
MEMORANDUM

To: Mayor Loella Haskew and Members of the Walnut Creek City Council
CC: Dan Buckshi, City Manager
Carla Hansen, Deputy City Manager
From: Christopher Townsend, President
Casey Elliott, Vice President
Date: February 6, 2024
Subject: 2024 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 2024. 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 2024 State Legislative Agenda.

Guiding Legislative Principles

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

Ensure Walnut Creek Can Appropriately Serve the Needs of the Community

- 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, employers, employees, and visitors.

Ensure the City's Competitiveness Through Strategic Economic Development

- Walnut Creek embraces efforts to support legislation or obtain funding for economic development initiatives.

Promote Safety, Livability, Sustainable Development and Environmental Protection

- Walnut Creek values a safe, inclusive, equitable 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, housing, recreation facilities, environmental and climate protection, resource conservation, vibrant libraries, arts and culture.

Ensure Walnut Creek Continues to Be a Place of Belonging

- Walnut Creek values diversity and promotes inclusion and belonging. The City is focused on building a more inclusive community and improving the quality of life for current and future residents, employers, employees and visitors. The City advocates for policies, programs, and investments that will bring resources to the City's diverse neighborhoods and business corridors, as well as expand opportunities for all residents to thrive.

Ensure the City Remains Fiscally and Financially Stable Into the Future

- Walnut Creek supports measures that promote fiscal stability, predictability, and financial independence, and help to preserve the City's revenue base and maximize local control over local government budgeting. The City opposes measures that shift local funds to the county, state or federal governments as well as measures that contain unfunded mandates, or mandated costs with no guarantee of local reimbursement or offsetting benefit.

Public Policy Positions

1. Public Safety

- a. Property crime in the City of Walnut Creek represents approximately 95% of total crime. The City continues to see the unacceptable levels of property crime due in part to the consequences of Assembly Bill 109 and Propositions 47 and 57. Police Officers are dealing with repeat offenders on a more frequent basis, and the crime of shoplifting is on the rise. These repeat offenders will often prey on smaller, locally-owned businesses because they have no fear of consequence. The City supports the following:
 - i. Stronger penalties for repeat property crime offenders with an emphasis on shoplifting, organized retail theft, and catalytic converter theft;
 - ii. Funding for local law enforcement to combat organized retail theft and augment the work of the California Highway Patrol's Organized Retail Crime Taskforce. This funding should support more police officer positions and the creation of task forces at the county level;
 - iii. Increased funding at the county level for jail improvements and expansion and for probation programs including job training to reduce recidivism;
 - iv. Increased funding for technology that will aid local law enforcement in the prevention and mitigation of organized crime, and to facilitate better collaboration with regional and State partners through the sharing of intelligence and public safety camera data.
- b. Peace officers are increasingly called upon to handle safety issues related to

individuals with mental health disorders. Unfortunately, our system of care for those suffering from these afflictions is imperfect at best. The City of Walnut Creek, along with the California Police Chiefs Association (CPCA), supports efforts to increase outreach and services to identify and triage those with severe mental health issues and provide them with 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.

- c. The City supports efforts to provide funding for regional collaborations between local governments, school districts, and other stakeholders to help improve youth mental health and wellness.
- d. Over the past decade, the 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 for local law enforcement training.
- e. The City supports a strong focus on local control and oversight over the cannabis industry, including inspections, retail, security, and delivery services as well as reasonable regulations on personal use and cultivation. The City supports actively working with state cannabis licensing entities to streamline the enforcement relationship between the State and local agencies.
- f. For cannabis, California does not have an agreed upon standard for intoxication or a standard for testing for intoxication. The City supports funding and legislation related to combating Drugged Driving (DUID).
- g. The City supports increased funding to improve interjurisdictional data and information sharing, communications, and disaster preparedness and response.
- h. Recruitment and retention of police officers is a challenge throughout the State and in Walnut Creek. The City supports programs, including training, that will modernize the public safety profession while attracting and retaining high-quality police officers.

2. Housing, Homelessness and Land Use

- a. The City supports housing development and local land use policies that help to both address the local, regional and statewide housing supply and affordability challenges and promote smart growth to reduce greenhouse gas emissions while also allowing for local decision-making authority and the retention of community character. The City supports policies that maintain the regional jobs-housing balance while providing for housing at all income levels and a robust transportation network. The City does not support policies that favor housing over jobs or vice versa.
- b. The City supports an expanded and sustainable funding source and program options for local governments of all sizes to address homelessness. This includes homeless shelter capacity and permanent supportive housing and state and federal programs to provide wrap-around services (through County partners), including mental health and substance abuse services.

- c. The City supports new state and federal programs that provide funding and financing for affordable housing as well as process improvements that streamline distribution of these funds.
- d. The City supports state legislation that provides local governments with the flexibility to offset impacts of new housing development through local funding mechanisms that can support community amenities and quality of life.
- e. The City supports the implementation and expansion of the CARE Court system and programs through our county partners.
- f. The City supports monitoring changes in property insurance that affect the availability and affordability of homeowner, homeowner association and multi-family property insurance coverage.

3. Transportation and Other Infrastructure

- a. The Heather Farm Community Center, Clarke Swim Center, Civic Park Community Center, and the Shadelands Art Center are in dire need of 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.
- b. The City supports legislation that requires more safety and detection monitoring of fuel/gasoline transmission pipelines that travel through multiple jurisdictions. The City also supports improved reporting and communication to local agencies that have these types of pipelines running through their jurisdictions.
- c. The City allocates approximately 30% of its road funds to provide curb cuts to satisfy ADA requirements. The State definition of a capital project requiring ADA upgrades was recently expanded to include cape seals, leading to an increase in the number of road projects requiring ADA improvements. However, cape seals are not capital improvement projects. The City supports legislation to limit capital road construction projects to overlay or reconstruction projects.
- d. The City supports legislation and policies that promote investing in the maintenance and rehabilitation of aging infrastructure as well as expanding system capacity to support smart growth principles.
- e. 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, protect any local funding created through comprehensive transportation funding programs, and support the implementation of traffic safety projects that address serious injury and fatal traffic collisions (Vision Zero).
- f. 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 legislation that would 1) provide funding to meet the Clean Water Act mandates, 2) reduce the requirement to a more attainable goal, and/or 3) credit local government for programs that offset the impacts, such as creek and shoreline cleanups and source-control programs such as bag bans.

- g. The State Regional Water Quality Control Board mandates that local governments mitigate the impacts of homelessness on water quality. The City supports legislation to ensure that any new requirement would not conflict with or duplicate other State and/or local homelessness policies. For any new mandate, the City would also request funding to meet any new requirements.
- h. The City supports legislation or policy that returns control and authority over implementation of 5G micro-cell infrastructure to local jurisdictions. In particular local government should be allowed to 1) ensure that broadband service is available to all areas of a community and 2) fully recover the costs for processing permits for this infrastructure.
- i. Through its transportation strategic plan, Rethinking Mobility, the City aims to reduce vehicle miles traveled, improve mobility and access for walking, bicycling, and other shared mobility services, and improve public transit service. As the transportation and mobility industries continue to change, the City advocates for strategies that both support the reduction of automobile trips and vehicle miles traveled and maintain local government's authority to reasonably regulate mobility providers.
- j. The City supports legislation that would provide funding for local governments to install fiber infrastructure to support education, public safety, and other smart city initiatives.
- k. While supporting the transition to cleaner fuel vehicles, the City is concerned about the decline in gas tax revenues that will result. Both the State and local governments rely on gas tax revenues to fund critical roadway maintenance. The City supports legislation that will retain funding for our roadways.

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, and 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 action plans, including the City's Sustainability Action Plan. The City supports legislation that provides funding for cities to update, expand and implement Climate Action and Adaptation Plans as they prepare for the local impacts of climate change.
- c. The City supports additional 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 and regulations targeting community choice energy programs.
- d. The City supports legislation and decisions that give local jurisdictions access to utility energy data and ensure utilities respond to local government's unique data needs.

- e. The City supports funding programs and coordination to assist in the equitable transition to zero-emission outdoor equipment, electric vehicles and an expanded network of charging infrastructure.
- f. The City supports funding for vegetation management programs that enhance, protect and preserve open space and natural resources and mitigate the risk of wildfires and related natural disasters (e.g., erosion and mudslides).
- g. The City seeks funding for local governments for emergency preparedness, including funding to manage and mitigate Public Safety Power Shutoffs.
- h. The City supports funding for climate resiliency efforts, addressing the need to safeguard communities and natural resources from the impacts of climate change, including extreme heat, wildfires, drought, and other climate-related threats.
- i. The City supports monitoring changes in the homeowner and property insurance markets related to availability and affordability of insurance coverage.
- j. The City supports measures to improve and ensure electrical grid reliability.
- k. The City supports the re-evaluation of the State's solid waste diversion regulations to accommodate changes in the recycling markets and reduce greenhouse gas emissions. Additionally, the City supports State efforts and incentives to develop and expand domestic markets for recycled materials, particularly paper and plastics, and supports initiatives that could reinvigorate the State's beverage container refund value (CRV) program. The City also supports State efforts and incentives to reduce solid waste and support new and emerging technology that aims to convert urban organic waste into energy.
- l. The City supports funding for water conservation, capture, and reuse. The City also supports funding for recycled water infrastructure projects that will, in collaboration with local utility districts, promote wise use of water and plan for increased drought scenarios due to climate change and population growth.
- m. The City supports re-defining stormwater as a utility so that cities may collect fees for the control and treatment of stormwater and fund municipal stormwater management programs.
- n. The City supports a balanced transition to clean energy fostering the creation of new jobs.
- o. The City supports sustainable and equitable growth of roof top solar, as well as development of battery storage and promoting load shifting technology, as the industry matures.

5. Finance and Human Resources

- a. Rising pension costs will have a direct effect on the City's ability to provide and maintain services. The City supports initiatives that give local government the flexibility to address rising pension costs, and will monitor legislation and litigation that could impact California's public employee pension system.
- b. The City supports modernizing the collection and distribution of sales tax to reflect the changing nature of retail sales and the development of a tax-sharing system that

recognizes the costs and impacts of where a purchase is made, delivered and consumed.

- c. The City supports establishment of a uniform, statewide system for collecting and remitting transit occupancy taxes by community-based online platforms that provide access to short-term rental properties.
- d. 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, employers, employees and visitors.
- e. In response to natural disasters, large-scale pandemics, and other incidents impacting local government and its residents, the City supports flexible federal and state assistance to local governments of all sizes to sustain core services for our residents, employers, employees, and visitors.

6. Community and Economic Development

- a. The City supports preserving commercial zoning districts to help ensure an on-going jobs-housing balance, reduce vehicle miles traveled, promote smart growth and improve quality of life. Any changes to commercial zoning should be a local determination based on local factors.
- b. Walnut Creek embraces efforts to obtain funding for economic development, land use planning, and permit streamlining including:
 - i. Economic development funding opportunities that would support local businesses and attract a variety of sectors such as green businesses, clean tech, communication technology, artificial intelligence, biomedical research, and life sciences.
 - ii. Funding for training for more medical professionals to support our regional hospitals and specialty centers.
 - iii. Economic development and funding opportunities that would support local arts and cultural infrastructure and programs.
 - iv. Funding for updates to local general plans, including data collection and analysis, public outreach and conceptual plan development.
 - v. Opportunities and funding to use lessons learned from the pandemic to digitize and streamline development approval processes.
 - vi. Funding to plan and implement regional transportation and traffic congestion relief projects.
- c. The City's vibrant arts community contributes \$40 million per year to the local economy. The City receives grants from both the National Endowment for the Arts (NEA) and the California Arts Council (CAC), which 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.
- d. Brick-and-mortar retailers and restaurateurs comprise most of the City's vibrant downtown. The City supports programs and direct funding that will help this sector

thrive including creative and flexible regulations that support outdoor dining.

Advocacy Trips

The City Council recognizes the importance of building good relationships with State elected officials, staff and agency personnel.

During the year, council members and staff will meet in-district with local state legislators regarding legislation or policies that could affect the City and, when necessary, travel to Sacramento or Washington DC or National League of Cities conference for these meetings. For these meetings, TPA will provide support and talking points, if needed, and manage any necessary follow-up discussions with legislators and staff.

City Council members and staff will also participate in League of California Cities legislative advocacy efforts.