

REPORT TO CITY COUNCIL

DATE: JULY 14, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: RAMIRO ADEVA, ASSISTANT CITY MANAGER

SUBJECT: ADOPTION OF RESOLUTION NO. 21-1982; ESTABLISHING A 2021 LEGISLATIVE PLATFORM

A Legislative Platform is an invaluable tool the City relies on each year to make timely responses and take critical positions on the myriad of legislative bills proposed annually. In the 2020 legislative session, over 4,800 bills were introduced, covering a variety of public policy areas such as housing, disaster preparedness, and transportation. For the current 2021 legislative session, another 2,500 bills are being considered, which include areas such as housing, COVID-19 recovery, environmental protection, and climate action planning. With over 7,000 bills introduced in the last two years alone, staff felt it would be prudent to revisit the City's Legislative Platform to ensure it preserves the ability of the City to act expeditiously when specific bills need immediate support or opposition.

Although the current legislative session is in full swing, it was necessary to be patient on updating the Legislative Platform until now to allow the further development of a few items, specifically the City's Climate Action and Adaptation Plan (CAAP), the State's plan for transitioning from the colored tiered system for COVID-19, and draft language for housing and environmental bills. With discussions occurring recently on the aforementioned items, the City is now better equipped to ensure positions that protect the best interests of the City are included in an updated Legislative Platform. Also, during the process of making modifications, staff felt inclined to do a comprehensive check of the existing language and make additional minor modifications to other policy areas in the document.

While each policy area and subsequent bill signed into law has impact, Agoura Hills has unique characteristics vastly different than those of other cities throughout California. Therefore, it is necessary the Legislative Platform contain statements broad enough in scope to target the wide range of topics that are relevant and important to the City.

Although staff is recommending revisions, the current Legislative Platform has been a very effective tool that has allowed the City to be active in taking positions during this legislative session. See Exhibit A for a list of position letters submitted to date for 2021. Because of the effectiveness of the current Legislative Platform, staff is not proposing a complete overhaul, but rather modifications to the document that add clarity and flexibility to address

the work plan priorities established by the City Council, and the current political climate as outlined by the League of California Cities' "2021 Strategic Advocacy Priorities" which include:

- Securing state and federal funding for local COVID-19 public health response and economic recovery for all.
- Securing funding to increase the supply and affordability of housing and resources to assist individuals at risk of, or already experiencing, homelessness while preserving local decision-making ability.
- Improving state-local coordination and planning to strengthen community disaster preparedness, resiliency, and recovery.
- Protect and modernize critical infrastructure

Recommended changes are highlighted in red text in Exhibit B.

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/or 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 streamlined process that occurs as a result of adopting a Legislative Platform is as follows:

1. Once a determination is made that a legislative proposal is of particular interest to the City, a letter outlining the City's position (support or oppose) will be drafted for the Mayor's signature.
2. If the Mayor is unavailable to sign the position letter, the Mayor Pro Tem will sign the position letter. In the event both the Mayor and Mayor Pro Tem are unavailable to sign the position letter, the City Manager will sign the position letter.
3. If a legislative issue of concern to the City is not addressed in any of the broad positions covered in the Legislative Platform, staff will place the matter on the next City Council agenda for consideration.
4. The position letter will be sent to the bill's author, the City's legislative representative(s), The League of California Cities, and other stakeholders, as deemed appropriate.
5. A copy of the final letter will also be distributed to the City Council.

The legislative platform is a tool that is utilized by a variety of cities throughout California.

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 of getting 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 will continue to return to the City Council for approval should the need arise to address new priorities.

The attached Resolution No. 21-1982 has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Adopt the Draft 2021 Legislative Platform, and
2. Adopt Resolution No. 21-1982; Establishing a 2021 Legislative Platform.

Attachments: Exhibit A: List of Position Letters Submitted To Date for 2021 Legislative Session
Exhibit B: Draft 2021 Legislative Platform
Resolution No. 21-1982

Exhibit A

Position Letters Submitted To Date for 2021 Legislative Session

	Bill No.	Author	Description	Position
1	AB 215	Chiu	Housing element: regional housing need: relative progress determination	Oppose
2	AB 339	Aguiar-Curry	Local Government: Open and Public Meetings	Oppose
3	AB 377	Rivas	Water quality: impaired waters	Oppose
4	AB 1401	Friedman	Residential and commercial development: remodeling, renovations, and additions: parking requirements.	Oppose Unless Amended
5	SB 6	Caballero	Local planning: housing: commercial zones	Oppose
6	SB 9	Atkins	Housing development: approvals	Oppose
7	SB 10	Wiener	Planning and zoning: housing development: density	Oppose Unless Amended
8	SB 55	Stern	Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses	Support
9	SB 210	Wiener	Automated license plate recognition systems: use of data	Oppose
10	SB 278	Leyva	Public Employees' Retirement System: disallowed compensation: benefit adjustments	Oppose
11	SB 551	Stern	California Zero-Emission Vehicle Authority	Support
12	SB 556	Dodd	Street light poles, traffic signal poles: small wireless facilities attachments	Oppose
13	SB 612	Portantino	Electrical corporations and other load-serving entities: allocation of legacy resources	Support
14	SB 765	Stern	Accessory dwelling units: setbacks	Support

EXHIBIT B

DRAFT 2021 LEGISLATION PLATFORM

Community Development

A. Housing

We Support:

- Legislation that allows local government to make decisions regarding housing density levels.
- Legislation that pursues fair and equitable housing development.
- Efforts to ensure fair allocation of tax credits for the Southern California region.
- Legislation that limits housing density in Very High Fire Hazard Severity Zones

We Oppose:

- Legislation that waives and/or exempts housing developments from compliance with local government regulations.
- Legislation that threatens to override or lessen local control.

B. Economic Development

We Support:

- Legislation that acknowledges local agency efforts to positively impact business growth, revitalize communities, and remove blight through projects that increase locally generated revenue.
- Efforts to develop and promote policies, legislation, and grants that help cities foster greater economic opportunity.
- Efforts to preserve successor agency funding mechanisms and do not impair agencies' ability to meet existing legal and contractual obligations.
- Efforts to retain and expand existing businesses, and attract new businesses to the City.
- Legislation that provides tangible and productive tools and incentives to support job creation and retention.

- Actions that promote California tourism and local businesses which help create revenue streams.

We Oppose:

- Efforts to usurp local zoning authority.
- **Legislation that erodes the ability of cities to condition and/or deny projects and/or businesses that negatively impact the community.**

Public Health and Safety

A. Public Safety and Crime Prevention

We Support:

- Legislation and the pursuit of grants to fund new technology and equipment; improve and replace existing technology and equipment for public safety personnel that serve the Agoura Hills community.
- 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, Sheriff Teen Traffic Offender Program (STTOP).
- Legislation that provides funding for equipment, training, and exercises that enhance local capabilities to mitigate, prepare, respond, and recover from terrorist attacks, natural disasters, and civil unrest.
- Legislation improving the security and safety of school children in and around school zones within the Las Virgenes Unified School District.
- **Legislation that promotes accountability, inclusion, and equality with law enforcement.**
- Efforts and grants to improve local and regional Homeland Security Measures.
- Legislation and grants that would provide funding for innovative crime fighting strategies such as alley lighting, etc.
- **Legislation that provides additional funding to law enforcement to assist in dealing with homelessness.**

We Oppose:

- Legislation attempts to restrict or retract local zoning control and governance over medical marijuana dispensaries.

- Legislation that attempts to restrict local control and governance of homelessness issues within a community.

B. Public Health

We Support:

- Legislation and grants that provide for the reduction of youth obesity.
- Legislation and grants that provide funding for education and programs for the reduction of substance abuse among teens and adolescent youth.
- Legislation and grants that provide additional funding for public health programs, including substance abuse programs, services, infrastructure, and bioterrorism response enhancements.
- Legislation and grants that provide additional funding for public health programs for the care and well-being of the Senior Citizen population.
- Legislation that plans for, and protects against, the spread of diseases and pandemic-related risks, and provides financial assistance in responding and preparing for pandemic-related matters.
- Legislation and grants that provide funding for mental wellness, healthy lifestyle, and mental health services for people of all ages, including families.

Economic Stability and Financial Development

A. City Resources

We Support:

- Legislation that strengthens and expands ongoing revenue for the City, including the redistribution of sales tax, property tax, COPS grants, Proposition 172 funds, gas tax (HUTA), transient occupancy tax (TOT), and vehicle in-lieu fees (VLF).
- Efforts to protect and strengthen City revenue sources from diversion by the State or Governor.
- Legislation that would reform or increase transparency and accountability into the legislative appropriations process.

We Oppose:

- Legislation that would reduce the amount of revenues to the General Fund and Successor Agencies from the State to local governments.

- Legislation that would reduce the City autonomy and flexibility in dealing with the financing of public service.
- Legislation that limits authority of local government to negotiate indemnification protection in public contracts.
- Legislation that would prohibit, or limit, local governments' ability to contract out for the provision of services.

B. Tax Base

We Support:

- Legislation that seeks a balance in overall revenue structure between stable and economically sensitive revenues.
- Legislation that would result in more equitable distribution of sales tax to the City.
- Efforts to simplify the collection of sales taxes nationwide.
- Legislation that would result in an equitable method for collecting and distributing sales taxes generated through internet and catalog sales.
- Efforts to exempt cities from paying State sales tax.
- Efforts to assist local businesses and hotels in recovering from COVID-19 pandemic-related losses.

We Oppose:

- Any actions that attempt to dilute the City's tax base.
- Legislation that undermines and pre-empts local authority over local taxes and fees.

C. State Mandates

We Support:

- Legislation that seeks a balance between local government mandated obligations and State funding for implementation.

We Oppose:

- 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.

- Legislation that would require any mandated obligations to continue without funding until the mandate has been eliminated.

D. Business and Workforce Development

We Support:

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

Environment and Energy

A. Air/Water Quality

We Support:

- Legislation that improves air quality in Agoura Hills and surrounding areas.
- Legislation and grants that encourage electrification of municipal fleets.
- Legislation that provides incentives and rewards for cities that promote the use of electric vehicles and installation of EV infrastructure.
- 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.
- Efforts to improve cleanup and improvements of waterways that affect the City of Agoura Hills and regional area.
- **Legislation aimed specifically at providing funding for the study, design, and/or construction of Air/Water Quality Improvements.**
- Efforts and grants, including partnerships with the private sector that provide assistance to environmental cleanup projects.
- Measures that would reduce the cost of compliance with environmental regulations.
- Efforts to improve clean-up and capital improvements for rivers and waterways that affect the City, including innovative water reclamation and filtration techniques.

B. Storm Water

We Support:

- Legislation and grants that provide for funding mechanisms to assist in compliance with regulatory requirements.
- Legislation aimed specifically at providing funding for the development of studies, design, and/or construction of storm water quality improvements.
- Efforts to provide and/or increase funding for compliance with Total Maximum Daily Loads (TMDLs) and the City's respective NPDES MS4 permit.

We 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

We Support:

- Legislation and grants that encourage the preservation of open space in the areas within and directly adjacent to the City of Agoura Hills.
- Legislation and grants that seek to preserve, expand, or enhance the recreational trails within and directly connected to Agoura Hills.
- Legislation and grants that seek to expand or enhance local educational efforts on trails and natural environments that exist in Agoura Hills and the surrounding areas, including the Santa Monica Mountains.

D. Energy

We Support:

- Legislation that promotes reliable affordable energy for businesses and residents.
- Legislation that creates and funds new alternative energy sources that utilize environmentally friendly energy applications, without placing an undue burden on the City of Agoura Hills.
- 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.

- Legislation and grants that encourage the installation of solar and micro-grid infrastructure.
- Efforts to promote 100% electrification of existing and/or new development.
- Legislation that requires, and grants that assist, electricity operators to improve the energy grid in order to minimize and/or prevent the need for Public Safety Power Shutoffs.
- Legislation that requires utilities to coordinate operations more closely with local agencies.

E. Solid Waste/Recycling

We Support:

- Legislation that provides cities with financial assistance for programs designed to provide for the safe disposal of solid, hazardous, and special waste.
- Legislation that streamlines AB 939/AB 341, and SB 1383 tracking and reporting requirements.
- Legislation that promotes source reduction measures without creating an unfunded mandate.

We 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, and SB 1383 goals.

F. Global Warming/Climate Change

We Support:

- Legislation that provides cities with financial assistance and/or grants for implementation of programs and policies that align with an approved Climate Action and Adaptation Plan (CAAP).
- Efforts from other surrounding/partnering agencies that share in achieving the same goals and objectives of the City as outlined in an approved CAAP.
- Collaboration with other agencies on ways to prepare for the expected effects and impacts of climate change such as increased frequency of wildfires, increase number of extreme heat days, higher propensity for flooding, and increased drought conditions.

We Oppose:

- Legislation that reduces, prevents, or limits local control in addressing climate change with methods most appropriate for the community.

Neighborhood Development

A. Community Art

We Support:

- Legislation that assists the City in obtaining funding for community cultural arts programming.
- Legislation and grants that support community arts education for people of all ages, including collaborative engagement with the local school district.

B. Parks and Recreation

We Support:

- Legislation and grants to fund parks, recreation, capital improvements, and programs to increase the quality of life for the Agoura Hills community.
- Legislation that would allow grant funding that could be used for maintenance and operations of Parks and Recreation.
- Legislation that limits the City's liability at Parks and Recreation facilities to instances when the City has acted negligently.
- Legislation and grants that promote health and wellness to people of all ages, and strengthen families through recreational opportunities.

C. Americans with Disabilities

We Support:

- Legislation and grants that provide financial relief for cities in making facilities and other public places accessible as mandated by the ADA.

D. Libraries

We Support:

- Legislation, which enhances funding for public library programs and facilities.

E. Community Development Block Grant (CDBG) Program

We 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 and Transportation

A. Public Works

We Support:

- Legislation to ensure the City maintains control of public right-of-way and allows the City to collect fair compensation for its use.
- Efforts to maintain and increase funding for streets and road maintenance and transportation infrastructure programs.
- Legislation that preserves the right of local government to set fee structures.
- Efforts to increase funding for transportation programs and projects within the City, including operations and maintenance of existing infrastructure.
- Continued advocacy for the State to repay all previous loans from any transportation sources to cities and guarantee long-term preservation of these funds through ongoing annual appropriations, which are sorely needed by cities for local roads.
- **Legislation that provides funding for the hardening, protection, installation, and reconstruction of public infrastructure assets prior to, during, and after emergencies.**

We Oppose:

- Legislation that would compromise local control in regard to refuse collection, recycling, and hazardous materials handling.
- Legislation that redirects local transportation funds away from municipal agencies and counties.
- 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.

Human Resources/Risk Management

A. Worker's Compensation

We Support:

- Efforts to reform worker's compensation statutes to simplify the system and reduce costs to employers.

B. Pension/Labor Relations/Health Benefits

We Support:

- Approaches to recapture PERS funds including, but not limited to, making Pension Obligation Bond payments.

We Oppose:

- Legislation that would mandate additional benefits.
- Legislation that precludes the City's right to negotiate for additional pension benefits.
- **Legislation that seeks to hold the City liable for any calculation errors regarding PERS benefits.**

C. City's Liability

We Support:

- Legislation and policies that shield cities from being treated as "deep pockets".
- Legislation that limits liability to instances when cities have acted negligently.
- Legislation limiting the instances when cities have to pay damages without having acted negligently.

We Oppose:

- Legislation that shifts financial liabilities from contractors and/or consultants to the City.

Senior Services

A. Senior Citizens

We 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.

- Legislation that would allow funding for educational, recreational, and physical fitness related programs for seniors.
- **Legislation and grants that provide funding for mental wellness, healthy lifestyle, and mental health services for seniors and caregivers.**

Youth and Education

A. Youth

We Support:

- Legislation and grants that enhance the services provided to children, parents, and families, including early education programs.
- Legislation and grants that promote the efforts of the City's youth diversion and intervention programs.
- **Legislation that seeks to provide assistance to enhance services to children, parents, and families who are experiencing homelessness.**
- 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.
- Legislation that promotes the health, fitness, and overall mental wellness of youth in the Agoura Hills community.
- Legislation and grants that increase the presence of youth participation in all levels of government decision making, such as local youth council and board participation, voting and civic engagement.
- **Legislation and grants that promote safe and effective social equity programs, afterschool and out-of-school programming for youth and teens in the Agoura Hills area.**

B. Education

We Support:

- Collaboration 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

We Support:

- Legislation that maximizes the benefit received through internet commerce, and to ensure local taxation authority of products purchased through the internet.
- 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.
- Legislation that assists in the installation of broadband infrastructure, and accessibility of high-speed internet.
- Legislation that assists with the implementation of "Smart City" technology and infrastructure.

We Oppose:

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

B. Municipal Elections

We 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

We 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.

D. Unfunded Mandates

We Support:

- Legislation that protects and/or expands the City authority and rights over its affairs.

We Oppose:

- Legislation that places a mandate on the City without providing the funds necessary to implement a program, or complete a project.

RESOLUTION NO. 21-1982

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING A 2021 LEGISLATIVE PLATFORM

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 Exhibit "B", and other selected issues as may be recommended from time to time by the National League of Cities, League of California Cities (CalCities), the Southern California Association of Governments (SCAG) 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 2021 by adopting the principles attached in Exhibit "B".

SECTION 2. The City Council hereby authorizes the City Manager, and staff designated by the City Manager, to take positions on legislation and/or state and federal regulations, as applicable, that are generally consistent with the Legislative Platform through the form of letters or other written communication and or verbal contacts with appropriate state and federal staff. Letters of support and/or letters of opposition are to be signed by the Mayor and if the Mayor is not available, such letters shall be signed by the Mayor Pro Tem. If neither the Mayor nor the Mayor Pro Tem are available, such letters shall be signed by the City Manager with notification to the City Council.

SECTION 3. This resolution is to take effect as of the date passed, approved, and adopted.

PASSED, APPROVED, and ADOPTED this 14th day of July, 2021, by the following vote to wit:

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

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk