



Legislative Subcommittee

August 24, 2016
9:00 a.m.

Doetsch Conference Room
Campbell City Hall – 70 N. First Street

Members: Vice Mayor Liz Gibbons
Councilmember Michael Kotowski

AGENDA

1. Draft Legislative Advocacy Principles*
2. Discussion of measures on the November 8, 2016 General Election ballot*

In compliance with the Americans with Disabilities Act, assisted listening devices are available for meetings held in the Council Chamber. If you require accommodation to participate in the meeting, please contact Al Bito, Deputy City Manager, at 408-866-2128 or e-mail alb@cityofcampbell.com.

*indicates written report

MEMORANDUM



City Manager's Office

To: Legislative Subcommittee
From: Margarita F. Mendoza, Administrative Analyst
Via: Al Bito, Deputy City Manager
Subject: Draft Legislative Advocacy Principles

Date: August 22, 2016

RECOMMENDATION

1. City Council Legislative Subcommittee review and comment on the proposed draft "Legislative Advocacy Principles;" and
2. Forward a recommendation to calendar discussion and action by the City Council at its September 20, 2016 meeting.

BACKGROUND

The City Manager's Office coordinates a legislative review program focused on supporting legislation that will enhance City services and programs; and protects the interests of our community. Conversely, the City will oppose legislation that negatively impacts City interests. As a member of the League of California Cities (League), the City is informed about legislation that impacts municipal government. In addition, Councilmembers or City staff is alerted to specific legislation due to their membership in regional agencies or boards, such as the Valley Transportation Authority Board or Santa Clara County Cities Association.

On occasion, the League or a regional agency requests that the City take a position on a piece of pending legislation and/or write an advocacy letter to the Legislature consistent with the City's position. The process for responding to such requests is to convene the Legislative Subcommittee composed of two City Councilmembers, to review the legislation or ballot measure and staff's recommended position. The Subcommittee will then forward their recommended City positions on the legislative bills or ballot measures to the full City Council for action.

DISCUSSION

Staff is presenting the attached draft "Legislative Advocacy Principles" in order to permit a City's position on a particular bill or measure in a timely manner. At times, there is inadequate time to bring an item to the full City Council for action and meet the deadlines of the legislative process.

These advocacy principles will allow staff to consider a pending piece of legislation or ballot measure and determine if it falls within the Council's adopted guidelines and thus authorize an official statement on the City's position to be articulated without taking the proposed legislation or ballot measure to the City Council. In order for staff take a City position, the legislation or ballot measure must meet the following objective:

1. Would directly impact the City's finances, responsibilities, legal authority, operation;

In addition, the intent of the legislation must:

2. Protect Local Revenues; or
3. Maintain Local Control; or
4. Prevent Unfunded Mandates; or
5. Pursue or Retain Funding for Key Efforts.

The legislation and measure would also require review from the City Manager or his/her designee. However, if the legislation does not fall within the objectives of the principles, staff will continue its current practice of taking the item to the City Council for discussion.

FISCAL IMPACT

There is no fiscal impact associated with the adoption of the Legislative Advocacy Principles. The staff time to review and issue position letters on legislation and ballot measures is part of the City Manager's Office responsibilities and weaved in to the annual budget.

ALTERNATIVES

1. Provide edits to the draft Legislative Advocacy Principles.
2. Take no action and keep the current practice.

Attachment:

1. Draft Legislative Advocacy Principles.



SECTION 1.31 LEGISLATIVE ADVOCACY PRINCIPLES

I. PURPOSE

The purpose of establishing legislative advocacy principles is to permit a City's position on a particular legislative bill in a timely manner. These principles will allow staff to consider a pending piece of legislation or ballot measure and determine if it falls within the Council's adopted principles, therefore allowing the City to issue a position statement without taking the legislation to Council. If the legislation does not fall within the guidelines, it will be taken to Council for discussion and direction.

II. POLICY SCOPE

A. Actions of support or opposition to State or Federal legislation can be taken by the Mayor or staff without City Council approval, as staff resources permit, if the legislation is consistent with the following guiding principles:

- i. Would directly impact the City's finances, responsibilities, legal authority, or operations, AND
- ii. Is intended to protect or increase local revenues; OR
- iii. Is intended to protect or increase local control; OR
- iv. Is opposing an unfunded mandate; OR
- v. Is consistent with existing City policy, past action, or current City Council strategic priorities; AND
- vi. Has been reviewed by the City Manager or his/her designee.

B. Full Council action is required if:

- i. Legislation is not clearly within the guiding principles above.
- ii. The recommended Mayor or staff position is inconsistent with the League of California Cities for State issues or the National League of Cities for Federal issues.
- iii. The requested support is for any type of grassroots advocacy action, such as social, political or economic movements, that are not legislation.

- C. An exception to this rule is if a significant item requires action before Council approval can be obtained, and the City Manager deems it appropriate to act, consultation with the Mayor and Vice Mayor will be taken prior to action.

- D. Councilmembers representing the City on regional or other bodies should use their discretion and take action based on the principles above.

DRAFT

**LIST OF LOCAL MEASURES
PRESIDENTIAL GENERAL ELECTION
November 8, 2016**

**County of Santa Clara
2/3 Vote**

A To provide affordable local housing for vulnerable populations including veterans, seniors, the disabled, low and moderate income individuals or families, foster youth, victims of abuse, the homeless and individuals suffering from mental health or substance abuse illnesses, which housing may include supportive mental health and substance abuse services, shall the County of Santa Clara issue up to \$950 million in general obligation bonds to acquire or improve real property subject to independent citizen oversight and regular audits?

Bonds Yes
Bonds No

**Santa Clara Valley Transportation Authority
2/3 Vote**

B To relieve traffic, repair potholes; shall VTA enact a 30-year half-cent sales tax to:

- Repair streets, fix potholes in all 15 cities;
- Finish BART extension to downtown San Jose, Santa Clara;
- Improve bicycle/pedestrian safety, especially near schools;
- Increase Caltrain capacity, easing highway congestion, improving safety at crossings;
- Relieve traffic on all 9 expressways, key highway interchanges;
- Enhance transit for seniors, students, disabled;

Mandating annual audits by independent citizens watchdog committee to ensure accountability.

Yes
No

**City of Cupertino
Majority Vote**

C Shall an initiative ordinance be adopted amending Cupertino's General Plan to limit redevelopment of the Vallco Shopping District, limit building heights along major mixed-use corridors, increase to 45 feet the maximum building height in the Neighborhoods, limit lot coverages for large projects, establish new setbacks and building planes on major thoroughfares, and require voter approval for any changes to these provisions?

Yes
No

City of Cupertino
Majority Vote

D Shall an initiative be adopted enacting the Vallco Town Center Specific Plan for the 58-acre Vallco Shopping District Special Area requiring residential (approximately 389-800 units, including approximately 20% senior housing), office (2,000,000 sf), commercial (640,000 sf), hotel, park, civic/educational uses; requiring funding/community benefits for transportation (approximately \$30,000,000), schools (approximately \$40,000,000), green roof (approximately 30 acres), recycled water; granting initial entitlements; establishing development standards and limited future approval process; and making related Cupertino General Plan and Municipal Code amendments?

Yes
No

City of San Jose
Majority Vote

E Shall an ordinance be adopted amending the San Jose Municipal Code to require employers of 36 or more employees to offer additional work hours to existing qualified part-time employees before hiring new employees or contractors, unless waived through a collective bargaining agreement or a welfare to work program; and, authorize the City to enforce, and grant hardship exemptions from, the offer of work requirement?

Yes
No

City of San Jose
Majority Vote

F Pension Agreement

Shall the Charter be amended to minimize financial risk to taxpayers for pensions and retiree healthcare of employees newly hired after dates specified in this measure; reduce costs of supplemental pension payments; safeguard disability retirement protections for injured firefighters and police; ensure pension plans are actuarially sound; require voter approval for benefit increases; among other changes in this measure agreed upon the Mayor, city Council, police officers, firefighters, and employees?

Yes
No

City of San Jose
Majority

G Business Tax Modernization

Shall an ordinance be adopted modernizing San Jose's 1986 business tax to fund essential services – such as police, emergency response, and pothole repair – with approximately \$12 million in additional annual revenue by raising the base tax from \$150 to \$195; increasing rates incrementally for larger businesses, as provided in the ordinance at <http://sanjoseca.gov/businessstax2016>; adjusting for inflation; expanding exemptions for small businesses and financial hardship; and allowing online registration and payment?

Yes
No

City of Gilroy
Majority Vote

H Shall an ordinance be adopted to amend the Gilroy General Plan to add an Urban Growth Boundary line (UGB) to the General Plan Land Use Plan Map, designate lands outside the UGB as Open Space and prohibit urban development on such lands, and provide that (with limited exceptions) such restrictions may not be amended or repealed until December 31, 2040 without a vote of the people?"

Yes
No

City of Milpitas
Majority Vote

I Shall an ordinance that amends the Milpitas General Plan Land Use Element to extend until December 31, 2038 an Urban Growth Boundary near the base of the Milpitas foothills, that would limit development within Milpitas to the valley floor and the base of the foothills by prohibiting Milpitas from providing city services to new land use developments in the hillside area, be adopted?

Yes
No

City of Milpitas
Majority Vote

J Shall an ordinance, requiring until December 31, 2038, any amendments to the existing "Hillside Combining District" Ordinance and any amendments to the general plan land use designation for lands currently designated as "Hillside" property be approved by the voters before becoming effective, be adopted?

Yes
No

City of Milpitas
Majority Vote

K Shall an ordinance amending the City of Milpitas General Plan be adopted to mandate that any attempt to rezone parks, parklands or open space to residential, commercial or industrial, or any proposal for residential, commercial or industrial development in parks, parkland or open space, must be placed before Milpitas voters and secure two-thirds support in the City's next general election?

Yes
No

City of Milpitas
Majority Vote

L Shall Resolution No. 8532 authorizing an Exclusive Franchise Agreement with Waste Management, Inc. for Solid Waste Disposal Services, which was approved by the Milpitas City Council on March 15, 2016 but suspended by referendum petition on April 14, 2016, be adopted?

Yes
No

City of Sunnyvale
Majority Vote

M Shall an ordinance be adopted to require the City to conduct a citywide special or general election requesting approval from a majority of voters for any sale, lease, lease extension, lease renewal, land swap, or transfer of any property, facility, or land that the City owns, leases, or uses for government administration, recreation, public park, or similar community purposes?

Yes
No

City of Sunnyvale
Majority Vote

N SUNNYVALE ESSENTIAL SERVICES PROTECTION MEASURE. To maintain Sunnyvale's financial stability without increasing the existing 2% tax rate, and fund essential City services including police, fire and 911 emergency response, and pothole, street, sidewalk, and neighborhood park maintenance/repairs, shall Sunnyvale modernize its existing utility users tax to treat telecommunication taxpayers equally regardless of technology used, providing approximately \$1,500,000 annually on an ongoing basis, until ended by voters, with independent audits, and all funds used locally?

Yes
No

City of Santa Clara
Majority Vote

O SETTING OF SALARIES FOR MAYOR AND CITY COUNCIL. Shall section 702 of the Santa Clara City Charter be amended to set the salaries of the Mayor at \$2500 per month and City Council at \$2000 per month, and to create a Salary Setting Commission to review and adjust those salaries every two years?

Yes
No

City of Santa Clara
Majority Vote

P MAYOR AND CITY COUNCIL TERM LIMITS. Shall Sections 701 and 704.1 of the Santa Clara City Charter be amended to limit the Mayor and members of the City Council to no more than two full terms for each office, and to define a partial term in excess of two years as a full term?

Yes
No

City of Santa Clara
Majority Vote

Q FILLING VACANCIES IN CITY ELECTED OFFICES. Shall Section 703 of the Santa Clara City Charter be amended to provide that vacancies in any elective office of the City be filled by a four-fifths (4/5) vote of the City Council and to require that persons appointed to fill vacancies occurring in the first half of a term of office shall hold office until the next general municipal election?

Yes
No

City of Santa Clara
Majority Vote

R PROTECTION OF PARKLAND AND OPEN SPACE. Shall Section 714.1 of the Santa Clara City Charter be added to provide that no City owned land used for park or recreational purposes, including the Ulistac Natural Area and the Santa Clara Soccer Park, shall be sold or disposed of by the City without being authorized by a two-thirds (2/3) majority vote and that development upon such property shall be subject to referendum?

Yes
No

City of Morgan Hill
Majority Vote

S Shall a measure be adopted to amend the Morgan Hill General Plan and Municipal Code to update the City's voter-approved Residential Development Control System (RDCS) to extend it to 2035, establish a population ceiling of 58,200, with a slower rate of growth than currently exists, and improve policies to maintain neighborhood character, encourage more efficient land use, conserve water, and preserve open space?

Yes
No

Town of Los Gatos
Majority Vote

T To maintain quality of life and small town character in Los Gatos by enhancing traffic safety and flow; maintaining 911 response, police services, parks, trails, creeks, playground equipment and restrooms; repairing potholes and Town facilities; beautifying Downtown; providing general services, shall Los Gatos increase by 2% the short-term rental tax paid only by hotel/lodging guests, raising approximately \$350,000 to \$400,000 per year with published annual audits, fiscal oversight, and all funds spent locally for Los Gatos?

Yes
No

San Benito High School District
55% Vote

U To improve the quality of local high school education by upgrading science labs and classrooms to help prepare students for college and careers; continue improving school access for students with disabilities; adding classrooms and school facilities to reduce overcrowding; upgrading aging student facilities; and improving school and earthquake safety, shall the San Benito High School District issue \$60 million in bonds, with citizen oversight, annual audits and with NO money for administrator salaries?

Yes
No

City of Mountain View
Majority Vote

V Shall a Rent Stabilization CITY CHARTER AMENDMENT be adopted enacting rent regulation and prohibiting amendments except by Citywide election, with annual rent increases limited to the Consumer Price Index (minimum 2%, maximum 5%) for most multifamily rental units built before February 1, 1995; prohibiting evictions without just cause for rental units built before this measure becomes effective; creating a Rental Housing Committee authorized to enact regulations, hire staff, expend funds, and charge landlords fees to implement this amendment?

Yes
No

City of Mountain View
Majority Vote

W Shall a RENT STABILIZATION ORDINANCE be adopted requiring a tenant-landlord dispute resolution program and binding arbitration for rent increase disputes exceeding 5% of base rent per 12-month period and service reductions for most multifamily rental units with a certificate of occupancy before February 1, 1995; prohibiting eviction of tenants without just cause or relocation assistance; prohibiting substantive changes for two years, and requiring a super majority City Council vote for substantive changes thereafter?

Yes
No

San Jose-Evergreen Community College District
55% Vote

X To repair/ upgrade classrooms to prepare students/ veterans for jobs/ university transfer by repairing/ building nursing, engineering, vocational, technology, science/ job training classrooms, improving campus, earthquake safety/ disabled access, remove asbestos/ lead paint, acquiring, constructing, repairing sites, facilities/ equipment, shall San Jose-Evergreen Community College District issue \$748,000,000 in bonds at legal rates, no money for administrators' salaries/ pensions, requiring citizen oversight, independent audits, all funds used locally?

Bonds Yes
Bonds No

San Jose Unified School District

2/3 Vote

Y To improve education in local neighborhood schools by supporting core academic programs in reading, writing, math, the arts and science, preparing students for college and careers and attracting and retaining high performing teachers and educational staff, shall San Jose Unified School District authorize an annual \$72 school parcel tax for 8 years, raising approximately \$5 million annually, with independent citizen oversight, no funds for district office administrators' salaries, a senior citizen exemption and all funds benefiting local neighborhood schools?

Yes
No

East Side Union High School District

55% Vote

Z To upgrade/construct science, technology and engineering classrooms; remove hazardous materials from school grounds; upgrade fire/security systems; and replace deteriorating roofs at Andrew Hill, Calero, Evergreen Valley, Foothill, Independence, James Lick, Mt. Pleasant, Oak Grove, Piedmont Hills, Santa Teresa, Silver Creek, Yerba Buena, W.C. Overfelt, alternative, adult and district charter schools, shall East Side Union High School District issue \$510 million of bonds with independent citizen oversight, interest rates below legal limits, and no funds for administrators' salaries?

Bonds Yes
Bonds No

Campbell Union High School District

55% Vote

AA To improve local high schools to better prepare students for 21st century careers, by modernizing classrooms, labs, and technology for career education in engineering, science, advanced math, coding and computer skills; repairing aging facilities, including leaky roofs, floors, electrical systems, and restrooms; making seismic upgrades, removing hazardous asbestos, and adding classrooms/school facilities to prevent overcrowding, shall the Campbell Union High School District issue \$275 million in bonds, within legal rates, with annual financial audits and independent citizen's oversight?

Bonds Yes
Bonds No

Sunnyvale School District

2/3 Vote

BB To renew the Sunnyvale School District parcel tax to support classroom programs including math, English, science and technology; to attract and retain quality teachers and keep class size small; shall Sunnyvale School District be authorized to renew its existing \$59 per parcel tax providing \$1 million annually for seven years beginning July 1, 2018, with exemptions for senior citizens and all expenditures audited and reviewed by a citizens' oversight committee with no funds spent on administrators?

Yes
No

Campbell Union School District

55% Vote

CC To continue providing high-quality education and to ensure equal access to a 21st-century education for all local students by repairing leaky roofs; upgrading fire alarms and security systems; upgrading science equipment and laboratories; providing access for students and teachers with disabilities; constructing new classrooms and facilities and modernizing old classrooms, shall Campbell Union Elementary School District issue \$72 million in bonds at legal interest rates, with citizens' oversight and financial audits with no funds for administrator salaries?

Bonds Yes
Bonds No

Oak Grove School District

2/3 Vote

EE To improve education and student achievement in neighborhood schools by maintaining small class sizes; hiring, retaining and training quality teachers; expanding science, technology, engineering, math, language, art, and music education; improving health, safety, security, and maintenance services; and providing before-/after-school programs; shall Oak Grove Elementary School District levy a parcel tax of \$132 per parcel for nine years providing \$3.1 million annually, exempting seniors, with annual audits, citizens' oversight, and all funds used locally?

Yes
No

Los Altos School District
2/3 Vote

GG To continue excellent education for all local public elementary and junior high school students; maintain outstanding core academics, innovative science, technology, engineering and math programs; and attract and retain highly qualified teachers; shall Los Altos School District renew its expiring annual education parcel tax at \$223 per parcel for eight years, providing approximately \$2.8 million annually for local schools, with independent oversight, no funds for administrators' salaries, exemptions for seniors, and all funds benefitting local public schools?

Yes
No

Franklin-McKinley School District
2/3 Vote

HH Local Elementary School District Achievement Measure. To improve the quality of education and enhance student achievement, by expanding counseling and tutoring programs for at-risk students; maintaining small class sizes in kindergarten through third grade; enhancing reading, science/math programs; retaining teachers; expanding student access to after school programs, shall Franklin-McKinley School District renew without increasing its expiring parcel tax at \$72 annually for 9 years, with citizen oversight, audits and an exemption for senior citizen homeowners?

Yes
No