



**DATE:** February 4, 2020

**CATEGORY:** Unfinished Business

**DEPT.:** City Manager's Office

**TITLE:** **Legislative Program Update and Proposed Legislative Priorities and Issues for 2020**

### **RECOMMENDATION**

Approve recommendations for an expanded Legislative Program and the proposed legislative priorities to guide the City's regional, State, and Federal legislative advocacy during the 2019-2020 legislative session, as outlined in this report.

### **BACKGROUND**

The City's current legislative program is managed by an Assistant to the City Manager, who has a range of ongoing programmatic and special-project responsibilities and is currently able to dedicate approximately 20 percent of her time to legislative activities. Historically, the City's legislative advocacy efforts have focused on Federal issues, with staff providing a Federal priorities and issues report for Council adoption that aligns with the annual National League of Cities (NLC) Congressional Cities Conference held in Washington, D.C. each spring. A detailed summary of the existing legislative advocacy program process and procedures is provided in Attachment 1.

As part of the Fiscal Years 2019-20 and 2020-21 Major Goals Work Plan, Council called for a Study Session to explore the possibility of expanding the City's existing legislative advocacy program. This Study Session was held on October 29, 2019, during which the City Council provided feedback regarding potential legislative program functions and outcomes and directed staff to develop a proposed program scope and associated resource needs for Council consideration.

## DISCUSSION

During the Study Session, Council stated its interest in the following parameters for an expanded legislative program:

- Focus on regional and State legislative issues.
- Identify key legislative issues and bills and set priorities to focus the City's legislative efforts.
- Analyze and track priority bills/legislation and proactively advocate for the City's interests.
- Provide Council with talking points and regular written legislative updates.
- Maintain regular contact and coordinate Council and staff meetings with legislative representatives.

Council stated that it was not interested at this time in retaining the services of a lobbyist, instead preferring additional staff support for the Council to engage with regional and State leaders and influence legislative outcomes in a more meaningful way. In order to fulfill all of the above functions, and to provide a greater degree of strategic leadership and reporting on legislative program outcomes, additional staff resources will be needed. Accordingly, as part of the Council's midyear review of the Major Goals Work Plan on this same agenda, staff is proposing a staffing increase in the City Manager's Office. This increased capacity will not only enable a more robust and proactive legislative program, but also provides an opportunity to address similar needs in the area of public communication and community outreach. The Study Session memo for the Work Plan review provides more information and seeks Council direction on this potential staff addition so that it may be considered in the context of other potential priorities.

If Council decides to approve a staff increase and to do so prior to the adoption of the Fiscal Year 2020-21 Budget, it would likely not be possible to appoint someone before June. In the meantime, for the remainder of Fiscal Year 2019-20, the City Manager's Office proposes to modestly increase time spent by existing staff to address to some extent the above expanded legislative functions. This will include assisting departments with bill analysis and coordinating the development of talking points and advocacy letters on a core set of priority bills, tracking these bills more proactively, and providing bimonthly status updates to the City Council. Staff believes it will be

possible to achieve this modest scope increase for the duration of the remainder of this fiscal year without significant impacts to other project priorities. Beyond this scope and time frame, and without additional staff resources, it would be necessary to assess tradeoffs and make adjustments in the number, scope, or timing of other work plan items.

### Proposed Legislative Priorities for 2020

Staff conferred with all City departments to propose legislative bills and issues for Council consideration to include in the Legislative Priorities and Issues platform for 2020. The recommended platform consists of actionable items of top priority to the City in accordance with the key legislative guiding principles outlined in City Council Policy A-16 and summarized below (Attachment 2):

- Protects or increases local control or revenue;
- Protects or increases funding or otherwise benefits specific programs or services utilized in Mountain View;
- Opposes an unfunded mandate; and
- Consistent with existing City policy, past action, or current City Council major goals.

The recommended priorities and issues include both State and Federal bills that have been introduced in the 2019-20 legislative sessions as well as a proposed regional transportation initiative. The bills focus on the issue areas of housing, transportation, solid waste, and airplane noise. More detail on these and other issues follows below.

<b>Department/ Division</b>	<b>Bill</b>	<b>Issue</b>	<b>Regional/ State/Federal</b>
CDD – Housing	SB 50 (Weiner) Housing Development Incentives	Would require local governments to provide an “equitable community incentive” for residential projects in jobs-rich and transit rich areas. Incentives could include exceptions to local zoning, density, parking, heights, and FAR requirements.	State
CDD – Housing	AB 69 (Ting) Accessory Dwelling Units Building Standards	Would establish building codes specifically for accessory dwelling units. Intent is to reduce construction costs related to ADUs.	State
CDD – Housing	SCA 1 (Allen and Wiener) Public Housing Projects	Constitutional amendments that would remove voter approval requirement for local jurisdictions to develop, construct, and acquire public housing properties.	State
CDD – Housing	AB 11 (Chiu) Community Redevelopment Law	Would allow two or more local jurisdictions to form an affordable housing and infrastructure agency.	State

<b>Department/ Division</b>	<b>Bill</b>	<b>Issue</b>	<b>Regional/ State/Federal</b>
Public Works – Transportation	FASTER Bay Area (Beall)	Would enable MTC to place some type of funding measure for the FASTER Bay Area initiative on the November 2020 ballot.	Regional
Public Works – Solid Waste	AB 1080 (Gonzalez, Friedman, Ting) and SB 54 (Allen, Weiner, Skinner, Stern) – Plastic Pollution Reduction/Circular Economy	These related bills would set goals to reduce waste from single-use packaging and products and establish a comprehensive framework to address the pollution and waste crisis.	State
Public Works – Solid Waste	AB 1583 (Eggman) Recycling Market Development	Seeks to update and revise gaps in existing California recycling policy, and seeks to balance California’s ambi- tious environmental goals with changing market realities.	State
Public Works – Solid Waste	SB 724 (Stern, Glazer) Bottle Bill Buy-Back Centers	This bill would amend California’s Bottle Bill Program to provide temporary financial assistance to recycling centers while providing exemption to dealers from various consumer redemption opportunities.	State

<b>Department/ Division</b>	<b>Bill</b>	<b>Issue</b>	<b>Regional/ State/Federal</b>
Public Works – Recycled Water	H.R. 5302 (McNerney, CA-09)	Calls for the authorization of 12 water recycling projects to strengthen California’s water infrastructure and bring more stability to the region’s water supply.	Federal
CMO – Airplane Noise	H.R. 5106 (Speier, CA-14) Restore Everyone’s Sleep Tonight (REST) Act	Allows airports to voluntarily impose a curfew, under specified circumstances, at any time between 10:00 p.m. and 7:00 a.m.	Federal
CMO – Airplane Noise	H.R. 5110 (Speier, CA-14) All Participating in Process Reaching Informed Solutions for Everyone (APPRAISE) Act	Ensures that community knowledge and input are represented in the FAA flight procedure design process. An aviation roundtable technical representative will be allowed to fully participate in the FAA procedure design process for procedures affecting their communities.	Federal
CMO – Airplane Noise	H.R. 5109 (Speier, CA-14) Fairness in Airspace Includes Residents (F-Air) Act	Amends the FAA’s prioritization of U.S. airspace use. Safety in managing U.S. airspace would remain the first priority. Secondary priorities would put noise and health impacts to residents and other environmental concerns on an equal basis with efficiency.	Federal

Department/ Division	Bill	Issue	Regional/ State/Federal
CMO – Airplane Noise	H.R. 5105 (Speier, CA-14) Responsive Employee Support Productive Educated Congressional Talk (RESPECT) Act	Requires FAA staff to answer questions submitted in writing by Members of Congress relating to flight procedures or other data affecting their district within 90 days and requires FAA staff to appear at a meeting or town hall with a member of Congress with 30 days' notice.	Federal
CMO – Airplane Noise	H.R. 5111 (Speier, CA-14) Notify Officials to Inform Fully and Impel Educated Decisions (NOTIFIED) Act	If the FAA proposes a new or modified flight path, it would be required to notify City Councils, Boards of Supervisors, Members of Congress, and Aviation Roundtables within 5 miles of the flight path in question.	Federal

National League of Cities Conference

Given Council's interest in prioritizing regional and State legislative priorities and issues, staff requests that Council provide direction about the scope of Council's interest in participating in the annual NLC conference and scheduling meetings with relevant Federal officials during the conference scheduled for March 9 through March 11, 2020. As referenced earlier in this report, in past years, Council has adopted Federal priorities and directed staff to prepare background materials and schedule meetings with Federal officials that align with the Council's legislative priorities and interests. Staff seeks City Council direction on the extent to which it desires to include Federal legislative advocacy as part of its legislative program for 2020, and the interests for participating in the NLC conference. In particular, staff requests Council prioritize the issue areas they wish to engage in, and provide direction and/or feedback on any meetings with Federal agencies or officials Council would like staff to request.

The Federal Legislative issues and priorities that were adopted for 2019 include the following:

- Preserving Federal Funding to Cities
- Supporting Affordable Housing
- Supporting Transportation and Infrastructure Funding
- Support NASA Programs, particularly those targeted to Ames
- Promoting Environmental Sustainability
- Protecting Vulnerable Populations
- Supporting FAA Action to Minimize Airplane Noise

### **FISCAL IMPACT**

There is no fiscal impact associated with the adoption of the legislative program and Proposed Legislative Priorities and Issues for 2020. As will be discussed during the item on this same agenda on the midyear review of the Council Major Goals Work Plan, there is a cost associated with additional staffing to support an expanded legislative program.

### **ALTERNATIVES**

1. Do not approve the Legislative Program and Proposed Legislative Priorities and Issues for 2020.
2. Modify the Legislative Program and Proposed Legislative Priorities and Issues for 2020.
3. Provide other direction.



**PUBLIC NOTICING** – Agenda posting.

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- Attachments:
1. October 29, 2019 Council Report
  2. Positions on Ballot Measures and Legislative Advocacy – Council Policy A-16
  3. [NLC Federal Action Agenda](#)
  4. [LCC 2019 Federal Priorities](#)