

Policy 7.4.14 Legislative Advocacy Positions

POLICY PURPOSE:

It is the purpose of this policy to establish guidelines and standards regarding City resources and support for Councilmembers. This policy is supplementary to and in no way intended to conflict with the City Charter. For further information on this subject, see:

- City Charter, Section 807
- Code of Ethics and Conduct for Elected Officials (available on the City's Web site or in the Office of the City Clerk)

Additionally, the Legislative Advocacy Positions identify the City's broad advocacy positions on issues and legislation. As defined by the General Plan (Policy 7.3B4), the Legislative Advocacy Positions are short-term in nature, typically speak to pending legislation and current issues, and support the General Plan and guide Council and staff on intergovernmental matters. They are a component of the City's Council Policies, which provide guidelines for City action in all areas of City business. City business is defined as all matters directly related to service delivery, or otherwise contributing to the City's operational success.

POLICY STATEMENT:

- I. Each year the City Manager shall present for Council's consideration draft Legislative Advocacy Positions. Once approved by City Council, these "advocacy positions" become the official City advocacy position on pending legislation.
- II. The LAP is utilized by Councilmembers and staff throughout the year to determine City positions on legislation and intergovernmental issues and minimizes the need for staff to request direction from Council on legislation and issues as they arise. The LAP should not duplicate policies already cited in other Council Policy documents, i.e. the Council Policy Manual, General Plan, Municipal Code, etc.
- III. During the year, staff monitors and researches pending legislation to identify bills that could significantly impact Sunnyvale. Research actions range from web site research to contacting legislative analysts in government offices and city associations. Staff may also conduct limited advocacy should issues arise throughout the year that significantly impact the City, and if Council positions have previously been established by the LAP.
- IV. To consolidate documents, underscore important issues, and focus the City's limited advocacy resources, Policy 7.4.14 includes the City's annual priority issues. Council developed the concept of the LAP in 1982 (RTC 82-590). Following annual Council approval, the current year's City Priorities and Legislative Advocacy Positions are attached to this policy.
- V. Implementation.
The City Manager shall monitor those provisions of this policy within the City Manager's Charter responsibilities. Disagreement in interpretation shall be resolved by the City Council. The City Manager shall institute administrative policy to implement this policy. At the time a

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new Councilmember is seated, the Mayor and City Manager should review this policy with them.

Annually, the City Manager shall review the resource requirements necessary to support the level of service specified in this policy, and recommend as a part of the proposed budget necessary changes of budget resources.

(Adopted: RTC 95-018 (1/17/1995); Amended: 96-016 (3/23/1996), 97-002 (1/14/1997), 98-008 (1/13/1998), 98-246 (7/14/1998), 98-264 (7/21/1998), 98-304 (8/18/1998), 99-009 (1/12/1999), 00-020 (1/25/2000), 01-002 (1/9/2001), 02-018 (1/15/2002), 03-021 (1/14/2003), 04-018 (1/13/2004) 05-009 (1/11/2005); (Clerical/clarity update, Policy Update Project 12/2005); 06-038 (2/7/2006); (Index added 5/22/06); 07-036 (01/30/2007); Clarity update (6/21/07); 08-063 (2/26/08); 09-046 (2/24/09); 10-016 (1/26/10); 11-022 (2/8/11); Adopted: RTC 12-009 (2/7/12); Amended: RTC: 12-048 (2/28/12); Updated for clarity (9/5/12); Adopted w/ modification: RTC: 13-020 (1/29/13); Adopted w/ modification: RTC 14-006 (1/7/14); Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014); Adopted w/ modification: RTC: 15-008 (1/6/15); Adopted w/ modifications: RTC 16-0005 (1/5/16); Adopted w/ modifications: RTC 17-0011 (1/10/17); Information Only RTC 17-0132 (1/24/17); Adopted w/ modifications: RTC 17-0632 (6/20/17); Adopted w/ modifications: RTC 18-006 (1/9/18); Adopted: RTC 18-1064 (1/15/19); Adopted RTC 20-0253 (2/25/20); Adopted w/ modifications: RTC: #21-0025 (January 12, 2021); RTC: #22-0061 (January 25, 2022); RTC: 23-0158 (January 24, 2023); Revised RTC 24-102 (January 30, 2024))

Lead Department: Office of the City Manager

For Reference see also: 7.4.15 Council Advocacy, 7.4.16 Ballot Measure Positions.

2024 Priority Advocacy Issues

1. Investment Funding and Local Strategy for Workforce Development

(A) Support proposals that call for increased funding for workforce development programs.

- NOVA Workforce Services has experienced a significant increase in demand for services over the past year that is expected to continue in 2024. This requires increased funding. In 2022, the number of WARN notifications from employers was 64, impacting 4,567 affected workers. In 2023, that number dramatically increased to 306 WARN notifications, impacting 15,785 affected workers.
- The local workforce development system is facing even greater challenges in addressing the devastating economic effects from COVID-19. This has impacted industries, in particular the travel, hospitality and retail industries, and their workforce. Workers who are unable to return to those occupations will require reskilling for emerging industries.

(B) Support the reauthorization of Workforce Innovation and Opportunity Act (WIOA) that focuses on local strategy, flexibility in funding, system improvement, and innovation.

- Given the financial constraints in state and federal government and uncertainty with Congressional priorities, workforce development funding is vulnerable in 2024. Changes could threaten the sustainability of these essential systems and regional economic recovery.
- WIOA represents the foundational legislation for local workforce boards. WIOA reauthorization legislation, H.R. 6655, Stronger Workforce for America Act, was introduced in the U.S. House of Representatives in 2023. It was passed by the House Committee on Education and the Workforce on Dec. 12, 2023, and will move to the House floor. WIOA reauthorization legislative proposals are expected to move forward in 2024 and will significantly impact NOVA Workforce Services.

2. Interoperability/Public Safety Communications System

(A) Support resolving interoperability problems that affect emergency communications systems, remedying the current shortage of broadband spectrum availability for public safety needs, and providing funding for interoperable equipment.

- SB 719 (Becker) regarding radio communications is expected in 2024 which can create significant cost and logistical challenges for law enforcement agencies.
- Ensuring that our nation's emergency responders can communicate using readily available technology is of the utmost importance.

(B) Support an efficient, sustainable high-speed nationwide broadband network dedicated to public safety.

3. Environmental Regulatory & Conservation Issues

- (A) Support legislation, regulation and permitting that addresses the infrastructure needed to process the additional organics required to meet state goals and overcome funding, siting, land use and environmental permitting challenges.
- (B) Support legislation that provides funding for local agencies to build infrastructure to utilize organic waste to produce renewable energy or biofuels.
- Advocate that the state budget maintains funding for green investments as it reduces methane emissions while also producing renewable energy.
 - In September 2015, CARB announced its intent to reduce landfill disposal of food waste and other organics by 2025 in hopes of further reducing methane emissions from landfills.
 - SB 1383 (Lara) reinforced CARB's focus on diverting organics from landfill. The bill establishes 2014 disposal as a baseline, then sets a state target of reducing organic disposal 50% by 2020 and 75% by 2025.
- (C) Advocate that Sunnyvale's infrastructure and community assets are considered and protected as the Bay Area plans and constructs resiliency and restoration projects and advocate that the U.S. Army Corps of Engineers proceed with studies in a timely manner.
- Shoreline areas along San Francisco Bay, including Sunnyvale, risk damages from coastal flooding, with potential impacts to human health and safety, due to future sea level rise.
 - The South San Francisco Bay Shoreline Project is a Congressionally authorized study by the US Army Corps of Engineers together with the Santa Clara Valley Water District and the State Coastal Conservancy to identify and recommend flood risk management projects for Federal funding.
 - The shoreline areas of Sunnyvale are included in a proposed Phase III of the Shoreline Project.

Promote Building Electrification

- (D) Advocate for state policies that allow for all-electric building requirements e.g. Reach Codes.
- Building electrification is a critical pathway for achieving State GHG goals, as identified in California Air Resource Board's 2022 Scoping Plan. However, these reach codes may be invalid due to recent case law interpreting reach codes as pre-empting federal energy policies. The State may need to get exemptions from the Federal Government to allow the State to continue using reach codes.
- (E) Advocate for building electrification programs that educate and incentivize transitioning to all-electric buildings.
- (F) Support policies that enable transitioning from natural gas.

4. Use of Unmanned Aircraft Systems (UAS) by Law Enforcement and First Responder Immunity when interfering with Unmanned Aircraft Systems

- (A) Support legislation that allows local governments to adopt ordinances governing the safe use of UAS; places reasonable restrictions on law enforcement regarding use of unmanned aircraft systems; and releases liability restrictions on law enforcement agencies that interfere with drones posing a threat to emergency services.

5. Affordable Housing, Homelessness, and Land Use

Affordable Housing

- (A) Encourage the efforts of the Bay Area Housing Finance Authority to create of a regional affordable housing bond measure to address regional housing needs and to distribute funds fairly throughout the region.

Homelessness

- (B) Encourage State and Federal governments to expand supportive services (including rental assistance, case management, and mental health services) to address the needs of residents who are chronically homeless.

- (C) Support the County in its efforts to establish facilities, housing, and programs for homeless residents and to fairly distribute them in jurisdictions throughout the County.

- Although the number of unhoused people in Sunnyvale has fluctuated in recent years, California continues to have the highest rate of homelessness, specifically unsheltered homelessness, in the country. Meeting the needs of the unhoused population remains a top concern for residents in the City and across the region.
- To address the homelessness crisis, additional resources are needed for permanent supportive housing, rental assistance, supportive services (including case management, and mental health services), and expanded emergency shelter capacity.

Housing Element/Land Use

- (D) Strongly encourage the State government to create policies that balance increased housing production for all income levels while preserving land use policy making for cities that accommodate their share of new housing. Support legislation that would enable preservation of sites for an appropriate balance of conveniently located range of uses including retail/commercial services, places of assembly, public open spaces, and public services.

6. Engagement with the Federal Aviation Administration Regarding Airplane Noise

(A) Oppose legislation, policies, regulations, guidelines, or procedures that would result in an increase in aircraft noise impacts on Sunnyvale residents without an increased benefit to the community.

- Sunnyvale is concerned about the current and projected growth of flight operations into San Jose International Airport without a plan to mitigate airplane noise and emissions over its residents.
- Residents continue to express dissatisfaction with a lack of an integrated model for reporting airplane noise in the region.
- Residents have experienced an increasing and disproportionate impact from airplane noise in our neighborhoods.

(B) Support efforts to work with regional agencies and federal representatives and authorities to mitigate the effect on Sunnyvale residents.

- The City continues to track air noise activity on multiple fronts and from multiple sources that impact our residents.
- In Sunnyvale, the source of air noise comes from various activities from regional international airports, general aviation airports, and Moffett Federal Airfield.
- Encourage the Federal Aviation Administration (FAA) to engage with local jurisdictions and provide solutions to the complex airspace issues. The FAA rulemaking, which could lead to changes in the airspace, should include a robust community engagement process with potential affected communities.

2024 Legislative Advocacy Positions

No additional short-term Advocacy Positions have been identified for 2024 that aren't already reflected in the 2024 Priority Advocacy Issues.