

COMMITTEE MEMBERS

Timothy A. McGallian, Chair
Dominic D. Aliano, Member

Civic Center
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org



**Special Meeting of the
Policy Development
and Internal
Operations
Committee**

Wednesday
January 13, 2021

6:00 p.m.

various
telephonic/electronic
locations

The Contra Costa County Health Department has ordered individuals in Contra Costa County to “shelter in place”. The California Department of Public Health issued its “Mass Gatherings Guidance on Novel Coronavirus or COVID-19” followed by a recommendation that certain gatherings in California be postponed or canceled. The Governor of the State of California issued Executive Order N-25-20 which, among other things, orders that all California residents are to “. . . heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19” and pursuant to Executive Order N-33-20 has ordered all individuals in California to stay home or at their place of residence with very limited exceptions. That means residents must obey State, County, and City of Concord rules and guidelines.

City of Concord Rules: The City of Concord has declared a local state of emergency due to COVID-19 and is closed to the public. This Committee meeting is an essential event; therefore, it has not been cancelled. However, City of Concord officials and staff will conduct this meeting telephonically or otherwise electronically. The City will **not** make available any physical location from which members of the public may observe the meeting and offer public comment. Instead, members of the public may observe and address the meeting remotely. Below is information on how to do that.

Join from a PC, Mac, iPad, iPhone or Android device:

<https://cityofconcord.zoom.us/j/95631195637?pwd=U0NUaVdNekJtSHZ0RHdsaFN0MmJOUT09>

Webinar ID: 956 3119 5637

Passcode: 148344

By phone: +1 669 900 6833

Under California law, public comments at special meetings are limited to subjects on the agenda only. Therefore, public comment will only be taken prior to Council's consideration of each item.

How to Submit Public Comments:

Written: All comments received **before 3:00 pm the day of the meeting** will be posted on the City's website as "Correspondence" under the agenda item and provided to the City Council prior to the meeting.

- Email comments to cityclerk@cityofconcord.org.
- Please identify the agenda item number and letter.

To Participate in Public Comment During the Meeting:

Live Remote Public Comments: Members of the public may submit a live remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking [here](#). Zoom also allows you to join the meeting by phone.

- From a PC, Mac, iPad, iPhone or Android:
 - Webinar ID: 956 3119 5637
 - Passcode: 148344
 - By phone: +1 669 900 6833
- Speakers will be asked to provide their name and city of residence, although providing this is not required for participation.
- Each speaker will be afforded up to 3 minutes to speak.
- Speakers will be muted until their opportunity to provide public comment.

When the Chair opens a public comment period on the item on which you would like to comment, please use the "raise hand" feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide.

Meeting of the Policy Development and Internal Operations

1. ROLL CALL

2. REPORTS

The public is entitled to address the Committee on items appearing on the agenda before or during the Committee's consideration of that item. Each speaker will be limited to approximately three minutes.

Please see "How to Submit Public Comments" above.

- a. **Considering** – revisions to Policy & Procedure 178 - City of Concord Legislative Advocacy Program and Platform. **Report by Guy Bjerke, Director, Economic Development & Base Reuse.**

3. ADJOURNMENT

NOTICE TO THE PUBLIC

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure §1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited by California law to raising only those issues you or someone else raised in the hearing or in a written correspondence delivered to the City Council prior to or at the hearing.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator Tianjun Cao at (925) 671-3243 or Tianjun.cao@cityofconcord.org, at least 24 hours in advance of the meeting. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

Distribution: City Council
Valerie Barone, City Manager
Susanne Brown, City Attorney
Justin Ezell, Director of Public Works
Joelle Fockler, City Clerk



Staff Report

Date: January 13, 2021

To: Council Committee on Policy Development and Internal Operations

From: Valerie J. Barone, City Manager

Prepared by: Guy Bjerke, Director, Economic Development & Base Reuse
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(925) 671-3076

Subject: **Considering revisions to Policy & Procedure 178 - City of Concord Legislative Advocacy Program and Platform**

Report in Brief

The City's legislative advocacy program and platform serves as the basis for the City Council to adopt official City positions on legislative issues. It was last reviewed and adopted on May 22, 2018 and is due for revision.

Staff has suggested revisions to the current platform that specifically address:

1. The need for COVID-19 Pandemic response legislation;
2. Funding and authorization for appropriately trained response teams to address homelessness and mental health evaluations;
3. Issues important to implementing the CNWS Reuse Project; and
4. Enabling effective local implementation of the State's new food waste composting requirements.

Staff is also suggesting deleting a now outdated reference to reforms of the California Voting Rights Act.

Recommended Action

Review the revised Policy & Procedure 178, provide direction to staff, and recommend the City Council adopt the revised document.

Background

The background and analysis can be found in the Policy & Procedure attached. Niccolo De Luca of Townsend Public Affairs will participate in consideration of this item to provide advice on legislative advocacy regarding the proposed revisions.

Financial Impact

There is no direct financial impact from the consideration of these revisions. The City's legislative advocacy firm – Townsend Public Affairs – is retained through June 30, 2021.

Public Contact

The Agenda was posted.

Attachment

1. Draft Revised Policy & Procedure 178



CITY OF CONCORD

Number: 178
 Authority: Council Motion
 Effective: 05-22-2018
 Revised:
 Reviewed:
 Initiating Dept.: CM

POLICY & PROCEDURE

CITY OF CONCORD LEGISLATIVE ADVOCACY PROGRAM AND PLATFORM

1. PURPOSE

The primary objective of the Legislative Advocacy Program and Platform is for the City Council to adopt official City positions on legislative issues. In so doing, the legislative advocacy process is streamlined, allowing staff to prepare letters of support or opposition quickly.

2. GENERAL

The Platform is developed and maintained using the goals and objectives adopted by the City Council, a review of legislative priorities from the League of California Cities, guidance from City Council dialog and direction during Council meetings, research of current law and pending legislation, as well as discussions with local legislative staff.

The City's legislative program is intended to only address issues directly relevant to or impacting the provision of municipal services. In general, the City will not address matters that are not pertinent to the City's local government services unless specifically considered by the City Council.

3. GUIDING PRINCIPLES

There are two primary, overarching principles related to the City's legislative advocacy efforts.

A. Preserve Local Funding

The City supports the protection of state and local funding sources and the authorities that provide revenue to the City of Concord. Such areas include the protection of state-shared revenues, assets of the former redevelopment agency, and the ability to collect compensation for the use of the public right-of-way or city-owned facilities. The City opposes any mandates that are not funded and / or inadequately funded. The City supports new programs that would increase revenue to the City of Concord.

B. Preserve Local Authority

The City supports local decision-making authority and opposes pre-emption of local control. Cities are voluntarily created by the residents of a community to provide local self-government and to make decisions at the local level to best meet the needs of the community. Each community has unique needs and characteristics that are best met by policies set by its local governing body. Statewide efforts to remove the ability to set policy at the local level should be opposed, while promoting legislation that allows flexibility in the City's effort to cost-effectively meet goals and mandates.

4. **PROGRAM COORDINATION**

Federal and state legislative proposals and policies consistent with the legislative priorities may be supported by the City. Those policies or proposals inconsistent with this Platform may be opposed by the City. In such a case, staff shall be authorized to prepare position letters representing the City of Concord for the Mayor's signature; and the Mayor is authorized to sign. Items not addressed in the Legislative Platform would be referred to the full Council for further consideration. However, an item not addressed in the Legislative Platform that requires an urgent response from the City may be acted upon by the Mayor on behalf of the City.

While departments monitor and are knowledgeable of legislative issues related to their discipline, legislative advocacy must be approved by the City Manager's Office. To assure conformance with this policy, the City Manager's office shall approve all legislative position letters prior to signature by the Mayor on behalf of the City.

5. **PROGRAM CYCLE**

The City Manager's Office shall coordinate a review and update of the Legislative Platform no less frequently than every two years for consideration by the Policy Development & Internal Operations Subcommittee. Should the Subcommittee recommend a change to the Policy, it would subsequently be considered by the full City Council.

6. **LEGISLATIVE PLATFORM**

COVID-19 PANDEMIC - Specific

- A. Support legislation that provides COVID-19 related emergency relief or stimulus at both the federal and state levels; especially legislation that provides support for local government response reimbursement and stimulus for small business recovery.
- B. Support legislation that protects residents impacted by COVID-19 from residential rent increases and evictions with concurrent mechanisms to protect property owners.

LOCAL CONTROL

- A. Support legislation that enhances local control and allows cities to address the needs of local constituents within a framework of regional cooperation.
- B. Oppose pre-emption of local authority whether by state or federal legislation or ballot proposition.
- C. Support legislation that streamlines and simplifies the job of running a city and oppose efforts that erode the City's authority to control its own affairs.
- D. Support expansion of general law city authorities.

PUBLIC SAFETY

- A. Support efforts that strengthen local law enforcement's ability to prevent and fight crime.

- B. Support efforts that advocate for additional funding for local law enforcement, nuisance abatement and crime prevention efforts.
- C. Oppose legislation that would impede local law enforcement from addressing crime problems and recovering costs resulting from crime committed by a guilty party.
- D. Support efforts to fund and provide appropriately trained response teams to address calls regarding homelessness and/or requiring mental health evaluations.

ECONOMIC DEVELOPMENT

- A. Oppose legislation that erodes the ability of cities to condition and deny projects that inadequately mitigate for impacts to the community.
- B. Support legislation that preserves or increases funding for Community Development Block Grants (CDBG) as provided by the US Department of Housing and Urban Development. Support legislation that expands the eligibility and allowable uses of CDBG funds. Oppose legislation that would reduce funding to the CDBG program.
- C. Support legislation that enhances the City's efforts to retain existing businesses and attract new businesses.
- D. Support legislation that provides tangible and productive tools and incentives to support job creation and retention.
- E. Support legislation that facilitates implementation and funding of Smart City technologies (including broadband) within the framework of local control.

LAND USE AND COMMUNITY DEVELOPMENT

- A. Support legislation that strengthens the concept of local control/local home rule for decision making on land use and zoning matters, and oppose legislation that erodes local determination.
- B. Oppose legislation that imposes mandatory caps on local parking standards in transit intensive areas and removes local authority to determine acceptable building heights and design standards consistent with surrounding neighborhoods.
- C. Support legislation that emphasize sustainable development, improves environmental standards without an undue burden on local agencies, simplifies the regulatory process, and provides incentives and financial support for preservation of natural resources and promote sustainable energy policies.
- D. Support legislation that allows flexibility in the City's effort to cost-effectively meet energy goals.
- E. Support amendments to the Surplus Lands Act that will enable the City to transfer CNWS Reuse Project land to a Master Developer and implement a project-specific affordable housing plan.
- F. Seek legislation that recognizes the CNWS Reuse Project as a MTC Priority Development Area, provides CEQA streamlining and litigation limitations, and/or legislation that adds state funding/support to elements of the CNWS.
- G. Support legislative efforts that enable effective local implementation of the State's new food

waste composting requirements.

TRAFFIC, TRANSPORTATION AND INFRASTRUCTURE

- A. Support measures to finance local and regional transportation programs and improvements, including money for: (1) roadway maintenance and improvements, (2) alternative modes of transportation (3) traffic demand management systems, and (3) Smart City technologies.
- B. Support continuous appropriations of new monies directly to cities for the preservation, maintenance, rehabilitation and development of local streets and road systems.

PARKS, RECREATION AND COMMUNITY SERVICES

- A. Support legislation and propositions that provide funding for the benefit of public libraries, recreational facilities, economically disadvantaged communities, and cultural arts.

GENERAL GOVERNANCE AND LABOR RELATIONS

- A. Oppose any measure that imposes upon local government mandated employee benefits, not paid for by the State.
- B. Oppose legislation that undermines good faith negotiations between employee organizations and local agencies.
- C. Support reform measures that provide sustainable and secure public pensions and other post-retirement benefits to ensure responsive and affordable public services.

REVENUE, STATE & FEDERAL FUNDING

- A. Oppose legislation that would impose mandated costs for which there is no guarantee of local reimbursement or offsetting benefits; support full cost reimbursement for all federal, state and county-mandated programs.
- B. Oppose changes in revenue allocations that would negatively affect local government and Concord in particular without guaranteed offsets elsewhere.
- C. Support legislation that strengthens and expands ongoing revenue for the City.
- D. Oppose legislation that undermines and pre-empts local authority over local taxes and fees.
- E. Support increased flexibility for the utilization of municipally generated revenues, such as Public Education & Government fee.
- F. Support efforts to restore funding mechanisms eliminated by the dissolution of redevelopment agencies that promote economic development and include initiatives to provide financing for infrastructure and affordable housing.