



CITY MANAGER'S OFFICE

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CITY COUNCIL INFORMATIONAL MEMORANDUM

Meeting: January 17, 2024

To: Cupertino City Council
From: Pamela Wu, City Manager

Re: 2023 legislative activity and priorities update.

Reasons for Recommendation

The legislative Advocacy Policy (Resolution No. 23-026, Attachment A) sets forth a process for the City to engage in legislative activities and advocacy, rely on staff knowledge on the applicability of prospective legislation, and reflect the voice of entire Council in taking positions on legislation. Since the policy was adopted in February 2023, the City Manager's Office (CMO) has monitored and researched pending legislation to identify bills that could significantly impact Cupertino. Staff has maintained a list of these bills, which is posted on the City's website at cupertino.org/legislation. Staff will bring these identified bills forward for Council consideration in spring and facilitate letters to the legislature outlining the City's position.

2023 Legislative Activity and Advocacy Update

In 2023, the City monitored 15 bills, which can be found at cupertino.org/legislation. Of these 15 bills, the City took positions and sent letters to the state Legislature regarding three bills:

1. ACA 5 (support) – Enacted into law in 2023.
2. AB 1469 (support) – Signed into law in 2023.
3. The Taxpayer Protection and Accountability Act (oppose) – Though opposed by various cities and legislative organizations, this initiative has qualified for the November 2024 general election.

Many of the other bills on the City's watch list are two-year bills and may be considered again during the 2024 Legislative Session. Staff will continue to monitor these bills along with other new bills introduced in early 2024.

This past year, staff spent considerable time and effort advocating around the California Department of Tax and Fee Administration (CDTFA) matters. This work has included participation in stakeholder meetings with CDTFA, the Governor's office, our legislators, and other pertinent state agencies. This is an ongoing effort that staff will continue to actively engage in.

Other 2023 State Legislation Highlights

Broadly speaking CalCities adopted positions on 66 measures/bills that made it to Governor Newsom's desk. The Governor signed 82% of the bills CalCities supported and vetoed 42% of the bills opposed by CalCities (compared to the Governor's overall average 14% veto rate).

Collaborations and Partnerships

CMO staff and the City Attorney's Office, in collaboration with the City Council, are the core team and are primarily responsible for all legislative activity and bill tracking within Cupertino. CMO staff also works with all City Departments to gather input on bills related to specific focus areas to determine potential impacts of legislation on Cupertino. The City remains under contract with Gonsalves and Son, a state lobbyist, to maintain a presence in Sacramento and to remain apprised of key legislative activity.

To track and drive legislation, staff also participates with a number of coalitions and tries to find alignment with different groups such as Cal Cities, SCC legislative coordinators, MTC, ABAG, Valley Water, Mid Pen Housing, and others.

The City's lobbyist, Joe A. Gonsalves & Son, actively tracked and advocated on behalf of the City on all bills where the City adopted a position. This includes private meetings with legislators, staff and pertinent committee consultants, as well as any necessary state agency and/or Administration related advocacy.

Looking Ahead to 2024 Legislative Priorities and Program

The legislative advocacy work is guided by the Council adopted goals of Public Engagement and Transparency, Transportation, Housing, Sustainability & Fiscal Strategy, and Quality of Life (Attachment C).

Staff recommends the following Strategic Legislative Priorities for 2024 that align with the Council adopted goals to direct the City's advocacy efforts and resources. These legislative priorities will focus on supporting legislation that:

1. Helps Cupertino build a fiscally sustainable and resilient community.
2. Furthers the health and wellbeing of Cupertino community members and enhances public engagement and transparency.
3. Promotes Cupertino's infrastructure needs, especially as they relate to transportation and housing.

In 2024, staff will continue to monitor and research bills using the above mentioned Strategic Legislative Priorities as guiding principles and oppose legislation that affects the City's ability to accomplish them. Should the Council adopted goals change at the next Council priority setting session, staff will follow the new goals as guiding principles for the City's advocacy work.

Staff will also continue to focus on regional coordination with our legislative teams, raising the profile of Cupertino, as well as making a pointed effort to expand our alliances and our work with coalitions. Considerable effort will be spent to protect the City's tax revenue and watch bills that might affect our ability to operate and provide services.

Next Steps

Staff will bring updates to Council based on the legislative cycle. Staff reports will be strategically timed to coincide with key milestones in the legislative process as follows:

- January/ February – provide an overview of upcoming legislation and potential activities as they align with Council priorities.
- April/ May - Gather council input on pending legislation that have the potential to impact Cupertino based on the priorities above.
- September/October - Present a legislative overview when the legislative session has ended.

Sustainability Impact

No sustainability impact.

Fiscal Impact

No fiscal impact.

California Environmental Quality Act

Not Applicable.

Prepared by: Astrid Robles, Senior Management Analyst
Tina Kapoor, Deputy City Manager

Reviewed by: Matt Morley, Assistant City Manager
Chris Jensen, City Attorney

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Resolution No. 23-026 Legislative Advocacy Policy

B – 2023 Council Adopted Goals