

# Agenda Report

February 01, 2021

**TO:** Honorable Mayor and City Council  
**THROUGH:** Legislative Policy Committee (January 26, 2021)  
**FROM:** Assistant City Manager  
**SUBJECT: APPROVAL OF THE FEDERAL & STATE LEGISLATIVE PLATFORMS FOR CALENDAR YEAR 2021**

## **RECOMMENDATIONS:**

It is recommended that the City Council:

1. Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3) the general rule that CEQA only applies to projects that may have an effect on the environment; and
2. Approve the Federal Legislative Platform and the State Legislative Platform for calendar year 2021.

## **LEGISLATIVE POLICY COMMITTEE RECOMMENDATIONS:**

At the January 26, 2021 meeting of the Legislative Policy Committee, staff presented both the Federal and State Legislative Platforms for calendar year 2021. In addition to staff recommendations, the Committee agreed to include additional language regarding support for direct fiscal assistance to publicly owned utilities to credit delinquent utility bills for their customers during COVID-19. The Committee recommended forwarding both Platforms to the City Council for approval.

## **EXECUTIVE SUMMARY:**

Annually the City Council through the Legislative Policy Committee is asked to adopt legislative platforms for both the State and Federal governments. These platforms are

prepared by the City Manager's Office in coordination with the city departments and the state and federal lobbyist. The platforms provide guidance to staff who reviews and analyzes the numerous legislative bills that are being discussed by the various legislative bodies. Among the most significant additions this year is that both platforms will include language on COVID-19 so that cities of all sizes may receive direct assistance and not just those with a large population.

### **BACKGROUND:**

The City Manager's Office oversees Pasadena's legislative activities, and works with departments, City lobbyists as well State and Federal elected officials to respond to impactful legislative proposals ("bills"). City legislative actions are year-round and in alignment with City Council Strategic Plan Goals and the adopted Legislative Platforms.

The California Legislature and U.S. Congress both have two-year legislative sessions. Each has their own schedule and deadlines for bills to move through their legislative processes. This year marks the start of the 2021-2022 sessions for both the State and Federal legislatures.

Key issues including affordable housing, homelessness, public safety and climate change continue to drive an unprecedented amount of bills every year, particularly at the State level. During the 2019-2020 session, State legislators introduced more than 5,400 bills. Due to the COVID-19 pandemic, the bill count slightly decreased from the 2017-2018 State session, which had more than 5,600 bills over the two-year period. However, staff expects a large number of bills this session as the State Legislature has a Democratic supermajority in both houses and a Democratic governor.

During the Trump Administration, enactment of Federal legislation was largely prevented by significant policy differences between the Republican-controlled Senate and Democratic-controlled House of Representatives. As the Biden Administration begins, staff anticipates faster moving legislative proposals due to newly-won Democratic control of both sides of the Capitol, and a Democratic President.

### **City Lobbyists' Role**

The City's lobbyists and legislative advocates, CapitalEdge Advocacy, Inc. (Federal) and Emanuels Jones and Associates (State) have developed close working relationships with the City staff and legislators, and are very knowledgeable about the issues and strategies important to Pasadena. City lobbyists are essential to helping Pasadena stay actively engaged with the Federal and State government. Services include:

- Alerting staff to critical bills;
- Bill research, analysis, monitoring and reporting;

- Lobbying the State Legislature, Governor's office, Congress, and Executive Branch;
- Researching and assisting on various grant programs;
- Providing timely information on Federal and State policies and programs;
- Assisting in drafting bill amendments;
- Serving as the City liaison with the Federal and State governments
- Assisting with updating the City's Federal and State Legislative Platforms.
- Scheduling one-on-one meetings with elected officials

Both firms provided the City a wide range of services over a very turbulent time in State and Federal government. Notable achievements at the Federal level include:

- Requiring out-of-state retailers to collect local sales taxes on online purchases;
- Safeguarding the tax-exempt status of municipal bonds;
- Regional matters such as the extension of the Gold Line; and
- Local topics such as the HUD loan that assisted in funding the renovated Robinson Park facilities.

Notable achievements at the State level include:

- Working closely with Assemblymember Chris Holden to author legislation that re-established the City's authority to offer services improving community member access to birth and death certificates;
- Working closely with Senator Portantino on SB 400, which froze the rents on 710 housing;
- Working closely with Assemblymember Holden on a critical bill amendment to preserve the City's prohibition of fossil-fueled distributed generation; and
- Stopping a telecommunications bill that would have taken away local control regarding placement of telecom equipment.
- Working closely with Senator Portantino and Assemblymember Holden on critical amendments to key housing bills, including assisting with the defeat of SB 50 (Wiener, 2019).
- Working closely with Long Beach and Berkeley and our State Delegation to successfully get a one-time direct allocation of CARES Act Health Realignment funds to city health departments. Pasadena received \$187,000 in June 2020.

Additionally, Emanuels Jones and Associates is also the contract lobbyist for the cities of Glendale and Burbank, which gives the region a greater voice as the Tri-Cities on advocacy in Sacramento.

### The Legislative Platforms

The Federal and State Legislative Platforms (“Platforms”) are guiding documents that identify City positions on fundamental legislative issues critical to Pasadena, such as safeguarding local decision-making authority and opposing unfunded mandates. The platforms streamline the position taking process by providing staff and City lobbyists with clear direction to advocate on these matters. The Platforms help ensure the City’s timely response to support, oppose or take neutral positions on legislation that could impact the City’s ability to operate effectively. The Platforms also convey to legislators, policymakers and the public where the City stands on important policy issues and legislative discussions.

Every fall, City lobbyists and staff attend a series of one-on-one meetings with the Department Directors and City Manager’s Office to discuss updates to the Platforms. The meetings include a review the previous year’s legislative activities and a discussion of potential bills for the upcoming legislative sessions. From these discussions, staff prepares the Platform revisions for Legislative Policy Committee (“Committee”) review and City Council adoption. The Committee annually reviews the Platforms based on staff recommendations, which often include revised terminology, project timeline updates, emerging industry trends, and new funding priorities.

Upon City Council approval, the Platforms assist the City Manager’s Office, Mayor, City lobbyists and staff to respond quickly to the rapidly changing nature of legislative proposals throughout the year. For example, most bills go through policy and fiscal committees during the session as part of a transparent stakeholder process. However, a state bill unrelated to City matters could be suddenly “gutted and amended” by a legislator into a new policy issue that directly impacts the City. This often occurs very close to an approaching legislative deadline in order to fast-track a bill through the process. In this case, staff and lobbyists are often up against an urgent turnaround time to submit position letters and to provide input to our legislative representatives. Other time-sensitive activities include meetings with bill authors, floor alerts, joint-agency coalition activity, and testimony at legislative hearings.

Additionally, throughout the year staff may recommend to the Committee amendments to the Platforms to add, remove or modify language if unanticipated legislative issues arise during the year. If these changes are significant, the Committee may take the proposals with unique or substantial merit to the full City Council for a formal amendment of the Platforms.

### Legislative Action Process with the Platforms

Using the Council-approved Platforms as a guide, the City Manager's Office works closely with City lobbyists to continue day-to-day oversight of and response to legislative matters as follows:

- Communicate City positions to Pasadena's legislative representatives including U.S. Senator Dianne Feinstein, U.S. Senator Alex Padilla, U.S. Representative Judy Chu, U.S. Representative Adam Schiff, State Assemblymember Chris Holden and State Senator Anthony Portantino. City positions are also communicated to L.A. County Supervisor Kathryn Barger, and other government offices, as needed.
- Work with City departments, League of California Cities, National League of Cities, U.S. Conference of Mayors, and other local government/professional associations to identify, analyze and recommend positions on impactful legislation;
- If a recommended position is consistent with the Platforms, staff may draft a letter stating the City's position for the Mayor's signature. If the Mayor is not available, the letter may be prepared for the Vice Mayor's signature. The City Manager, Assistant City Managers and department heads may also sign position letters, as needed;
- Send copies of signed position letters to bill authors, the City's state and federal elected officials, League of California Cities, City lobbyists and other stakeholders, as deemed appropriate;
- Occasionally, the City may choose not to send its own letter, but instead add the City name to a coalition letter of agencies sharing a mutual position on a bill. In this instance, a signature might not be necessary but staff must still confirm if a position is consistent with the Platforms prior to joining a coalition;
- Communicate matters of legislative importance to the Committee and City Council through periodic updates;
- Participate in proposing and drafting bill amendments, as needed; and
- Participate and attend legislative briefings and meetings to actively engage and stay apprised of legislative trends and upcoming legislation.

### **Federal Legislative Platform for 2021**

When preparing the Federal platform in previous years, staff noted many strategic policies and implementation under the Trump administration were unclear. Several policies were subject to litigation and/or required Congressional approval. With the Biden Administration in its early stages, staff anticipates renewed legislative activity across numerous federal policy issues. The Federal platform reflects changes to address some of these issues and eliminates language no longer relevant.

A notable addition to the Platform is a new section capturing the City's need for direct and timely Federal COVID-19 response and aid. In previous COVID-19 relief legislation, Pasadena did not meet required population thresholds to qualify for direct, local aid. This includes the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") and the rental assistance program in the Consolidated Appropriations Act of 2021, signed into law by President Trump on Dec 27, 2020.

The following highlights, by major category, some of the new platform items and topics recommended for 2021:

A. Federal COVID-19 Response:

- 1) This is a new section, which includes support for direct fiscal assistance to local governments of all population sizes to address the catastrophic loss of revenue resulting from the pandemic and other disasters. The language also includes support for increasing the federal cost share for the FEMA Public Assistance program to 100 percent. Additionally, the language notes support for direct fiscal assistance to local health jurisdictions to support expanded case investigation, contact tracing, testing, and vaccine distribution. Lastly, the section includes support for direct fiscal assistance to publicly owned utilities to credit delinquent utility bills for their customers.

B. Utilities:

- 1) Revised language regarding safe drinking water to state that the City supports Federal initiatives using sound, scientific principles and protocols.
- 2) Added support for Federal initiatives to reduce greenhouse gas emissions through incentives and policies for building electrification.
- 3) Updated terminology from "recycled" water to "non-potable" water.
- 4) Added support for Federal efforts to address legacy contamination issues such as PFAS and other chemicals.
- 5) Added support for funding to improve California's headwaters, which provide flow to surface and groundwater supplies, and are critical to sustain local watersheds.

C. Public Safety:

- 1) Added support for ongoing procurement of high technology that helps mitigate dangerous situations, locate and arrest offenders, gather evidence, solve crimes, and protect public safety entities on the frontlines.
- 2) Added support for legislation and resources to reduce recidivism, help rehabilitate recidivist offenders, and expand funding for these efforts.
- 3) Added emergency management training to the list of public safety priorities.

D. Transportation:

- 1) Added support for resources to equip Pasadena bridges with suicide prevention barriers and other deterrent measures.

E. Parks and Recreation/Human Services and Recreation

- 1) Combined these two sections to reflect the Department's new name, "Parks, Recreation and Community Services."

F. Library:

- 1) Added support for funding to public libraries to provide programs and resources to those impacted by the COVID-19 pandemic such as those who have lost their jobs or are underemployed, those experiencing mental health issues, needing help with schoolwork, those experiencing social isolation.

The Federal Legislative Platform (Attachment A) incorporates all of the above changes.

### **State Legislative Platform for 2021**

As previously noted, 2021 is the first year of the State's two-year legislative session. In preparing the previous State platform, staff implemented major restructuring of existing water and energy issues for easier navigation for City lobbyists and State legislators.

Similar to the Federal platform, staff is also recommending a new section capturing the City's need for direct and timely COVID-19 pandemic response and aid. While much of the emergency response legislation would be at the Federal Level, the State plays an important role in its implementation, and in developing its own legislation to support California-specific priorities.

In addition to changes that reflect the approval of new State legislation, the following highlights, by major category, some new platform items/topics as well as some updated narrative for 2021.

A. COVID-19 Response:

- a. This is a new section, which includes support for direct fiscal assistance to local governments of all population sizes to address the catastrophic loss of revenue resulting from the pandemic and other disasters. The language notes support for direct fiscal assistance to local health jurisdictions to support expanded case investigation, contact tracing, testing, and vaccine distribution. Lastly, the section includes support for direct fiscal assistance to publicly owned utilities to credit delinquent utility bills for their customers.

B. Public Safety:

- a. Added support for mental health crisis care to the list of priorities.

- b. Revised language to include support for public outreach and intervention programs that specifically divert juveniles from the criminal justice system.
  - c. Added support for legislation and resources to reduce recidivism, help rehabilitate recidivist offenders and expand funding for these efforts.
  - d. Added emergency management training to the list of priorities.
- C. Utility (funding priorities):
- a. Added minor revisions to existing descriptions of water-related projects.
- D. City Parks/Human Services and Recreation
- a. Combined these two sections to reflect the Department's new name, "Parks, Recreation and Community Services."
- E. Public Libraries:
- a. Added support for funding public libraries to provide programs and resources to those impacted by the pandemic such as those who have lost their jobs or are underemployed, those experiencing mental health issues, needing help with schoolwork, those experiencing social isolation.
- F. Energy and Water Priorities:
- a. Greenhouse Gas Reduction: Added support for building electrification as a means to reduce greenhouse gas emissions.
  - b. Renewables Portfolio Standard: Broadened definition of stranded assets to include actions adversely impacting the utilization of Pasadena's local power plant, and existing energy procurement contracts.
  - c. Recycled Water: Updated terminology from "recycled" water to "non-potable" water.
  - d. Safe Drinking Water: Added support for legislation to address constituents of concern for drinking water through reasonable protocols and sound, science-based standards.
  - e. Water Energy Nexus: Revised the language to include support for related legislation that promotes sustainability, supports the local economy, and improves quality of life.

The State Legislative Platform (Attachment B) incorporates all of the above changes.

**COUNCIL POLICY CONSIDERATION:**

Approval of the subject recommendation represents a continuation of the annual policy/practice of establishing federal and state legislative platforms as the advocacy



strategies for regional, legislative, and funding request priorities supported by the City of Pasadena.

**ENVIRONMENTAL ANALYSIS:**

The action proposed herein is exempt from the California Environmental Quality Act (CEQA), pursuant to state CEQA Guidelines Section 15061 (b)(3) the "General Rule" provision of CEQA which applies to projects which may have the potential for causing a significant effect on the environment.

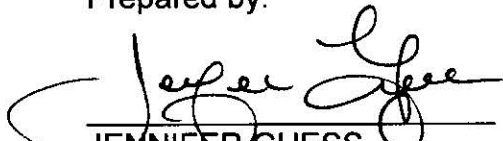
**FISCAL IMPACT:**

Funds for the legislative advocates are included in the City Council's annual operating budget.

Respectfully submitted,

  
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Approved by:

  
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Attachments:

- Attachment A – Federal Legislative Platform
- Attachment B – State Legislative Platform