

RESOLUTION NO. 23-026

A RESOLUTION OF THE CUPERTINO CITY COUNCIL REVISITING THE CITY OF CUPERTINO LEGISLATIVE ADVOCACY POLICY

WHEREAS, the City Council has an interest in weighing in on state, federal, and regional legislative issues that impact the City and its residents; and

WHEREAS, the City receives legislative action alerts sent by various city associations that need to be reviewed on a case by case basis; and

WHEREAS, the City Council has historically approved City positions on proposed legislation by majority vote of the City Council; and

WHEREAS, in addition to allowing for City Council action, Cupertino City Council Resolution No. 18-010 established a Legislative Advocacy Policy that delegated Council power to the Legislative Review Committee to take positions on proposed legislation where the position was within the judgment of the Committee consistent with the City's adopted Legislative Advocacy Policy; and

WHEREAS, the City Council finds that this delegation of authority is inconsistent with Municipal Code section 2.17.031, which provides that the authority of the City Council "cannot be delegated to individual Council members, nor to committees composed of council members consisting of less than a quorum of the City Council"; and

WHEREAS, the City Council wishes to revise the Legislative Advocacy Policy to ensure consistency with the Municipal Code and to allow the City Manager to take direction from the full Council, consistent with the requirements of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED:



1. The City Council hereby adopts the Legislative Advocacy Policy attached hereto as Exhibit A.

2. Resolution No. 18-010 and any other procedures, polices, or rules adopted by the Council that are inconsistent with this Resolution are hereby repealed and rescinded.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 21st day of February, 2023, by the following vote:

Members of the City Council

AYES: Wei, Mohan, Fruen
NOES: Chao, Moore
ABSENT: None
ABSTAIN: None

SIGNED:  _____ Hung Wei, Mayor City of Cupertino	2/24/2023 _____ Date
ATTEST:  _____ Kirsten Squarcia, City Clerk	2/28/23 _____ Date

LEGISLATIVE ADVOCACY POLICY

I. PURPOSE

The purpose of this policy is to establish guidelines regarding City legislative advocacy by the City Council.

II. BACKGROUND

The City has actively taken positions on legislation for many years through direction of the full Council and the Legislative Review Committee. On January 25, 2023, the City Council voted to dissolve the Legislative Review Committee and consider taking positions on pending legislation as a full Council.

III. POLICY STATEMENT

1. Each year staff will monitor and research pending legislation to identify bills that could significantly impact Cupertino. Staff will bring these identified bills to Council for consideration at a City Council meeting. With authorization from the full Council, City staff shall prepare position letters for the Mayor's signature. This work can be additionally supported by a contracted lobbyist, as needed.
2. In circumstances where Council review is impracticable, the City Manager can authorize staff to prepare position letters for the Mayor's signature on urgent matters. Positions must align with a policy adopted by the City Council or other clear direction provided by vote of the full Council that supports the position taken on legislation.
3. Legislative advocacy should focus on issues directly relevant to or impacting the provision of municipal services. Generally, the City will not address matters that are not pertinent to the City's local government services, such as international issues.

IV. IMPLEMENTATION

The City Manager shall monitor the provisions of this policy. City departments are encouraged to monitor and be knowledgeable of any legislative issues related to their discipline. However, any requests for the City to take positions on a legislative matter must be directed to the City Attorney's Office. City

departments may not take positions on legislative issues without City Manager's Office review, and approval from the full Council when required by this policy.