
MEMORANDUM

To: Mayor Cindy Silva and Members of the Walnut Creek City Council
CC: Dan Buckshi, City Manager
From: Christopher Townsend, President
Niccolo De Luca, Senior Director
Alex Gibbs, Senior Associate
Date: February 5, 2019
Subject: 2019 State Legislative Agenda

Townsend Public Affairs, Inc. (TPA) has prepared this report for the City of Walnut Creek outlining areas of state legislative interest for 2019. The report outlines the City's legislative principles and policy topics of interest to the City for the upcoming legislative year.

The strategic agenda includes advocating for legislation, regulations, and funding that is consistent with the City's adopted goals. If the Council is supportive of the proposals listed below, TPA will continue to research what can be accomplished through legislation, regulations, or direct advocacy with State agencies and other organizations to help address Walnut Creek's needs.

League of California Cities

The City will advocate for positions taken by the League of California Cities on various topics unless those positions are in direct conflict with the 2019 State Legislative Agenda.

Legislative Principles

Ensure Walnut Creek Can Appropriately Serve the Needs of Residents

An ongoing top priority for the City is to retain local authority over its municipal affairs. The City values its ability and authority to respond to the unique needs and conditions in community, provide excellent public services, and protect and enhance the quality of life for Walnut Creek residents and businesses.

In particular, the City will focus its efforts on legislation that limits or restricts the ability to address public employee relations and employer costs, housing development and local land use, the implementation of cannabis at the local level, the implementation and expansion of community choice aggregation, and on preserving existing funding options for local government.

Ensure City's Competitiveness Through Strategic Economic Development

Walnut Creek embraces efforts to support legislation or obtain funding for economic development and environmental initiatives, including planning and implementation of regional transportation and traffic congestion relief projects; supporting the sharing economy—particularly the direct economic benefits to Walnut Creek and our region; the City's ability to regulate the shared economy; and the implementation of economic development funding opportunities that would support businesses especially to attract clean tech, communication technology, artificial intelligence and biomedical research businesses.

Promote Livability, Sustainable Development and Environmental Protection

Walnut Creek supports legislation and policies that emphasize sustainable development, improve environmental standards and the regulatory process, provide incentives and financial support for preservation of natural resources, promote sustainable energy policies, support open space and land conservation, support the arts, cultural facilities, libraries and services for seniors and youth of all ages.

Particular Areas of Focus

- The City receives grants from both the National Endowment for Arts (NEA) and the California Arts Council (CAC) that supplement General Fund support for City arts programs. The City supports sustained funding for the NEA at the Federal level and the CAC at the State level.
- California is a leader in enacting policies to combat climate change. Many of these policies are implemented at the local level through Climate Action Plans (CAPs). Many cities, including Walnut Creek, have Climate Action Plans that expire in 2020. The City supports legislation that provides a funding source to update and expand CAPs.
- California has experienced extreme droughts and wildfires as the impacts of climate change are beginning to show locally. Many jurisdictions complement their CAPs, which are focused on preventing climate change, with Adaptation Plans that focus on how they will adapt to and prepare for the local impacts of climate change. The City supports legislation that provides a funding source to create and update Adaptation Plans.
- The City supports the California Public Utilities Commission decisions and State legislation that increase the funding for energy-saving programs, such as East Bay Energy Watch, and funding for programs that reduce greenhouse gas emissions. The City joined Marin Clean Energy (MCE) to offer residents and businesses additional, cleaner, and greener electric energy choices. As a member of MCE, the City opposes restrictive legislation targeting community choice energy programs.
- The abundance of migratory geese and the waste they bring to parks and ball fields on a daily basis is challenging for recreational programming and park maintenance. It also poses a public health concern to park patrons of all ages. The City supports a change in environmental regulations so that public health can be prioritized to

allow for more substantial mitigation efforts.

- The City supports funding for vegetation management programs to enhance, protect, and preserve open space and natural resources as well as mitigate the risk of wildfires and other related natural disasters such as erosion and mudslides.
- The City supports the re-evaluation of the State's solid waste diversion rates to accommodate changes in the recycling market.

Support Investment in Infrastructure Rehabilitation

The City supports legislation and policies that promote the investment in maintenance and rehabilitation of aging infrastructure, and supports building system capacity to expand smart growth principles.

Among its priorities, the City supports State and Federal efforts to provide funding to rehabilitate routes of regional significance and major arterials; to create new Cap and Trade funding; and to protect any local funding created through comprehensive transportation funding programs.

Particular Areas of Focus

- The Heather Farm Community Center, Clarke Swim Center, Civic Park Community Center, and the Shadelands Art Center are in dire need of an upgrade or complete reconstruction. These facilities serve both Walnut Creek residents and regional visitors. The City is actively pursuing grant funding to make these projects more financially feasible.
- The Federal Clean Water Act, administered by the State Regional Water Quality Control Board, requires 0% trash in the storm drain. This requirement is unachievable and requires extensive City resources. The City supports amending legislation (SB 231) to provide funding for the programs necessary to meet the mandates of the Clean Water Act. It also supports amending the requirement to a more attainable goal.
- The City allocates approximately 30% of its road funds to provide curb cuts to satisfy ADA requirements. The definition of a capital project requiring upgrades to current infrastructure was recently expanded to include "cape seals." The City supports legislation that would provide ongoing revenue to agencies to construct ADA improvements or that would re-define a capital road construction project to include an overlay or reconstruction.

Support Efforts to Keep Walnut Creek Safe

Walnut Creek supports federal and state legislation and policies to access resources that provide high-quality police, fire, emergency management and emergency medical services.

Among its priorities for public safety, the City is focused on issues such as keeping students safe in schools; protecting youth, seniors, and at-risk populations; eliminating human trafficking and sexual offenders; implementing the effective use of body cameras and related memory

storage, and records retention; implementing the law related to recreational cannabis; dealing with the effects of “realignment”; coping with the effects of the opioid epidemic and its effect on residents; responding to wildfires and other natural disasters; and identifying federal and state funding opportunities.

Particular Areas of Focus

- The City supports additional funding for homeless services and mental health outreach teams, as well as for programs targeting at-risk youth.
- Recent changes in the criminal justice system have had unintended consequences of increasing theft and violent crimes. The City of Walnut Creek has experienced increases in both of these categories. The City supports the following:
 - Reversing prior proposition language that lowered penalties for some property crimes
 - Adding the ability to collect DNA samples for crimes that were previously felonies
 - Readjusting portions of the early-release program under Proposition 57 and AB 109
 - Ensuring local law enforcement receives adequate funding under prison realignment (AB 109).
- Over the past decade, California Peace Officer Standards and Training (POST) has not been properly funded leading to fewer reimbursements for training of police officers and dispatchers. With increasing levels of mandated training (e.g. Data Collection on Citizen Contacts, Crisis Intervention Training, Principled Policing Training), the need to provide ongoing training is vital. Proper funding leads to more options for training. The City supports adequate State funding for the POST Commission and continued State reimbursement of training funds for local law enforcement.
- In anticipation of the burgeoning cannabis industry, unintended consequences affecting public safety should be expected. The City supports a strong focus on local control and oversight over inspections, banking, transportation, security, and delivery services and reasonable regulations on personal use and cultivation.
- The City supports actively working with state cannabis licensing entities to streamline enforcement relationships between the state and local jurisdictions. This includes creating a better system to share information, additional funding for local law enforcement, and strengthening enforcement capabilities within the Bureau of Cannabis Control.
- States that have legalized cannabis have experienced an increase in drugged driving collisions. California does not have an agreed-upon standard for testing or establishing a level of intoxication for that test. The City supports funding and legislation related to combating Drugged Driving (DUID).

Support Local Government Programs and Financing Tools for Affordable Housing and Homelessness Services

The City encourages State legislation and policies that partner with cities and counties for providing local workforce housing close to transit.

Among these priorities, the City is focused on financial tools for managing the impacts of homelessness and financing tools to fund affordable housing.

Particular Areas of Focus

- The City supports State funding to increase homeless shelter capacity and permanent supportive housing for the homeless.
- The City supports expanding funding options for local governments to address regional homelessness and affordable housing needs at local and regional levels.

Monitor Pension Finance Reform

Rising pension costs will have a direct effect on the City's ability to provide and maintain services delivered to the public. The City is interested in solutions and flexibility at the local level to address the rising costs of pensions and will monitor legislation and litigation that could impact the pension system of California.

Advocacy Trips

The City Council recognizes the importance of building relationships with elected officials, staff, and agency personnel at the state and local levels. City staff and council members will plan to travel to Sacramento, meet in District, and participate in League of California Cities legislative advocacy efforts to advocate on legislation or policy that could potentially impact the City or its residents.

TPA will, whenever possible, provide support and talking points for council members, as well as lead any follow-up discussions with legislators and staff.