and State and Federal legislation.

The policy states actions of support or opposition to State or Federal legislation can be taken by the Mayor or staff without City Council approval, if the position is consistent with the legislative guiding principles of protecting local control or revenue, opposes an unfunded mandate, and is consistent with existing City policy, past action, or current City Council goals. For legislation that is not within the guiding principles listed above,

or to support or oppose any type of grassroots advocacy action, such as political, or economic movements, full Council action is required.

### Current City Efforts Related to Federal, State, and Regional Legislative Matters

Historically, the City's legislative advocacy efforts have focused on Federal legislative issues, with staff providing a Federal priorities and issues report for Council adoption that aligns with the National League of Cities (NLC) Federal Priorities and coincides with the NLC Conference held annually each spring in Washington, D.C. (Attachment 2).

In recent years, the City's Federal advocacy priorities have focused on the preservation of important local government programs such as the Community Development Block Grant Funds and HOME Investment Partnership Program, Department of Transportation, Department of Housing and Urban Development, and U.S. Department of Justice grants and funding, as well as highlighting other Federal issues of interest to the City that include, but are not limited to, NASA Ames issues, airplane noise, environmental sustainability, and protecting vulnerable populations.

The City also takes action on State legislation. The League of California Cities (LCC) provides advocacy guidance to member cities on both State and Federal legislative and ballot measures. The LCC staff works with city officials to advocate for local control and secure fiscal resources for cities in both Sacramento and Washington, D.C. Legislative advocacy positions are communicated regularly during the State legislative session through League Action Alerts that include legislative bill summaries, key talking points, and sample letters, through Regional Public Affairs Managers, Legislative webinars and action days, professional municipal departments and policy committees, and annual conferences. Over the past three years, 42 letters on legislation have been sent, averaging 14 legislative letters per year.

Additionally, Councilmembers participate on regional planning and government agencies such as the Cities Association of Santa Clara County (CASCC), the Association of Bay Area Governments, Silicon Valley Clean Energy, Santa Clara Valley Transportation Agency, and other bodies that track, monitor, and sponsor legislation and also have a significant direct impact on regional issues and/or local control.

## **DISCUSSION**

### **Current Legislative Advocacy Staffing**

The City Manager's Office currently dedicates approximately .20 FTE of an Assistant to the City Manager's time to support Intergovernmental Relations (IGR) and Legislative Advocacy in addition to program-specific legislative tracking and monitoring efforts in the operating departments. The focus of the program is to support the legislative priorities adopted by the City Council annually and work with Mountain View's legislative representatives at the County, State, and Federal levels on a variety of topics and issues that are of interest to the City. Most significantly, staff coordinates the Council's annual visit to Washington, D.C.; provides support on regional issues, such as airplane noise; and monitors agendas and liaises with CASCC, the NASA Ames Moffett Community, and regional legislative staff.

City Manager's Office staff also supports and collaborates with City departments to monitor and analyze bills and draft letters in opposition or support of policies or legislation that have been identified as City Council priorities or have been flagged as having an impact on the City through legislative action alerts by recognized regional, State, and national professional associations. These professional associations include, but are not limited to, the American Planning Association, the California Parks and Recreation Society, California Society of Municipal Finance Officers, the California Fire Chiefs Association, Municipal Information Systems Association of California, California Public Employers Labor Relations Association, and the California Police Chiefs Association.

It is important to note that proactive legislative advocacy and tracking by departments is limited and variable based on departmental priorities and staff workload. In some departments, the department head will monitor legislation and advise the City Manager on impacts and potential next steps. In other departments, subject matter experts will actively monitor select legislation that relates to department or City priorities. Additionally, the Mayor and City Council have the ability to request staff to analyze bills and their impacts and advise on a position to be taken by the City if it is consistent with existing City Council policy or past action. There is significant coordination and staff engagement between the City Manager's Office, departments, and the Mayor and City Council to ensure that legislative advocacy efforts adhere to City Council priorities and to develop appropriate communications of the City's interests. All told, departments other than the City Manager's Office spend approximately 325 hours per year on legislative issues.

### Survey of Intergovernmental Programs by Other Cities

Staff conducted an informal survey of neighboring cities to learn more about their Intergovernmental Affairs and Legislative Advocacy programs. The cities of Cupertino, Palo Alto, Sunnyvale, and San Jose currently have established formal programs. This includes dedicated staff that manages State and Federal legislative activities; Council-adopted legislative platforms, priorities, or policies; legislative review or policy committees; and engaging with State and Federal lobbyists to advocate on behalf of the cities in Sacramento and Washington D.C.

The City of Santa Clara is in the process of hiring a lobbyist to support local and State legislative advocacy; the cities of Sunnyvale and Milpitas are currently exploring options to engage with a lobbying or legislative advocacy firm; and the City of Los Altos has not received direction from their council to pursue legislative advocacy support.

### Legislative Program Structure Options

There are many ways cities can implement Intergovernmental/Legislative Advocacy programs. Mountain View's existing structure to dedicate part of a staff person to manage IGR/Legislative Advocacy programs is typical of many cities. Below are some options for how an IGR/Legislative Advocacy program can be structured:

- Current model—Council provides guidance on top legislative priorities with IGR/Legislative Advocacy facilitated by existing staff, with no additional proactive legislative engagement;
- Increased staffing—have staff spend more time on IGR/Legislative Advocacy with more proactive legislative engagement. This would likely impact the City Manager's Office and operating departments;
- Collaborative approach—shared legislative resources with neighboring cities and/or increased utilization of regional partners and professional associations for legislative analysis and support; or
- Consultant—hire a consultant to provide legislative advocacy and support (e.g., track and analyze legislation, draft letters, lobby, etc.) in Sacramento and/or Washington, D.C. on the City's behalf.

There is a range of costs and capacity for proactive advocacy associated with these options. Expanding the City's IGR/Legislative Advocacy program could provide the

City with additional opportunities to engage in and influence legislation at the regional, State, or Federal level in a more informed and meaningful way. However, increased legislative advocacy could have significant costs, impact department priorities, and increase staff workload. The effectiveness of any such expansion is difficult to assess in advance.

## **RECOMMENDATION**

In order to develop a more comprehensive plan with associated costs, staff recommends the City Council discuss and provide feedback on the following questions and direct staff to return to Council with a proposed program scope/structure and an analysis of the fiscal and staffing impacts.

- Question 1: What kinds of outcomes would the Council like to see the City's IGR/Legislative Advocacy program accomplish:
  - Drafting communications (e.g., talking points, written legislative updates to Council, letters)
  - Coordinating meetings with legislative representatives
  - Analyzing and tracking bills/legislation
  - Tracking agendas and preparing Councilmembers for regional meetings
  - Developing legislation
  - Other
- Question 2: What levels of government are most important to the Council (e.g., regional, State, or Federal)?
- Question 3: Does Council have direction on a preferred program structure option outlined above for further analysis?

## **NEXT STEPS**

Based on direction from the City Council, staff will develop a proposed program scope and structure, analyze the associated staffing and resource needs, and return to Council for consideration and approval.

**PUBLIC NOTICING** – Agenda posting.

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- Attachments: 1. [Positions on Ballot Measures and Legislative Advocacy – Council Policy A-16](#)  
2. [Fiscal Year 2019 Federal Legislative Priorities and Issues](#)