



## REPORT TO CITY COUNCIL

**DATE:** DECEMBER 11, 2013

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

**FROM:** GREG RAMIREZ, CITY MANAGER 

**BY:** LOUIS CELAYA, DEPUTY CITY MANAGER 

**SUBJECT:** ADOPTION OF RESOLUTION NO. 13-1738; ESTABLISHING A LEGISLATIVE ACTION PLATFORM FOR 2013 AND 2014

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Legislative proposals, pending at the federal and state level, possess the ability to reduce the City revenues, undermine local authority of county and municipal agencies, affect funding for local projects, and impact the Agoura Hills community. Due to the nature of the legislative process, in which legislation can drastically change in a very rapid manner during the life of a "bill", the Mayor, Mayor Pro Tem, and City staff are recommending the adoption of an annual Legislative Action Platform. The adoption of a legislative platform provides a guide to enable the City to respond swiftly to pending legislation and to communicate with our legislators any proposals that could have an effect on our local control and community.

Throughout the year, the City Council and staff receive numerous requests to support or oppose various legislation. On most occasions, the timeframe in which a response is needed is very short, making it difficult to have items agendaized for City Council discussion. Many of these requests come from the League of California Cities, Southern California Association of Governments, local legislative representatives, and local non-profit organizations. Through the adoption of a legislative platform, staff will have the ability to respond to urgent legislative support/opposition requests in a timely manner.

The adoption of a legislative platform does not take away the City Council's ability to discuss legislative bills that may significantly affect the Agoura Hills community. It is designed "only as a means" to get a general consensus from the City Council on their stance regarding a variety of "local control" issues affecting the community. The legislative platform can be updated by the City Council throughout the year, as needed, and staff can return to the City Council for approval in subsequent years to address new priorities.

The legislative platform is a tool that is utilized by a variety of cities throughout California. The platform developed by each city differs based on their population and/or their degree of involvement with current legislation. Through conversations with various staff at these aforementioned municipalities, the legislative platform was highly recommended as a tool

that increased staff's ability to express the City Council's stance regarding changes in proposed legislation.

The attached Resolution No. 13-1738 was drafted based on input and guidance from the Mayor and Mayor Pro Tem and discussion with City departments.

## **RECOMMENDATION**

Staff respectfully recommends the City Council adopt Resolution No. 13-1738; establishing a legislative action platform for 2013 and 2014 and authorize the City Manager and his designees to communicate the City's position on platform items to the appropriate legislators.

Attachments: Resolution No. 13-1738

**RESOLUTION NO. 13-1738**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING A LEGISLATIVE ACTION PLATFORM FOR 2013 AND 2014**

**WHEREAS**, the City Council wishes to adopt a legislative action platform which strengthens local government, promotes City goals and defends the City against legislative actions by the State and Federal governments that would weaken local government or take away traditional revenue sources; and

**WHEREAS**, it is vital to the fiscal health and the self determination of the City to effectively communicate with State legislators and Federal representatives in order to favorably influence legislation, regulations, and grant requests; and

**WHEREAS**, the City desires to be proactive and involved in the governmental decision-making process directly affecting the City legislative priorities identified in Exhibits "A" and "B", and other selected issues as may be recommended from time to time by the National League of Cities, League of California Cities, the Southern California Association of Governments and other agencies conducting legislative analysis and advocacy on behalf of cities; and

**WHEREAS**, a legislative action platform will allow City officials and staff to communicate more effectively and in a more timely manner with elected officials at the Federal, State, and County levels and coordinate with similar efforts made by other local government entities.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Agoura Hills as follows:

**SECTION 1.** The City of Agoura Hills hereby establishes a Legislative Action Platform for 2013 and 2014 by adopting the principles attached in Exhibits "A" and "B".

**SECTION 2.** This resolution is to take effect as of the date passed, approved and adopted.

**PASSED, APPROVED, AND ADOPTED**, this 11<sup>th</sup> day of December, 2013, by the following vote to wit:

AYES: ( )  
NOES: ( )  
ABSENT: ( )  
ABSTAIN: ( )

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William D. Koehler, Mayor

ATTEST:

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Kimberly M. Rodrigues, MMC, City Clerk

## EXHIBIT A

### STATE LEGISLATION PLATFORM 2013 - 2014

<u>Title</u>	<u>Legislative Action</u>
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#### Community Development

##### A. Housing

1. Support legislation that allows local government to make decisions regarding housing density levels.
2. Support legislation that pursues fair and equitable housing development.
3. Support efforts to ensure fair allocation of tax credits for the Southern California region.

##### B. Redevelopment

1. Support legislation that acknowledges local agency efforts to positively impact business growth, revitalize communities, and remove blight through projects that increase locally generated revenue.
2. Support efforts to preserve successor agency funding mechanisms and do not impair agencies' ability to meet existing legal and contractual obligations.
3. Oppose efforts to usurp local zoning authority.

#### Community Safety

##### A. Public Safety & Crime Prevention

1. Support legislation and pursue grants to fund new technology and equipment; improve and replace existing technology and equipment for

public safety personnel that serve the Agoura Hills community.

2. Support legislation and pursue grants that provide for public safety personnel to operate specialized operations that promote traffic and general public safety. Examples of these types of programs are seat belt safety checks, DUI check points, STTOP.
3. Support legislation that provides funding for equipment, training, and exercises that enhance local capabilities to mitigate, prepare, respond, and recover from terrorist attacks and natural disasters.
4. Support legislation improving the security and safety of school children in and around school zones within the Las Virgenes Unified School District.
5. Oppose legislation attempts to restrict or retract local zoning control and governance over medical marijuana dispensaries.

#### B. Public Health

1. Support legislation and grants that provide for the reduction of youth obesity.
2. Support legislation and grants that provide funding for education and programs for the reduction of substance abuse among teens and adolescent youth.
3. Support legislation and grants that provide additional funding for public health programs, including substance abuse programs, services, infrastructure, and bioterrorism response enhancements.

### **Economic Stability & Financial Development**

#### A. City Resources

1. Support legislation that would favorably address the State/local government

relationship, including the capping and/or return of ERAF dollars to cities.

2. Support efforts to protect City revenue sources from diversion by the State or Governor.
3. Oppose any legislation that would reduce the amount of revenues to the General Fund and Successor Agencies from the State to local governments.
4. Oppose any legislation that would reduce the City autonomy and flexibility in dealing with the financing of public service.

#### B. Tax Base

1. Support legislation that seeks a balance in overall revenue structure between stable and economically sensitive revenues.
2. Support legislation that would result in more equitable distribution of sales tax to the City.
3. Support efforts to exempt cities from paying State sales tax.
4. Support legislation that would result in an equitable distribution of taxes generated through Internet sales.
5. Oppose any actions that attempt to dilute the City's tax base.

#### C. State Mandates

1. Support legislation that seeks a balance between local government mandated obligations and State funding for implementation.
2. Oppose any legislation that would place a mandate on the City without providing the funds necessary to carry out the mandated

program. Render mandates invalid if not fully funded.

3. Oppose any legislation that would require any mandated obligations to continue without funding until the mandate has been eliminated.

#### D. Economic Development

1. Support efforts to retain, expand, and attract high value businesses to the City that create jobs compatible with the local workforce and tax revenues for the local economy.
2. Support actions that promote California tourism and local businesses which help create revenue streams.

### **Environment & Energy**    A. Air/Water Quality

1. Support legislation that improves air quality in Agoura Hills and surrounding areas.
2. Support legislation and grants that encourage the use of clean burning alternative fuels for vehicles.
3. Support legislation that provides incentives and rewards for cities with innovative alternative fuel programs.
4. Support reasonable environmental regulations aimed at enhancing improved air and water quality as long as they provide for funding mechanisms and are not a financial hardship on the City, while affording the City the flexibility to oppose EPA standards not deemed reasonable.
5. Support efforts to improve cleanup and improvements of waterways that affect the City of Agoura Hills and the regional area.
6. Support measures that would reduce the cost of compliance with environmental regulations.



#### B. Storm water

1. Oppose legislation that increases NPDES Permit Fees and/or tries to remove Maximum Extent Practicable (MEP) language from MS4 permits.

#### C. Open Space/Recreational Trails

1. Support legislation and grants that encourage the preservation of open space in the areas within and directly adjacent to the City of Agoura Hills.
2. Support legislation and grants that seek to preserve, expand, or enhance the recreational trails within and directly connected to Agoura Hills.

#### D. Energy

1. Support legislation that promotes reliable affordable energy for businesses and residents.
2. Support legislation that creates and funds new alternative energy sources without placing an undue burden on the City of Agoura Hills.
3. Support funding and other incentives for local government and private industry projects and planning strategies to promote sustainability in infrastructure and operations, greater energy efficiency, and lower energy usage

#### E. Solid Waste/Recycling

1. Support legislation that provides cities with financial assistance for programs designed to provide for the safe disposal of solid, hazardous, and special waste
2. Support legislation that streamlines AB 939 / AB 341 tracking and reporting requirements.

3. Oppose legislation that would restrict or limit local government's ability to franchise refuse and recycling collection services, to direct municipal solid waste flow (flow control), or to contractually require haulers to guarantee achievement of AB 939 / AB 341 goals.
4. Support legislation that promotes source reduction measures without creating an unfunded mandate

## **Neighborhood Development**

### **A. Community Art**

1. Support legislation that assists the City in obtaining funding for community arts programming.

### **B. Parks & Recreation**

1. Support legislation and seek grants to fund parks, recreation, capital improvements, and programs to increase the quality of life for the Agoura Hills community.
2. Support legislation that would allow grant funding for Parks and Recreation to be used for maintenance and operations.
3. Support legislation that limits the City's liability at park and recreation facilities to instances when the City has acted negligently.

### **C. Americans with Disabilities**

1. Support legislation and seek grants that provide financial relief for cities in making facilities and other public places accessible as mandated by the ADA.

**Public Works  
& Transportation**

A. Public Works

1. Support legislative efforts to ensure that the City maintains public rights of way control and allow the City to collect fair compensation for its use.
2. Support efforts to maintain and increase funding for streets and road maintenance and transportation infrastructure programs throughout the City.
3. Support legislation that preserves the right of local government to set fee structures.
4. Oppose legislation that would compromise local control in regard to refuse collection, recycling, and hazardous materials handling.
5. Support efforts to increase funding for transportation programs and projects within the City.
6. Oppose legislation that redirects local transportation funds away from municipal agencies and counties.
7. Oppose legislation that limits and/or decreases the existing amount of retention proceeds withheld from any payment by a public entity to the contractor on a public project
8. Continue to strongly advocate for the State to repay all previous loans from this source to cities and guarantee long-term preservation of these funds through ongoing annual appropriations, which are sorely needed by cities for local roads.

**Risk Management/  
Human Resources**

A. Worker's Compensation

1. Support efforts to reform worker's compensation statutes to simplify the system and reduce costs to employers.

B. Pension/Labor Relations/Health Benefits

1. Pursue approaches to recapture PERS funds including, but not limited to, making Pension Obligation Bond payments.
2. Oppose legislation that would mandate additional benefits.
3. Oppose legislation that precludes the City's right to negotiate for additional pension benefits.

C. City's Liability

1. Support legislation and policies that shield cities from being treated as deep pockets.
2. Support legislation that limits liability to instances when cities have acted negligently.
3. Support legislation limiting the instances when cities have to pay damages without having acted negligently.
4. Oppose legislation that shifts financial liabilities from contractors and/or consultants to the City.

**Senior Services**

A. Senior Citizens

1. Support legislation that provides funding for enhanced senior services, such as senior housing, recreational programs and transportation, to address the diverse needs of Agoura Hills' senior community.
2. Support legislation that would allow for funding for educational, recreational and physical fitness related programs for seniors.

**Youth & Education**

A. Youth

1. Support legislation and seek grants that enhance the services provided to children,

parents, and families, including early education programs.

2. Support legislation and grants that promote the efforts of the City's youth diversion and intervention programs.
3. Support legislation and grants that increase the level of safety and survival of youth, and support programs which reduce child abuse, accidental injury deaths, homicides of youth, gang involvement, misdemeanor and felony arrests and incidents of violence among youth.
4. Support legislation that promotes the health and fitness of youth in the Agoura Hills community.
5. Support legislation and grants that increase the presence of youth participation in all levels of government decision making, such as local youth councils and board participation, voting and civic engagement.

#### B. Education

1. Support and collaborate with the Las Virgenes Unified School District to secure funding that assists in enhancement and further development of K-12 education.

### **Additional Issues**

#### A. Telecommunications

1. Support legislation to assess a franchise fee on cable modem services.
2. Support legislative efforts to ensure local taxation authority of products purchased through the internet.
3. Support legislation that closes loopholes that allow companies currently doing business in California to create dot-com subsidiaries to avoid collection of sales taxes on Internet commerce

4. Oppose legislation that negatively impacts the City's authority to manage and control public right-of-way and receive compensation for its use.
5. Oppose legislation that pre-empts local authority to develop and broadcast public, educational and governmental access channels, community programming, and related services

#### B. Municipal Elections

1. Support efforts that enable cities to maximize their ability to efficiently and effectively administer local elections.

#### C. Support of Local Representatives on Issues Not Directly Affecting Agoura Hills

1. Support reasonable legislation that is authored by one of the Legislative representatives for Agoura Hills when specific legislation does not have a direct effect on the City.

## EXHIBIT B

### FEDERAL LEGISLATIVE PLATFORM 2013 – 2014

<b><u>Title</u></b>	<b><u>Legislative Action</u></b>
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**Community Safety** A. Public Safety & Crime Prevention

1. Support efforts and grants to improve local and regional Homeland Security measures.
2. Support legislation and pursue grants to fund new technology and equipment; improve and replace existing technology and equipment for public safety personnel that serve the Agoura Hills community.
3. Support legislation that provides funding for equipment, training, and exercises that enhance local capabilities to mitigate, prepare, respond, and recover from terrorist attacks and natural disasters.
4. Support legislation and grants that would provide funding for innovative crime fighting strategies such as alley lighting, photo red light enforcement, etc.

B. Public Health

1. Support legislation and grants that provide additional funding for public health programs, including substance abuse programs, services, infrastructure, and bioterrorism response enhancements.

**Economic Stability  
& Financial  
Development**

A. Tax Base

1. Support efforts to simplify the collection of sales taxes nationwide and provide an equitable method for collecting sales taxes for Internet & catalog sales.
2. Oppose any actions that attempt to dilute the City's tax base.

## B. Business and Workforce Development

1. Support efforts that will enhance the City's ability to create (maintain) a strong, viable, and productive workforce.
2. Support efforts to allocate revenues to small business incentive programs that will encourage innovation, create new jobs, and train workers.
3. Support an increase in investment in programs that assist in the development of creative and tourism-related industries.

## C. Economic Development

1. Support efforts to develop and promote policies, legislation, and grants that help cities foster greater economic opportunity.
2. Support efforts to retain, expand, and attract businesses to the area.

## **Environment & Energy**

### A. Air/Water Quality

1. Support reasonable environmental regulations aimed at enhancing improved air and water quality as long as they provide for funding mechanisms and are not a financial hardship on the City.
2. Support efforts to improve cleanup and improve the waterways that affect the City of Agoura Hills and the regional area.
3. Support efforts and seek grants, including partnerships with the private sector, to provide assistance to environmental cleanup projects.
4. Support legislation and grants that encourage the use of clean burning alternative fuels for vehicles.
5. Support measures that would reduce the cost of compliance with environmental regulations.



6. Support efforts to improve clean-up and capital improvements for rivers and waterways that affect the City, including innovative water reclamation and filtration techniques.

#### B. Stormwater

1. Support legislation and pursue funding for Total Maximum Daily Loads (TMDLs) and federally-mandated Municipal MS4 NPDES Permit compliance measure.

#### C. Alternative Energy

1. Support alternative energy proposals that further add to the utilization of environmentally friendly energy applications at both the customer and utility level.

#### D. Open Space/Recreational Trails

1. Support legislation and grants that encourage the preservation of open space in the areas within and directly adjacent to the City of Agoura Hills.
2. Support legislation that creates and funds new alternative energy sources without placing an undue burden on the City of Agoura Hills.
3. Support legislation and grants that encourage the development and expansion of trail systems in the areas within and directly adjacent to Agoura Hills.

### **Neighborhood Development**

#### A. Americans with Disabilities Act

1. Support legislation and seek grants that provide financial relief for cities in making facilities and other public places accessible as mandated by the ADA.

#### B. Community Art

1. Support legislation that assists the City in obtaining funding for community cultural arts programming.

C. Libraries

1. Support legislation, which enhances funding for public library programs and facilities.

D. Community Development Block Grant (CDBG) Program

1. Support efforts to maintain and maximize the City's share of CDBG funding and retain the CDBG program as a separate and distinct federal program.

**Public Works & Transportation**

A. Public Works

1. Support legislative efforts to ensure that the City maintains public rights of way control and allow the City to collect fair compensation for its use.
2. Support efforts to maintain and increase funding for streets and road maintenance and transportation infrastructure programs throughout the City.
3. Support legislation that preserves the right of local government to set fee structures.
4. Oppose legislation that would compromise local control in regard to refuse collection, recycling, and hazardous materials handling.
5. Support efforts for the continued availability of transportation funds similar to the Transportation Equity Act of 2003 (TEA-II).

**Senior Services**

A. Senior Citizens

1. Support legislation that provides funding for enhanced senior services, such as senior housing, recreational programs and transportation to address the diverse needs of Agoura Hills' senior community.
2. Support legislation that would allow for funding for educational, recreational and physical fitness related programs for seniors.

## **Youth & Education**A. Youth

1. Support legislation and seek grants that enhance the services provided to children, parents and families, including early education programs.
2. Support legislation and grants that promote the efforts of the City's youth diversion and intervention programs.
3. Support legislation and grants that increase the level of safety and survival of youth, and support programs which reduce child abuse, accidental injury deaths, homicides of youth, gang involvement, misdemeanor and felony arrests and incidents of violence among youth.
4. Support legislation that promotes the health and fitness of youth in the Agoura Hills community.
5. Support legislation and grants that increase the presence of youth participation in all levels of government decision making, such as local youth councils and board participation, voting and civic engagement.

## **Additional Issues** A. Telecommunications

1. Support legislation to assess a franchise fee on cable modem services.
2. Support legislative efforts to ensure the City receives the maximum benefit from Internet commerce.

## B. Unfunded Mandates

1. Oppose any legislation that places a federal mandate on the City without providing the funds necessary to carry out the program.
2. Support legislation that protects and/or expands the City's authority and rights over its affairs.