



STAFF REPORT

Review of the Intergovernmental Relations Policy

Honorable Mayor and Council Members:

Summary

The City is frequently asked to take positions on legislation or other intergovernmental issues but did not have a clear policy framework or process by which to do so until last year. In February 2002, the Council adopted some basic principles to direct Council and staff action on intergovernmental issues. This report provides the first annual review of the adopted policy. Staff recommends Council approve the intergovernmental (IGR) policy presented in this report.

Background and Discussion

In September 2002, Council ranked a Priority Calendar issue for the City Manager's Office concerning "Review of Intergovernmental Relations Program and Policies." This item was suggested by staff due to what we saw as a lack of clarity on how to handle the many requests for action by the City on legislative and other intergovernmental items.

Why was this an issue?

As the Council knows all too well, actions taken by regional, state and federal officials can often have a direct and serious impact on Belmont. Thus it is beneficial to be actively engaged with these governmental agencies. Frequently, the City will be asked to take positions on legislation or regulatory issues. Sometimes active participation by Council and staff is necessary to influence the actions of these other agencies. The League of California Cities, which Belmont belongs to, tracks legislation and advocates on behalf of cities in Sacramento. But the League often calls on member cities to take positions, send letters, pass resolutions, and participate in meetings, press conferences, etc. in order to enhance the positions of cities. With the creation of the League's Grassroots Network and the ongoing attempts by the state to take local revenues, this active participation by cities is more important than ever. There are times when the legislative process requires fast action (ie: within hours or days). This can make getting Council approval virtually impossible.

Staff sometimes felt uneasy deciding when a letter or action should or shouldn't be taken. For example, what if the Mayor or an individual Council member thinks a piece of legislation is important but staff or the League doesn't? What if staff thinks something is important but, if asked, the Council would not support taking action? What if the position of the League or other requesting person/organization is not in the best interest of the City? Who determines what is the best interest of the City? Similarly, what guidance do Council members have when representing the City on regional or other bodies?

Adopted Policy

Last year, after reviewing the practices of other cities, staff recommended, and Council adopted, a simple policy with a limited number of "principles" upon which to base City action. Specifically:

Letter of support or opposition can be signed by the Mayor without Council approval if the issue is consistent with the following principles:

- It has a direct impact on Belmont
- It is intended to protect or increase local revenues
- It is intended to protect or increase local control
- It is intended to protect or increase funding or otherwise benefit specific programs or services utilized in Belmont
- It is opposing an unfunded mandate
- It is consistent with City policy or past action
- It has been reviewed by the City Manager or his designee

In addition, on state or federal legislation, the City's position should be consistent with that of the League of California Cities. If staff recommends a different position, full Council action is required.

Should any other issue come up outside the parameters of this policy, full Council action is required. If the nature of the issue 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 undertaken prior to action.

Council members representing the City on regional or other bodies should take actions based on the principles listed above. If major policy issues are being decided outside the parameters of those principles, the Council member should seek direction from the full Council.

First Year Review

It was also recommended that the policy be reviewed annually by the City Council at the time when IGR assignments are made. It is being brought back to you at this time for such a review.

Staff believes this policy has worked well in the past year and has removed some of the uncertainty and subjectivity of the City's actions on intergovernmental issues. However, staff would suggest some minor changes, as noted in bold or ~~strikeout~~ below:

~~Letter~~ **Actions** of support or opposition can be ~~signed~~ **taken** by the Mayor ~~or staff~~ without Council approval if the ~~issue~~ **position** is consistent with the following principles:

- It has a direct impact on Belmont, **and**:
- It is intended to protect or increase local revenues; **or**
- It is intended to protect or increase local control; **or**
- It is intended to protect or increase funding or otherwise benefit specific programs or services utilized in Belmont; **or**
- It is opposing an unfunded mandate; **or**
- It is consistent with City policy or past action; **and**
- It has been reviewed by the City Manager or his designee

On state or federal legislation, the City's position should be consistent with that of the League of California Cities. If staff recommends a different position, full Council action is required.

Should any other issue come up outside the parameters of this policy, full Council action is required. If the nature of the issue 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 undertaken prior to action. **If a significant issue arises with sufficient lead time (for example, a ballot measure), staff should bring it to the full Council before acting.**

Council Members representing the City on regional or other bodies should take actions based on the principles listed above. **Council Members have a degree of discretion when representing the City, particularly if the issue does not directly impact Belmont. But** if major policy issues are being decided outside the parameters of those principles, the Council member should **abstain or** seek direction from the full Council **prior to voting. Council Members are also encouraged to seek input from staff on policy and technical issues that come before them when representing the City.**

Fiscal Impact

There is no direct fiscal impact to this report.

Recommendation

Staff recommends Council confirm the intergovernmental relations policy outlined in this report and that it be reviewed every other year after the seating of a new Council.

Alternatives

1. Adopt an alternative IGR policy
2. Provide direction to staff on additional analysis desired prior to making a decision
3. Take no action at this time

Respectfully submitted,

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