

COUNCIL ACTION FORM

SUBJECT: 2010 CITY LEGISLATIVE PRIORITIES

BACKGROUND:

Each year the City works with local legislators and collaborates with the Iowa League of Cities and the Metropolitan Coalition to advance issues that would benefit the City and its citizens.

In preparation for the Metropolitan Coalition's fall meeting, staff developed the attached draft list of legislative priorities. Council direction is requested to confirm or modify these priorities. While not all of these priorities will be incorporated into the Metropolitan Coalition's action plan, which typically is focused on a few high impact issues, they will all provide helpful guidance to the League and Metro Coalition's lobbyists as they work throughout the session.

It should be noted that this prioritization is only a beginning point, since the list of issues that affect Iowa's cities evolves continuously over the course of the legislative session. Other priorities may also become apparent by the time the Mayor and City Council meet with our area legislators late this year.

ALTERNATIVES:

1. The City Council can approve the attached list of 2010 state legislative priorities.
2. The City Council can modify the attached list of legislative priorities.
3. The City Council can elect to set no legislative priorities for the upcoming session.

MANAGER'S RECOMMENDED ACTION:

Since joining the Metropolitan Coalition two years ago, the City has played a stronger role in working to influence the General Assembly and the Governor's Office to preserve the City's interests. While these interests usually coincide with those of other Iowa cities, it is helpful to also identify the City's own legislative priorities.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, approving the attached list of 2010 state legislative priorities.

CITY OF AMES
DRAFT 2010 STATE LEGISLATIVE PRIORITIES
9/10/2009

Fiscal Issues

- Resist all additional, mandated labor costs and obligations
 - Maintain existing scope of bargaining and benefit levels
 - Retirement system costs (IPERS and 411 systems)
 - Equitable sharing of added costs between employees and employers
- Increase city autonomy and diversify city revenues
- Increase TIME-21 funding to maintain Iowa's cities' roadways and bridges

Environmental Issues

- Expand eligibility for stimulus funds to projects beyond those listed on the Clean Water State Revolving Fund (SRF) or the Drinking Water SRF Intended Use Plans (IUP's).
 - IDNR consideration for both the ARRA stimulus and the I-JOBS stimulus monies has been limited to projects already on the IUP.
 - The time deadlines have been so short that there is not an opportunity to get a new project added to the IUP. IUP's are updated on a quarterly basis.
 - This has the effect of making communities that utilize a 'pay-as-you-go' capital funding approach (i.e., that don't use SRF financing) ineligible for stimulus funding. Self-sufficient utilities are being penalized.
 - To be on the IUP, at least a facility planning phase must have already been completed. This means that stimulus funds are going to projects that were already going to happen and that already were in line for financing. Because new projects were not eligible for consideration, nothing new is truly being 'stimulated.'

Law Enforcement Issues

- Law Enforcement notification on release of mental health
 - Voluntary/involuntary committals (Parkersburg)
- Resolve confusion about rules requiring police officers to be disarmed in certain hospital situations
 - For someone rendering medical "patient assistance", that may make sense. Our position has been that law enforcement functions require a fully equipped officer (and there may be no backup). Therefore, if they need law enforcement assistance in a hospital, it is an armed service. Tasers have also been an issue in this same discussion.
- Include DNA in all offenses involving aggravated misdemeanors and higher
 - There may be some law enforcement push on this at the state level. We have no strong position, but it might help in some serious crimes.

Fire Safety Issues

- Maintain residential fire sprinklering in updates to 2009 construction codes
 - The 2009 International Residential Code contains a requirement for residential sprinklers in new one and two family residences. Legislators already are receiving pressure for a total statewide ban on residential sprinklers.
 - Under the typical code adoption process, the State Fire Marshall makes a recommendation to the Building Code Advisory Committee on adoption of new codes.
 - The first round of public input will most likely occur through the State Fire Marshall's Office as they are the agency charged with responsibility for the state's building codes. A second round will

most likely occur during the legislative session. A third round would only occur at the local level if the state does not take action to prevent local adoption.

- The addition of well engineered, installed, and code compliant residential sprinkler systems will undoubtedly save the lives of Iowa's citizens and firefighters. Costs for such systems have come down dramatically in recent years.
- In his opinion and from a life safety perspective, the worst case scenario would be for the state to pass legislation forbidding jurisdictions from making their own decision regarding residential sprinkler systems for one and two family dwellings. North Dakota, Texas and Idaho have already passed legislation that blocks the implementation of the residential sprinkler requirements of the 2009 IRC. The best outcome would be for Iowa to adopt the 2009 IRC statewide. A lesser compromise would be for the state to allow individual cities to opt into or out of this provision within the IRC.