

RESOLUTION NO. 2020-289

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
ADOPTING THE CALENDAR YEARS 2021 AND 2022 LEGISLATIVE
PRINCIPLES AND PROCEDURES**

WHEREAS, a successful municipal advocacy program must be flexible and efficient in order to be effective in the fluid and rapidly changing legislative environment; and

WHEREAS, the City of Elk Grove will utilize a set of its own Legislative Principles, augmented by the League of California Cities' *Summary of Existing Policy and Guiding Principles* (May 2020 or the most current version) in order to provide City staff with clear, advance direction when acting on pending legislation; and

WHEREAS, City staff and the City's contracted legislative advocates rely upon these Legislative Principles in order to ensure the City's legislative program is executed in a manner wholly consistent with City Council's desired policy direction; and

WHEREAS, the City Council of the City of Elk Grove reviews and updates its Legislative Principles and Procedures on a periodic basis in order to ensure they are current, reflect the realities of the legislative process and the Council's desired policy direction.


NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Elk Grove that the City hereby adopts the Legislative Principles for calendar years 2021 and 2022, attached hereto as Exhibit A, and the Legislative Procedures, attached hereto as Exhibit B, both incorporated herein by reference.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of December 2020



BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT A

CITY OF ELK GROVE

LEGISLATIVE PRINCIPLES Calendar Years 2021 and 2022

Brown Act/Elections Code/Political Reform Act/Public Records Act

The City supports legislation that:

1. Simplifies and streamlines the administration of the Brown Act, the Elections Code, the Political Reform Act, and the Public Records Act, and provides opportunities to recover costs.
2. Seeks to protect its ability to obtain confidential advice from legal counsel and staff on items such as anticipated and pending litigation, real estate acquisition, confidential labor and employment matters, and threats to public services or facilities.

The City opposes:

1. Additional mandates in this policy area without full cost recovery.
2. Legislation that would invade the attorney-client privilege and upset the balance between the public's right to know the conduct of its business and a city's need for privileged and confidential conversations with legal counsel and staff.

Appropriations

The City supports efforts by its legislators, who know their district best, to appropriate federal and/or state funds for needed local projects.

The City opposes legislation that would prevent individual legislators from having the ability to secure needed project funding for their district.

Community Resilience - Community resilience is the sustained ability of a community to use available resources to adapt, respond to, withstand, and recover from adverse situations. Communities that are resilient are able to minimize any disaster, making the return to life as effortless as possible.

The City supports legislation that:

1. Establishes programs, policies, and funding for communities to increase overall community and individual resilience.
2. Builds resilient communities by developing projects that incorporate, when feasible, cool surface materials, green infrastructure and

investing in communities to develop community-specific climate resilience plans.

3. In support of Local Hazard Mitigation Plans, provides jurisdictions funding and support for resilience efforts that focus on, among other items, heat events, flooding, smoke and air quality impacts.
4. Disseminates to the local level decision making related to recovery funds and how those should be allocated and spent.

The City opposes legislation:

1. That restricts or reduces funding related to resilience efforts.
2. That limits the flexibility of local communities in addressing resilience.

Economic Development

The City supports legislation that:

1. Provides tangible and productive tools and incentives to local governments to support business retention, expansion, and attraction projects that create high quality jobs and grows the City's tax base, including successor tools to redevelopment.
2. Provides local government tools to revitalize communities and neighborhoods by providing affordable housing, protecting public safety, maintaining or generating high quality jobs, building or improving infrastructure and enhancing local economies.
3. Reduces and streamlines state regulatory processes so that the City and the Sacramento region are more competitive in business retention, expansion, and attraction.
4. Encourages and supports a strong telework strategy for State of California workers, and the development of State of California co-working facilities or strategies in Elk Grove.

The City opposes legislation that adversely impacts the ability of communities to attract and retain jobs.

Emergency Management

The City supports legislation providing for continued funding for Emergency Management Programs and enhancements to Emergency Operations Centers, including funding for staff training, technology upgrades and public alerts and warning systems.

The City opposes legislation that reduces the funding for Emergency Management functions.

Environment*

The City supports legislation:

1. Allowing for simplified combination of required mitigation lands between cooperating agencies, rather than forcing agencies to compete for limited mitigation land that can serve multiple mitigation purposes and create vibrant habitat.
2. Seeking to secure annual appropriations to help offset the cost of funding purchases of mitigation land acquisition.
3. Ensuring local government representation on environmental regulatory bodies and opposes legislation to delete such representation.
4. Standardizing and streamlining state and federal environmental regulations.
5. Providing cities flexibility to enact environmental standards that are stricter than state or federal standards if it so chooses.
6. Creating or enhancing policies and projects where producers share in the responsibility for managing products that may become a danger to the environment or human health and safety at the end of their useful life.

The City opposes legislation that, under the guise of environmental protection, restricts its land use authority.

*see related items under Planning Section

Healthy Communities

The City supports measures that facilitate activities that promote healthier lifestyles, including healthy diet and nutrition, and to adopt city design and planning principles that enable citizens to undertake exercise with the goal of achieving a more active and healthy community.

Housing

The City supports legislation that provides:

1. Needed federal and state incentives that help facilitate the production of affordable housing units including, but not limited to, housing bond funds and tax credits, housing element self-certification, prevailing wage relief, and CEQA reform.
2. Needed resources and flexibility to local governments for the

production of housing that meets all socioeconomic needs and local demands.

3. Local governments with greater flexibility in the housing element process.
4. Resources to address the impacts of homelessness in our community.
5. Resources to address pandemic-related impacts to our social service nonprofit agencies and to residents facing eviction or foreclosure due to income loss.

The City opposes legislation that:

1. Mandates affordable housing production without providing the commensurate resources necessary to meet those mandates.
2. Unduly punishes local governments for non-compliance with rigid state housing standards that are imposed outside of the local decision-making process.

Local Control

Recognizing that local government is the level of government that is closest to the people and most responsive to resident concerns, the City supports legislation:

1. Seeking to enhance local control and discretion.
2. Enhancing its local land use authority.

The City opposes legislation:

1. Seeking to constrain or otherwise undermine local control.
2. Eroding its local land use authority, now or in the future.

Mandates

The City supports legislation:

1. Enhancing local government's ability to comply with state and federal mandates.
2. Providing funding for past and future federal and state mandates.
3. Streamlining the process by which local governments are reimbursed by the state for the cost of unfunded mandates.

The City opposes legislation:

1. Seeking to impose additional unfunded mandates on local governments that produce inequitable burdens and financial and other hardships.
2. Further delaying reimbursement for unfunded mandates.

Planning

The City supports legislation:

1. Seeking to enhance the flexibility of local planning agencies to meet community needs and provide community enhancement.
2. Resolving ambiguous or unworkable planning and environmental statutes so that local agencies have clear direction from the federal and state governments.
3. Identifying ways in which the community and City can reduce greenhouse gas (GHG) emissions, implement smart growth principles, conserve natural resources, reduce climate change impacts, and other measures that preserve the environment for future generations.

The City opposes legislation that imposes additional mandatory and arbitrary reviews by non-local agencies of local plans and programs.

Public Safety

The City supports legislation:

1. Enhancing public safety by providing additional funding for local agencies in their efforts to safeguard the public, increase the quality of life, reduce or prevent crime, educate residents, and build community partnerships.
2. Providing local law enforcement with additional tools to protect the public and prevent crime.
3. Establishing task forces that unite multiple public safety resources and agencies in a united effort to combat criminal acts which extend beyond the jurisdictional borders.
4. Assisting local law enforcement in its role as “first responders” to natural and man-made disasters.
5. Providing additional policy tools for local governments to enhance public safety.

The City opposes legislation:

1. Limiting the public safety policy tools available to local governments to deal with local conditions.
2. Reducing subventions and grant programs for public safety programs or equipment.
3. Limiting or restricting public safety professionals from the efficient performance of their duties or limiting the law enforcement tools available to local public safety professionals.

Revenue Protection

The City supports legislation:

1. Giving local government greater stability and independence in the state-local fiscal relationship, including full, constitutional protection of all local government revenues.
2. Providing additional opportunities for local governments to be financially self-sufficient and opposes legislation that erodes the fiscal independence of local governments.
3. Enhancing the state's fiscal stability and minimizing the impact of state budget deficits on local governments.
4. The equitable implementation of a road charge program, or related policies, that offsets City revenue loss from a decrease in vehicle gasoline sales, but in turn, does not disproportionately affect residents with long commute lengths.

The City strongly opposes legislation:

1. Giving the state or federal government greater control over local revenue sources, or that in any way reduces or diminishes its authority over City revenues.
2. Resulting in the permanent loss of its revenues unless it is part of a broader local government revenue protection package.
3. Further exacerbating the state's long-term budget imbalance and exposing local governments to the effects of state budget deficits.

Technology

The City supports legislation that increases government accessibility through technology which addresses technology in the government workplace, increased use of digital/e-records, increased access to digital records, funding for such programs, and interoperability between agencies.

The City opposes legislation that limits the use of technology in these manners.

Telecommunications and Cable Franchises

The City supports legislation that maintains local control over public rights-of-way; protects local revenues used for essential local services, including public safety; guarantees access to, and funding for, public, educational and government access television; and ensures that the public is appropriately compensated by telecommunications providers that use the public's rights-of-way.

The City opposes legislation that does not adhere to these principles.

Transportation and Infrastructure

The City supports legislation and programs providing:

1. Sufficient and reliable transportation funding to meet the maintenance and infrastructure needs of our community.
2. Funding for regional transportation infrastructure, specifically including local segments of the Capital Southeast Connector along Kammerer Road and Grant Line Road.
3. Local administrative control over bus or vehicle replacement determinations that relies on sound engineering practices to identify reliable future usefulness of aged buses, including recertification programs for Compressed Natural Gas (CNG) tanks outliving their initial useful life.
4. Dedicated federal, state, and local funding programs for public transit in order to maintain essential service coverage and ensure that transit fleets remain in a state of good repair.
5. The conversion of public transit fleet vehicles and infrastructure to zero-emission technology, provided that implementing this effort is supported with the necessary funding programs and is not a significant financial burden to the transit agencies administering the service.
6. Additional funding for local transportation and other critical unmet infrastructure needs such as congestion relief, safety, maintenance, and active transportation.
7. Full funding of Proposition 42 (dedicates state sales tax on gasoline to transportation) with no allowable suspension thereof.
8. Support and funding for overall flood protection, prevention, preparation and mitigation.
9. That allows for enhanced technologies, tools, or programs in dealing with effective speed enforcement.

The City opposes legislation:

1. Allowing the State to place restrictions or limitations on transportation funding, including SB 1, and tying that funding to non-transportation related functions or actions.
2. Enacting significant transit operational and/or fleet technology mandates that create a financial burden to the transit agency without identifiable funding programs to offset that burden.
3. Reduces local transportation sales tax revenue or state-wide revenues generated from taxes on gas and diesel used for road maintenance,

safety, transit service operations and fleet replacement, and bicycle and pedestrian facilities.

4. Reducing the ability of planned development to address existing and future transportation and infrastructure needs with adequate funding (from diversified sources) and with as much flexibility as possible.
5. Places an undue burden on the City to fund improvements on facilities not owned by the City.
6. Transferring the responsibility for maintenance of public facilities that are on private property, such as sidewalks, from the private property owner to the City.
7. That would in any way unduly restrict its ability to ensure that necessary public improvements are completed as part of new subdivisions.

EXHIBIT B

CITY OF ELK GROVE

Procedure for Review of Legislation Calendar Year 2021-2022

1. Staff reviews legislation and determines if an existing City Legislative Principle¹ applies to the bill. If so, staff may assign a position to the bill that is consistent with the City's Legislative Principles. (Important legislation that falls within the Legislative Principles may still be brought to Council by any Council or staff member for discussion and to help educate the public about the issue.)

The fluidity of the legislative process requires the following possible positions on legislation:

- a. Support/Request for Signature
- b. Support in Concept
- c. Support if Amended
- d. Watch/No position
- e. Oppose Unless Amended
- f. Oppose/Request for Veto

A priority level may also be assigned to the bill:

- a. Priority 1 – Engage legislative advocates and coalition-partners in all-out effort to support or oppose the bill.
 - b. Priority 2 – Make the City's position on the bill known to the author, committee members, and other interested parties.
 - c. Priority 3 – Simply monitor the bill.
2. A position letter is drafted for the signature of the Mayor or designee.
 3. If an existing City Legislative Principle does not apply to the bill, staff determines if it should come before the Council for discussion and the assignment of a position. Or, any Councilmember may request that such a bill is brought to Council for discussion.

¹ The current League of California Cities *Summary of Existing Policy and Guiding Principles* is an addendum to the City's own Legislative Principles. It is meant to augment the City's Legislative Principles for purposes of delineating Council's direction to staff on legislative matters.

4. When legislation that does not fall within the City's Legislative Principles is brought before Council for discussion, staff will recommend a position and priority level for the bill. The Council then can elect to accept staff's recommendation or reject staff's recommendation and take either no position or an alternate position of Council's choosing.
5. Staff will then draft a position letter for the signature of the Mayor or designee that reflects the Council's decision.

Exceptions

From time to time, action or direction on items not already addressed in the Legislative Principles or the League's Summary of Existing Policy and Guiding Principles is needed with little or adequate advance notice. In these instances, staff will take necessary action on legislation as long as it falls into one of the following categories:

- Consistent with previous Council direction (such as resolution, ordinance, direction, or policy).
- Generally supported by the City with concurrence from the City Manager and typically non-controversial in nature.

Independent Council Action

Any member of the Council can take an individual position on legislation regardless of the City's position. If this is done, the Councilmember shall not write their position letter on City or Council stationery, as such support is independent of the City as a governing body. It shall also be clear that their position is an individual position and not one of the City Council body.

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-289

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 9, 2020 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, and Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California