MEMORANDUM

To: Mayor Loella Haskew and Members of the Walnut Creek City Council
CC: Dan Buckshi, City Manager
From: Christopher Townsend, President
       Casey Elliot, State Director
       Alex Gibbs, Senior Associate
Date: February 4, 2020
Subject: Proposed 2020 State Legislative Agenda

Townsend Public Affairs, Inc. (TPA) has prepared this report for the City of Walnut Creek outlining areas of state and federal legislative interest for 2020. 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 support positions taken by the League of California Cities on various topics unless those positions are in direct conflict with the 2020 State Legislative Agenda.

General Legislative Principles

The General Legislative Principles for the City of Walnut Creek are:

Ensure Walnut Creek Can Appropriately Serve the Needs of Residents

- The City values its ability and authority to respond to the unique needs and conditions in the community, provide excellent public services, and protect and enhance the quality of life for Walnut Creek residents and businesses.

Ensure the City’s Competitiveness Through Strategic Economic Development

- Walnut Creek embraces efforts to support legislation or obtain funding for economic development and environmental initiatives.
Promote Safety, Livability, Sustainable Development and Environmental Protection

- Walnut Creek values a safe and sustainable quality of life in an urban environment, including providing high quality police and emergency management services, aging and youth services, urban parks and open space, recreation facilities, environmental and climate protection, resource conservation, vibrant libraries, arts and culture.

Public Policy Positions

1. Public Safety
   a. Over the past decade, California Peace Officer Standards and Training (POST) Commission 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 funding for the POST Commission and continued reimbursement of training funds for local law enforcement.
   
   b. In anticipation of the bourgeoning 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 as well as reasonable regulations on personal use and growing.
   
   c. The City supports actively working with state cannabis licensing entities to streamline the enforcement relationship between state and locals. 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.
   
   d. States that have legalized cannabis have experienced an increase in drugged driving collisions. California does not have an agreed upon standard for testing or a level of intoxication that should be tested for. The City supports funding and legislation related to combating Drugged Driving (DUID).
   
   e. Peace officers are increasingly being called to handle safety issues related to individuals with mental health disorders. Unfortunately, our system of care for those suffering from these afflictions are imperfect at best. The City of Walnut Creek, along with the California Police Chiefs Association (CPCA), supports efforts to increase outreach and services identifying and triaging those with severe mental health issues and providing them access to care. Additionally, the City and CPCA will continue to partner with behavioral health experts to address issues arising from California conservatorship and 5150 statutes.
   
   f. 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 categories. The City supports the following:
      
      i. Reversing prior proposition language that lowered penalties for some property crimes
      
      ii. Adding the ability to collect DNA samples for crimes that were previously felonies
iii. Readjusting portions of the early release program under Proposition 57 and AB 109
iv. Ensuring local law enforcement receives adequate funding under prison realignment (AB 109).

2. Housing/Homelessness & Land Use
   a. The City supports housing development and local land use policies that allow local residents the ability to maintain the character and make-up of their neighborhoods, while still promoting smart growth and transit in the Bay Area.
   b. The City supports state funding to increase homeless shelter capacity and permanent supportive housing for the homeless.
   c. The City supports state and federal programs that provide mental health and substance abuse services for the homeless.
   d. The City supports expanding funding options for local governments to address regional homelessness and affordable housing needs at local and regional levels.
   e. The City supports new state and federal programs that provide financing for affordable housing at all income levels, including lower-income, moderate-income and middle-income.
   f. The City supports state and federal funding that leverages local affordable housing resources.
   g. See Housing Policy Framework Addendum for additional housing policy statements.

3. Transportation and Infrastructure
   a. 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 on-going revenue to agencies to construct ADA improvements or support legislation that would re-define a capital road construction project to include an overlay or reconstruction.
   b. The City supports legislation and policies that promote investing in the maintenance and rehabilitation of aging infrastructure as well as build system capacity expansion to support smart growth principles.
   c. Among its priorities, the City supports state and federal efforts to provide funding to rehabilitate routes of regional significance and major arterials, create new Cap and Trade funding, and protect any local funding created through comprehensive transportation funding programs.
   d. 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.
e. 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 supports regional, state and federal policies, programs and funding opportunities that will make these projects more financially feasible.

f. The City would support legislation or policy that would return control and authority over implementation of 5G micro-cell infrastructure to local jurisdictions, with emphasis placed on ensuring full cost recovery for municipalities.

4. Environmental Sustainability

a. The City 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.

b. 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, as well as fund implementation of CAPs.

c. 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, as well as fund implementation of Adaptation Plans.

d. The City supports the California Public Utilities Commission decisions, the California Energy Commission decisions and state legislation that increase the funding for energy saving programs 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.

e. The City supports the California Public Utilities Commission decisions, the California Energy Commission decisions, and state legislation that remove barriers to utility energy data access for local jurisdictions and ensure utilities respond to local government’s unique data needs.

f. 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.
g. The City supports legislation that would provide funding to local governments for emergency preparedness and response with regard to Public Safety Power Shutoffs.

h. The City supports the re-evaluation of the State’s solid waste diversion rates to accommodate changes in the recycling market.

5. Finance & Human Resources
   a. 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 at the local level to provide flexibility and address rising costs and will monitor legislation and litigation that could impact the pension system of California.
   b. The City supports legislation that would provide clarity regarding the applicability of AB 5 (Gonzalez) on the status of municipal employees and contractors.

6. Community & Economic Development
   a. Walnut Creek embraces efforts to support legislation or obtain funding for economic development and environmental initiatives, including:
      i. Planning and implementation of regional transportation and traffic congestion relief projects
      ii. Supporting the sharing economy, particularly the direct economic benefits at the local level and the City’s ability to regulate the shared economy, and
      iii. Economic development funding opportunities that would support local businesses and attract clean tech, communication technology, artificial intelligence and biomedical research businesses.
      iv. Economic development and funding opportunities that would support local arts and cultural infrastructure and programs.
   b. The City receives grants from both the National Endowment for the 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.
   c. Brick and mortar retailers and restaurateurs make up most of the City of Walnut Creek’s vibrant Downtown. The City supports programs that will help this sector thrive.
   d. The City supports modernizing the collection and distribution of sales tax to reflect the changing nature of retail sales.
   e. The City supports efforts to maintain local revenue sources, at least at the existing level, so as to provide an appropriate level of service for residents.
Advocacy Trips

The City Council recognizes the importance of relationship building 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 regarding legislation or policies that could potentially impact the City or 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.