


CITY MANAGER'S OFFICE MEMORANDUM
#13-2021

DATE: Oct. 25, 2021
TO: Honorable Mayor Meredith Leighty and City Council Members
FROM: Heather Geyer, City Manager 
SUBJECT: CR-113 – City of Northglenn Lobbying Protocols

PURPOSE

To consider CR-113, a resolution approving lobbying protocols for the Legislative Policy Committee.

BACKGROUND

The Legislative Policy Committee was created in 2016 to identify legislative issues that may impact the residents of the City or influence municipal operations. The committee develops a formal policy statement, known as the Legislative Issues Guide, adopted by City Council annually. This document provides guidance for the committee when reviewing and responding to proposed legislation that is of interest to the City.

The Legislative Policy Committee was created without formally documenting the committee's function or processes. Currently, two documents refer to the Legislative Policy Committee's purpose and function:

1. **Council Handbook** - A Legislative Policy Committee was created in 2016 to identify legislative issues that may impact the residents of the City or influence municipal operations. The Committee consists of appointed Council members with support provided by the City Manager, City Attorney, and the City's lobbyist. Meetings are generally held on the second and fourth Mondays during the legislative session at 5:45 p.m. in the City Manager's Conference Room. The City Manager is the staff liaison to the committee.
2. **City Council Committee and Liaison Assignments Document** - Legislative Policy Committee - Reviews and reacts to proposed legislation on behalf of City Council and the City. Reviews requests for qualifications and proposals for the selection of the City's lobbyist.

Council has discussed the process for taking positions on bills and communicating information to Council a couple of times since the committee was created.

A summary of the process developed in 2018 includes:

- The lobbyist would distribute the Committee's bill position in the dossier to all of Council in advance of the meetings.
- A Legislative Policy Committee update item would be added to the regular City Council meeting agendas from January through May.
- The committee would update Council on positions they took on bills. If a bill was covered by the Legislative Issues Guide, the committee had authority to take action, such as determining a position, providing testimony, issuing a letter, rulemaking, etc.
- If a bill wasn't covered by the City's legislative policy guide/statement, the committee would ask for feedback from Council during the update.

- The lobbyist would be invited to a Council meeting after the legislative session ended to provide an overview/wrap-up.
- The committee would work to include the City's positions on more issues for the next legislative session to address concerns that the legislative policy guide was too broad and did not address many issues.

Staff presented the draft protocols to the Legislative Policy Committee on April 12 and May 24. The draft protocols were then presented to City Council on Sept. 27.

At the Sept. 27 City Council meeting, Council provided input to include language as follows:

- Section 2 – the committee is comprised of three members of City Council
- Section 9 – the committee provides city Council with an update of bill positions prior to the regular City Council meeting
- Sections 9 and 10 – City Council can “override” a bill position of the Legislative Policy Committee

The Legislative Policy Committee reviewed the updated version on Oct. 11 and the updated version was shared with City Council for additional input on Oct. 18.

BUDGET/TIME IMPLICATIONS

This is for informational purposes only.

STAFF RECOMMENDATION

Staff recommends approval of CR-113.

STAFF REFERENCE

If Council members have any questions, please contact Heather Geyer, City Manager, at hgeyer@northglenn.org or 303.450.8706.

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-113
Series of 2021

Series of 2021

A RESOLUTION ADOPTING LOBBYING PROTOCOLS FOR THE CITY OF NORTHGLENN, COLORADO

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Lobbying Protocols, attached hereto as **Exhibit A**, are hereby adopted by the City Council of the City of Northglenn, Colorado.

DATED at Northglenn, Colorado, this ____ day of _____, 2021.

JENNY WILLFORD
Mayor Pro Tem

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney



City of Northglenn Lobbying Protocols

Section 1. About the Legislative Committee

The Legislative Policy Committee is a committee of City Council, created in 2016, that reviews and reacts to proposed legislation on behalf of the City Council and the City. The work of the committee is subject to review and the support of the City Council. In taking positions on bills, the Legislative Policy Committee interprets and applies various policies that are included in the City's policy statement or Legislative Issues Guide, updated annually and adopted by City Council. Each year, the Legislative Policy Committee works with a lobbying firm, hired for the majority of bill tracking and identification.

The City currently maintains memberships with the Colorado Municipal League (CML) and Colorado Communities for Climate Action (CC4CA) – both groups maintain a full-time presence at the Capitol and engage in bill identification and advocacy consistent with their own adopted policy agendas. The City influences both groups' policy agendas, and while not perfectly consistent with the City's, both generally advance and protect the City's interests. In addition, Northglenn actively participates in various trade organizations (such as the National League of Cities and North Area Transportation Alliance), which represent specific areas of interest to City operations.

Section 2. Membership

The Legislative Policy Committee will consist of three members of the City Council, to be appointed by the City Council using the selection process for City Council committee and liaison assignments. Appointments will be made following each regular municipal election pursuant to Section 2-2-3(b) of the Northglenn Municipal Code. Appointed members will serve two-year terms.

Section 3. Staff Support

Staff supports the work of the Legislative Policy Committee through attendance by the City Manager, Assistant to the City Manager, the City Attorney and City's lobbying team. The City Manager and Department Directors support the Legislative Committee by contributing expertise in various areas of municipal service. The City Attorney's Office also reviews selected bills and may provide confidential legal analysis. Northglenn also works with community partners to support local projects and staff collaborates with representatives from Adams County and other municipalities on shared priorities. Northglenn actively seeks to protect municipal interests and forge innovative partnerships to leverage positive outcomes for residents.

Section 4. Meeting Facilitation

The Legislative Policy Committee members will not operate with a designated chair; instead, members will rotate meeting facilitation and this information will be provided on the posted agenda.

Section 5. Voting

The Legislative Policy Committee uses a simple majority (of those in attendance) in voting on bill positions. Voting is reserved for members of the Committee. Bills can also be referred to the full City Council for feedback or consideration.

Section 6. Legislative Issues Guide

The Legislative Policy Committee will review the Legislative Issues Guide prior to the start of each Legislative Session. The Guide is brought forward for City Council review and adoption annually. This process typically begins in August and the guide is distributed in January. The Guide is posted to the City Council web page and hard copies are sent to State legislators as well as neighboring communities.

Section 7. Annual Legislative Dinner

The Legislative Policy Committee holds an annual dinner with the City's legislative representatives. This dinner is typically held in December or around the start of the legislative session in January.

Section 8. Annual Legislative Debrief

The lobbying team will meet with City Council in a Study Session following the completion of the Legislative Session to provide a recap of the session.

Section 9. Legislative Review Process

Bills introduced in the Colorado General Assembly, and as may be applicable, legislation from the United States Congress, and Federal, State or County regulations or rulemakings are reviewed by City staff and the City's lobbyists. Bills, regulations and rules that are identified as having a potential impact on the City will be brought to the Legislative Policy Committee for review and discussion. Staff and/or the lobbying team, in turn, convey that information to the appropriate State or Federal representative and advocate for the adopted position.

Due to the time-sensitive nature of the General Assembly, there may not be an opportunity to convene the Legislative Policy Committee prior to the City's input being requested. If a bill's subject matter is addressed in the Legislative Issues Guide, City staff will proactively work with State and Federal representatives to advance the City's position as expressed in the Legislative Issues Guide and other Council-adopted plans and policies. Staff will provide an update to Council via email or through the City Manager in a City Council meeting.

Staff will provide regular updates to the Legislative Policy Committee and the full City Council regarding bills of consequence to the City and will consult with the Legislative Policy Committee regarding bills for which direction under the adopted policy is unclear. The Legislative Policy Committee is required to bring bills to City Council for discussion and direction on a City position when the City's position on a bill is unclear, or a discussion with City Council as a whole is appropriate.

Staff will include a written report with a breakdown of the Legislative Policy Committee's positions on bills and the why behind their decisions every other week prior to Regular City Council meetings. A representative of the Legislative Policy Committee will present bill positions to the City Council. The Lobbying Team will update the bill dossier electronically and it will be available via a hyperlink in the Council agenda. City Council reserves the right to override a position of the Legislative Policy Committee by a simple majority vote of City Council.

The Legislative Policy Committee will make an effort to involve City boards and commissions whenever possible, recognizing that timing and the speed at which some bills move through the process may make this difficult.

The City's lobbying team will also update the Legislative Policy Committee weekly during the legislative session and as needed during the interim session via email. City Council will receive updates as described in Section 10.

Section 10. Official City Position

Throughout the legislative session, the Legislative Policy Committee may take official positions in support of or opposition to proposed legislation that is being considered by the General Assembly. The Legislative Policy Committee may also take an "amend," "support, if amended," "oppose," and "oppose, unless amended" position on a bill to facilitate greater collaboration, negotiation power, and building and maintaining a relationship with a bill sponsor.

It is important that policy issues being reviewed by the Legislative Policy Committee are shared with City Council to ensure that they are priorities of the City. City Council reserves the right to override a position of the Legislative Policy Committee. Prior to stating any official City position, staff and the City lobbying team will review the legislation to determine the potential impact on the City. After thorough review, staff will provide the Legislative Committee with a brief summary of the legislation and a recommendation. In order to release an official City position, the majority of the Legislative Committee must agree upon a position of support, opposition, or neutrality on the legislation or issue.

It is important for the Legislative Policy Committee to hear a recommended position by staff, brought forward by the City Manager. The City Manager will request Department Directors, and others to include Council appointees, when appropriate, to present information and a recommended position to the Legislative Policy Committee. Staff will present background information on proposed legislation and any identified operational impacts, unfunded mandates or other policy considerations the Committee should hear. Staff positions on legislation will be presented to the Legislative Policy Committee. If the Legislative Policy Committee does not take a recommended staff position, the Legislative Policy Committee needs to report this to the City Council at the next available meeting.

If a position is time sensitive, the City Manager will email the Legislative Policy Committee and request a consensus through email. Legislative Policy Committee members will respond directly to the City Manager and will not "reply all."

If a bill position is time sensitive, and feedback from the entire City Council is needed, the City Manager will email the Legislative Policy Committee and City Council and request a consensus through email if a bill position is unclear. City Council members will respond directly to the City Manager and will not "reply all."

The City Manager and staff, in their official capacity, are not authorized to take a position different than the Legislative Policy Committee and/or City Council. This restriction on members of City staff taking a position includes positions taken through other member organizations with which City staff may be affiliated such as, by way of example, the Colorado Municipal Judges Association, Colorado Association of Chiefs of Police or the Colorado chapter of the American Planning Association. The International City County Management Association (ICMA) does not take positions on legislation. The City Manager

follows the ICMA Code of Ethics and remains politically neutral on matters of partisan politics. City staff is not authorized to take a position on behalf of Northglenn through other member organizations without approval of the City Manager and then the Legislative Policy Committee and/or the City Council.

Each official position will accurately indicate which Legislative Policy Committee members voted in support of the position taken, those that voted against the position taken and the recommended staff position if one was provided. Staff may agree to work with bill sponsors, as guided by the Legislative Issues Guide, to amend a bill with the goal of the Legislative Policy Committee being able to take a position on the bill once it has been satisfactorily amended.

Official positions on specific bills frequently have a time sensitivity that requires staff and the lobbying team to utilize emails to the Legislative Policy Committee. Once the Legislative Policy Committee takes an official position on a bill or issue, the City's legislative bill tracker will be updated by the City lobbying team and made available to the entire City Council, legislators and the public.

Section 11. Rulemaking

Rulemaking is the process that executive and independent agencies use to create, or promulgate, regulations. For Northglenn, Colorado state agencies typically engage in rule making. In general, legislatures first set broad policy mandates by passing statutes, then agencies create more detailed regulations through rulemaking. This process typically includes public notice and opportunities for public comment. City Council members may engage in this process by following the process outlined under "Official City Position."

Section 12. Representing the City at CML, DRCOG, and Other Groups

Members of City Council serve as representatives of the City for a variety of groups, including Metro Mayor's Caucus, CML, Denver Regional Council of Governments (DRCOG), and CC4CA. At these meetings, Council members are frequently asked to take positions concerning legislation, and in some cases, legislation for which the City has not yet taken formal action. In instances where an official City position has been agreed upon, Council members are to vote in alignment with the previously determined position of the Legislative Policy Committee and/or entire City Council. In those instances where the City has not taken formal action on a bill or issue and the bill or issue is clearly aligned with the City's position as outlined in the adopted Legislative Issues Guide, the Council member should use their best judgement in casting a vote that aligns with the guidance provided in the Legislative Issues Guide.

If a Council member votes in a public forum on an issue or bill that the Legislative Policy Committee and/or City Council (if required) has not taken action on, the voting Council member must report to the Legislative Policy Committee at the next possible meeting the vote that was cast on behalf of the City.

Section 13. Testimony at the Capitol

Council members, board and commission members, the City Attorney or staff are occasionally requested to testify on the City's behalf on various pieces of proposed legislation at the State Capitol. When testifying, City Council members, board and commission members, and/or staff must notify the City Manager to ensure that the Legislative Policy Committee and/or City Council has taken an official position on the legislation or issue. Notifying the City Manager ensures both City Council and the City's lobbyists are advised that a City representative will testify on a particular bill. It is important

that lines of communication between staff and lobbyists remain open at all times to ensure that the City's lobbying efforts are as effective as possible and that we coordinate our efforts with other groups such as CML.

If testimony is not in support of the City's official position on the legislation, the City Council member, board or commission member, or staff should note that they are testifying on their own behalf and not as a representative of the City.

Section 14. Lobbyist Interaction

In order to streamline interaction and avoid confusion with City Council, the lobbyists, staff, and members of the Legislative Policy Committee will coordinate all correspondence with the lobbyists through email and the City Manager.

Any interaction (whether City Council members, board and commission members, or staff) with State senators or representatives on behalf of the City must have the Legislative Policy Committee's approval and agreement that the issue is a priority. The City Manager must be apprised of any contacts made on specific legislation in order to ensure that the lobbyists are well informed to maximize their effectiveness and prevent the occurrence of conflicting messaging.

Section 15. Lobbyist Selection

Selection of the Lobbying Team follows the City's procurement process and guidelines. This includes issuing a Request for Proposal (RFP), a process for review of bids, interviews with selected top ranked firms, and a selection/overall recommendation by the Committee. The City Manager works with the selected Lobbying Team to develop a contract for a timeframe of three years with annual renewals. If either party chooses to end this relationship, the City Manager and City Attorney will advise the Legislative Committee of their contractual obligations and the City Manager will issue a solicitation for lobbying services.

Section 16. Changes to Protocols

The Lobbying Protocols can be amended by a vote of the City Council in the form of a resolution.