

CITY OF AMERICAN CANYON

COUNCIL AGENDA STAFF REPORT

Meeting Date: March 18, 2008
ITEM: CONSENT 2

SUBJECT

Consider adopting Legislative Policy and Procedures.

SUBMITTED BY

Dorothy Roadman, City Clerk

BACKGROUND AND ISSUES

At the February 19, 2008, City Council considered a Draft Legislative Policy and Procedure document. The following items were discussed:

- 1- Items #4, #5, #6 and #7, under "Regional Growth Management", which concerned redevelopment funds, tax increment financing, or redevelopment plans, have been deleted.¹
- 2- Item #1 under "Economic Development/Tourism" regarding the USS Iowa. Staff retained the language after confirming that Council discussed the matter on September 7, 2006 and agreed to send a Letter of Support.
- 3- There was some discussion regarding follow-up. As a response, staff has clarified the procedures under "tracking" and "response".

FISCAL IMPACTS

None

ENVIRONMENTAL DETERMINATION

N/A

STAFF RECOMMENDATIONS

Consider adopting, by motion, the attached Legislative Policy and Procedures.

ATTACHMENTS:

Draft Legislative Policy and Procedures

¹ See Ordinance 96-08, codified in Chapter 2.60 of the City of American Canyon Municipal Code; which dissolved and deactivated the City's Redevelopment Agency, retaining the right to reestablish if needed.

City of American Canyon

Legislative Policy and Procedures



BACKGROUND:

To promote a structured and proactive policy concerning state, regional and federal legislative issues, the following Legislative Policies and Procedures will be utilized to assist the Mayor and City Council in addressing pending legislation and to generate a consistent voice on issues of concern to the City of American Canyon.

Policy Defined:

The **Legislative Policy** provides the overriding standards with respect to legislative priorities, and will provide Council and staff clear direction concerning issues the City will monitor during the legislative session. Legislative inquiries and responses will be administered consistently with “one voice” as to the approved policy set by City Council.

It is recommended that the City Council, on an annual basis, review the **Legislative Policy** with consideration for revisions to reflect current concerns and positions the City Council has taken on previous and future legislative issues. This review may become an essential component of an overall City Legislative Program to set or address priorities.

Procedures Defined:

The established **Legislative Procedure** is the process by which the City will **track** and **respond** to legislative issues in a timely and consistent manner.

Authority/ CITY COUNCIL ACTION: 3/18/08
Meeting Date

LEGISLATIVE POLICY

FINANCE

A. **State and Federal Mandates**

1. *Support* legislation requiring the State and Federal Government to provide full cost reimbursement to cities for all mandated programs and for all programs resulting in revenue losses.
2. *Support* legislation that further protects local government revenue from being taken, confiscated, diverted or otherwise used to fund state government operations and responsibilities.
3. *Support* efforts to reduce the fiscal impacts of Proposition 218 on cities.
4. *Oppose* legislation that imposes federal mandated costs for which there is no guarantee of local reimbursement or offsetting benefits.
5. *Oppose* any measure that mandates procedures that would make local government more dependent on the state for financial stability or reduces local discretion in the use of local government revenues.

B. **Long Term Financing of Local Agencies**

1. *Support* legislation to stabilize local government financing, to increase funding to local agencies and to permit the most cost-efficient management of state-mandated programs.
2. *Support* legislation which preserve and enhance the City's ability to generate revenues from all types of sales.
3. *Support* legislation to protect and preserve local control over locally imposed taxes (such as transient occupancy tax and franchise fees).
4. *Support* extending sales tax to E-Commerce as a means of fairness to "Main Street".
5. *Oppose* legislation which shifts revenue from local government to the state for any purpose.

EMPLOYEE ISSUES

A. Workers' Compensation

1. *Support* legislation to reform workers' compensation formulas to rely on more evidence of work-related causation to determine compensability.
2. *Support* legislation reforming the workers' compensation system to reduce employer cost through the reduction of system abuse.
3. *Oppose* legislation to increase employee benefits without system reforms to offset increased employer costs.
4. *Oppose* legislation providing presumptive eligibility for award of benefits for workers' compensation or other health benefits.

B. Unemployment Compensation

1. *Oppose* legislation which would increase employer liability for unemployment compensation or which would reduce local discretion to manage this risk.

C. Labor Relations

1. *Oppose* legislation impeding local administration of labor relations.
2. *Oppose* legislation which would require, impose or expand compulsory binding arbitration for public employees.
3. *Oppose* legislation which would increase the cost of administering benefits or mandate that a special group health and welfare benefit provided to all employees.
4. *Oppose* legislation which reduces the local control over public employee disputes and/or imposes regulations from an outside agency.
5. *Oppose* any measure that seeks to impose federal or state mandates on the collective bargaining process.

D. Personnel

1. *Support* reform to the CalPERS medical insurance program to address cities' future liability for retiree medical insurance.
2. *Support* measures that would lessen the impact of CalPERS investment losses on employer rates.
3. *Oppose* measures that impose local government mandated employee benefits that are more properly negotiated at the bargaining table.

GENERAL GOVERNMENT

1. *Support* measures that recognize, strengthen and protect local control over the public rights-of-way.
2. *Support* measures that require any company providing communication services to the local community to provide or support the Public, Educational and Governmental (PEG) access to new networks, including PEG equipment, funding and support.
3. *Support* state-local partnerships to fund regional transportation projects.
4. *Oppose* measures that create/grant powers to sub-regional or regional bodies which may result in infringement on clearly local concerns, unless there is an agreement to do so by all affected local entities.
5. *Oppose* additional burdensome amendments to the Brown Act; however, in recognition that many open meeting laws have been beneficial at the local level, support similar application to the state legislature.
6. *Support* measures that create or maintain local governmental authority as it applies to the cable, video and telecommunications industry and franchising processes.

PUBLIC SAFETY

A. Police

1. *Support* legislation to protect the public from the dangerous and improper use of weapons and enact necessary regulations to limit or control their use.
2. *Support* legislation that would strengthen state graffiti law and provide local government revenue and resources for graffiti abatement.
3. *Support* legislation that would protect the public from crimes committed by use of the computer, internet or identity theft.
4. *Support* legislation that would provide funds for local law enforcement technology.
5. *Support* legislation that would provide funds for additional equipment, services, or personnel (COPS bill).
6. *Oppose* legislation which would weaken the authority of local law enforcement to control the issuance of concealed weapon permits.
7. *Support* legislation which would provide a greater share of seized assets to localities.

B. Fire/Emergency Services

1. *Support* legislation protecting local discretion regarding building and fire code standards.
2. *Support* legislation that provides funding for local emergency operations including equipment, services, and personnel.
3. *Support* legislation protecting or increasing municipal discretion regarding the provision of emergency medical services.
4. *Oppose* measures that permit the sale and/or use of fireworks, including those labeled “safe and sane”.

C. Homeland Security

1. *Support* legislation that would require transfer of information to local officials regarding threats to local safety as threats occur.
2. *Support* legislation that would provide funding for Homeland Security measures.

TRANSPORTATION AND PUBLIC WORKS

A. Traffic/Roads/Highways

1. *Support* legislation to retain local control over public rights-of-way, and legislation to share responsibility for sidewalk maintenance with adjacent property owners.
2. *Seek and support* legislation to provide funding for traffic congestion relief projects in the SR 29 corridor.
3. *Support* legislation which provides equitable amounts of state and federal funding for roads and highways, and facilitates timely construction of local transportation projects.
4. *Support* legislation for a multimodal transit center in American Canyon.

B. Water/Wastewater

1. *Support* legislation that provides additional flexibility to increase and stabilize the water supply.
2. *Support* measures to increase the availability of alternative sources of water, including desalinization and water reuse.
3. *Support* legislation to provide funding for mitigation measures and projects to divert, filter, or treat urban runoff.
4. *Oppose* legislation that imposes more stringent requirements on wastewater discharge and storm drain runoff without providing funding.
5. *Oppose* measures that impose unreasonable or unfunded water testing and treatment requirements.

6. Support legislation to provide funding for flood control and habitat restoration on American Canyon Creek.

C. Wetlands

1. *Oppose* legislation which adversely impacts wetlands.

D. Solid Waste and Recycling

1. *Support* legislation which sets reasonable and flexible recycling standards.
2. *Support* legislation encouraging active development of markets for recycled goods.
3. Support legislation which reduces local government's Superfund liability for solid waste.

ENVIRONMENT

1. *Support* efforts designed to reduce or eliminate the spread of graffiti.
2. *Support* legislation to establish and preserve a green belt around the City of American Canyon through county, state and federal financial support and tax incentives.
3. *Support* strategies that clearly demonstrate and provide for the most cost-effective means for meeting air-quality goals.
4. *Support* legislation which allocates state and/or federal funds for the compliance of federal and state air-quality standards.
5. *Support* legislation that provides funding for alternative fuel vehicles.
6. *Oppose* legislation that would weaken or substitute the CEQA requirements in favor of a weaker process, such as National Environmental Protection Act (NEPA).
7. *Oppose* measures that provide only minimal improvements in air and water quality while incurring excessive public and private costs associated with implementation.

REGIONAL GROWTH MANAGEMENT

1. *Support* legislation that produces additional resources, including adequate funding, to local agencies to address regional growth issues.
2. *Encourage* federal and state financial support to provide adequate affordable housing for low-income individuals.
3. *Oppose* legislation that would impose state-mandated development standards or procedures that are contrary to the City of American Canyon General Plan or local land-use policy.

COMMUNITY/RECREATIONAL/ SOCIAL ISSUES

1. *Support* federal and state funding opportunities for cultural arts programs, libraries, parks, recreation and human service, open space, and facility development/renewal.
2. *Support* measures that promote volunteerism.
3. *Support* federal and state funding opportunities that promote the ability to provide public access to technology at community facilities.

ECONOMIC DEVELOPMENT/TOURISM

1. *Support* funding for relocating the USS Iowa to Vallejo.
2. *Support* funding for establishment of a visitor's center for the San Pablo Bay National Wildlife Refuge in American Canyon.
3. *Support* funding for completing links in the Bay Ridge Trail and the Bay Trail in the vicinity of American Canyon.

LEGISLATIVE PROCEDURES

TRACKING

The City Manager (or City Manager designee), will periodically provide updates of important legislative issues and/or those matters that the City has a stated a position on during the Legislative Session

RESPONSE

When a legislative matter requires action between a regular City Council Meeting, the City Manager (or City Manager designee) is authorized to take a position on the matter **in accordance with the adopted Legislative Policy.**

If there are mitigating factors where Council may want to take a position that varies from the approved Policy, or, if it is a matter that is not inherent in the Policy, the measure shall go to the full City Council for direction.

1. The City Manager, or his designee, shall review all requests for a Mayor's letter on legislative issues to determine if the legislation aligns with the existing and approved position through the City's Legislative Policy.
2. Department Heads shall coordinate the initiation and development of legislative letters with the City Manager (or designee).
3. If the matter aligns with approved Policy, City response shall be supplied in the form of a Mayor's letter to the legislative body reviewing the bill/measure.
4. All draft legislative letters prepared by the City Manager (or designee), shall state whether the City is requesting a "support" "support if amended" "oppose" or "oppose if amended" action on the issue and shall include adequate justification for the recommended action. If possible, the letter shall include examples of how a bill would **specifically** affect the City of American Canyon, e.g. "the funding the City will lose due to this measure could pay for x acres of parkland."
5. One legislative letter should be prepared to address one bill or measure. A legislative letter should not address multiple bills unless bills are grouped together and reviewed as one package by a legislative body.
6. When a letter is sent to a state or federal legislative body, City Councilmembers, the City Manager, the City Clerk and state legislators representing the City of American Canyon shall be included as a courtesy copy "cc" on the letter. The appropriate contact at the League of California Cities and legislative consultants, if applicable, shall be included as a cc on legislative letters.