



**Beverly Hills City Council Liaison / Legislative/Lobby Committee will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:**

**CITY OF BEVERLY HILLS  
455 N. Rexford Drive  
Beverly Hills, CA 90210**

**TELEPHONIC / VIDEO CONFERENCE MEETING**

**Beverly Hills Liaison Meeting  
<https://beverlyhills-org.zoom.us/my/bhliaison>  
Meeting ID: 312 522 4461  
Passcode: 90210**

**You can also dial in by phone:  
+1 669 900 9128 US  
+1 888 788 0099**

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+18887880099,,3125224461#,,,,\*90210# Toll-Free**

**Monday, January 10, 2022  
3:00 PM**

***Pursuant to Government Code Section 54953(e)(3), members of the Beverly Hills City Council Liaison / Legislative/Lobby Committee and staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public can view this meeting through live webcast at [www.beverlyhills.org/live](http://www.beverlyhills.org/live) and on BH Channel 10 or Channel 35 on Spectrum Cable, and can participate in the teleconference/video conference by using the link above. Written comments may be emailed to [mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org).***

**AGENDA**

**A. Oral Communications**

**1. Public Comment**

Members of the public will be given the opportunity to directly address the Committee on any item listed on the agenda.

**B. Direction**

- 1. Resolution of the Beverly Hills City Council Liaison / Legislative/Lobby Committee authorizing public meetings to be held via teleconferencing pursuant to Government Code Section 54953(e) and making findings and determination regarding the same.**

New legislation (AB 361) was recently adopted allowing the Beverly Hills City Council Liaison / Legislative/Lobby Committee to continue virtual meetings during the COVID-19 declared emergency subject to certain conditions and the proposed resolution implements the necessary requirements.

**2. 2022 Legislative Platform**

Comment: This item provides the Legislative/Lobby Liaisons an opportunity to review the 2022 Legislative Platform.

**3. Request by Councilmember Mirisch to Sign on to a Letter to the Governor Regarding the Implementation of Programs to Grow Local Solar**

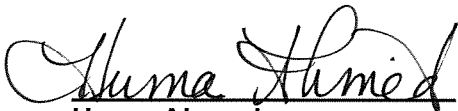
Comment: The City's state lobbyist, Shaw, Yoder, Antwih, Schmelzer & Lange, will provide an overview of the proposal at the California Public Utilities Commission Regarding Changes to the State's Net Energy Metering Program (NEM 3.0)

**4. State and Federal Legislative Updates**

Comment: The City's state and federal lobbyists will provide a verbal update to the Liaisons on various legislative issues.

**5. Future Agenda Items Discussion**

**C. Adjournment**



Huma Ahmed  
City Clerk

Posted: January 6, 2022

***A DETAILED LIAISON AGENDA PACKET IS AVAILABLE FOR REVIEW AT  
[WWW.BEVERLYHILLS.ORG](http://WWW.BEVERLYHILLS.ORG)***



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# **Item B-1**



## STAFF REPORT

**Meeting Date:** January 10, 2022

**To:** Legislative/Lobby Committee

**From:** Cindy Owens, Secretary of the Legislative/Lobby Committee

**Subject:** A RESOLUTION OF THE COUNCIL LIAISON / LEGISLATIVE/LOBBY COMMITTEE OF THE CITY OF BEVERLY HILLS AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME

**Attachments:** 1. Proposed resolution

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### **RECOMMENDATION**

Staff and the City Attorney's office recommend that the Council Liaison / Legislative/Lobby Committee adopt a resolution making the following findings so that meetings of the City Council Liaison / Legislative/Lobby Committee will be subject to the special Brown Act requirements for teleconference meetings: (1) the City Council Liaison / Legislative/Lobby Committee has reconsidered the circumstances of the COVID-19 state of emergency; (2) the state of emergency continues to directly impact the ability of the members to meet safely in person; and (3) state or local officials continue to impose or recommend measures to promote social distancing.

### **FISCAL IMPACT**

The proposed resolution allowing the City Council Liaison / Legislative/Lobby Committee greater flexibility to conduct teleconference meetings is unlikely to cause a greater fiscal impact to the City as the Council Liaison / Legislative/Lobby Committee has been conducting such teleconference meetings for over a year.

## **INTRODUCTION**

Governor Newsom recently signed new legislation (AB 361) allowing the City Council Liaison / Legislative/Lobby Committee to continue virtual meetings during the COVID-19 declared emergency subject to certain conditions. These special requirements give the City greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or an in-person meeting would present imminent risks to the health and safety of attendees.

## **BACKGROUND**

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings. Those special rules expired on September 30, 2021.

On September 16, 2021, in anticipation of then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361. In key part, this bill amends the Brown Act to establish special requirements for teleconference meetings if a legislative body of a local public agency holds a meeting during a proclaimed state of emergency and either state or local officials have imposed or recommended measures to promote social distancing, or the body determines, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

AB 361 builds upon Executive Order (“EO”) N-29-20, issued by the Governor on March 17, 2020, which relaxed the teleconferencing requirements of the Brown Act to facilitate virtual meetings during the COVID-19 declared emergency. EO N-29-20’s provisions concerning public meetings applied through September 30, 2021.

AB 361 authorizes local agencies to continue meeting remotely without following the Brown Act’s standard teleconferencing provisions if the meeting is held during a state of emergency proclaimed by the Governor and either of the following applies: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the agency has already determined or is determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

EO N-29-20 required legislative bodies to make remote public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body, and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act. AB 361 adds new procedures and clarifies the requirements for conducting remote meetings as follows:

- **Public Comment Opportunities in Real Time:** A legislative body that meets remotely pursuant to AB 361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda

for the remote meeting must provide an opportunity for members of the public to directly address the body in real time. Although the agency may still ask for public comments to be submitted in advance, the agency cannot require public comments to be submitted in advance of the meeting. If an agency does not provide a timed public comment period, but takes public comment separately on each agenda item, it must allow a reasonable amount of time per agenda item to allow members of the public the opportunity to provide public comment, including time to “be recognized for the purpose of providing public comment.”

- ***No Action During Disruptions:*** In the event of a disruption that prevents the local agency from broadcasting the remote meeting, or in the event of a disruption within the local agency’s control that prevents members of the public from offering public comments using the call-in option or internet-based service option, AB 361 prohibits the legislative body from taking any further action on items appearing on the meeting agenda until public access to the meeting via the call-in or internet-based options is restored.
- ***Periodic Findings:*** To continue meeting remotely pursuant to AB 361, an agency must make periodic findings that: (1) the body has reconsidered the circumstances of the declared emergency; and (2) the emergency impacts the ability of the body’s members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing. These findings should be made not later than 30 days after teleconferencing for the first time pursuant to AB 361, and every 30 days thereafter.

## **DISCUSSION**

To continue to hold meetings under these special teleconferencing requirements, the City Council Liaison / Legislative/Lobby Committee needs to make two findings pursuant to Government Code Section 54953(e)(3). First, there must be a declared state of emergency and the City Council Liaison / Legislative/Lobby Committee must find that it has reconsidered the circumstances of such emergency. Second, the City Council Liaison / Legislative/Lobby Committee must find that such emergency continues to directly impact the ability of the City Council Liaison / Legislative/Lobby Committee members to meet in person. Alternatively, for the second finding, the City Council Liaison / Legislative/Lobby Committee must find that state or local officials continue to impose or recommend social distancing measures. These findings must be made within 30 days after the City Council Liaison / Legislative/Lobby Committee teleconferences for the first time under AB 361 and every 30 days thereafter.

The declared emergency is still in effect. Furthermore, the State of California and the County of Los Angeles have recommended measures to promote social distancing. The Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time. Additionally, the Los Angeles County Department of Public Health still encourages people at risk for severe illness or death from COVID-19 to take protective measures such as social distancing and, for those not yet fully vaccinated, to physically distance from others

Meeting Date: January 10, 2022

whose vaccination status is unknown. The County Health Department also continues to recommend that employers take steps to support physical distancing.

Please note that AB 361 applies to all legislative bodies. Therefore, Commissions and standing committees will need to also comply with the requirements of AB 361.

Cindy Owens  
Secretary of the City Council Liaison /  
Legislative/Lobby Committee

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Approved By

RESOLUTION NO. LLC-01

RESOLUTION OF THE CITY COUNCIL LIAISON /  
LEGISLATIVE/LOBBY COMMITTEE OF THE CITY OF  
BEVERLY HILLS CONTINUING TO AUTHORIZE PUBLIC  
MEETINGS TO BE HELD VIA TELECONFERENCING  
PURSUANT TO GOVERNMENT CODE SECTION 54953(e)  
AND MAKING FINDINGS AND DETERMINATIONS  
REGARDING THE SAME

WHEREAS, the City Council Liaison / Legislative/Lobby Committee is committed to public access and participation in its meetings while balancing the need to conduct public meetings in a manner that reduces the likelihood of exposure to COVID-19 and to support physical distancing during the COVID-19 pandemic; and

WHEREAS, all meetings of the City Council Liaison / Legislative/Lobby Committee are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch the City Council Liaison / Legislative/Lobby Committee conduct its business; and

WHEREAS, pursuant to Assembly Bill 361, signed by Governor Newsom and effective on September 16, 2021, legislative bodies of local agencies may hold public meetings via teleconferencing pursuant to Government Code Section 54953(e), without complying with the requirements of Government Code Section 54953(b)(3), if the legislative body complies with certain enumerated requirements in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the



emergency, meeting in person would present imminent risks to the health or safety of attendees.

3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency in response to the COVID-19 pandemic (the “Emergency”); and

WHEREAS, the Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time; and

WHEREAS, the Los Angeles County “Responding together at Work and in the Community Order (8.23.21)” provides that all individuals and businesses are strongly encouraged to follow the Los Angeles County Public Health Department Best Practices. The Los Angeles County Public Health Department “Best Practices to Prevent COVID-19 Guidance for Businesses and Employers”, updated on September 13, 2021, recommend that employers take steps to reduce crowding indoors and to support physical distancing between employees and customers; and

WHEREAS, the unique characteristics of public governmental buildings is another reason for continuing teleconferenced meetings, including the increased mixing associated with bringing people together from across several communities, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public

meetings and the challenge of achieving compliance with safety requirements and recommendations in such settings; and

WHEREAS, the Beverly Hills City Council has adopted a resolution that continues to recommend steps to reduce crowding indoors and to support physical distancing at City meetings to protect the health and safety of meeting attendees; and

WHEREAS, due to the ongoing COVID-19 pandemic and the need to promote social distancing to reduce the likelihood of exposure to COVID-19, the City Council Liaison / Legislative/Lobby Committee intends to continue holding public meetings via teleconferencing pursuant to Government Code Section 54953(e).

NOW, THEREFORE, the City Council Liaison / Legislative/Lobby Committee of the City of Beverly Hills resolves as follows:

Section 1. The Recitals provided above are true and correct and are hereby incorporated by reference.

Section 2. The City Council Liaison / Legislative/Lobby Committee hereby determines that, as a result of the Emergency, meeting in person presents imminent risks to the health or safety of attendees.

Section 3. The City Council Liaison / Legislative/Lobby Committee shall continue to conduct its meetings pursuant to Government Code Section 54953(e).

Section 4. Staff is hereby authorized and directed to continue to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 5. The City Council Liaison / Legislative/Lobby Committee has reconsidered the circumstances of the state of emergency and finds that: (i) the state of emergency continues to directly impact the ability of the members to meet safely in person, and (ii) state or local officials continue to impose or recommend measures to promote social distancing.

Section 6. The Secretary of the City Council Liaison / Legislative/Lobby Committee shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolution of the City Council Liaison / Legislative/Lobby Committee of this City.

Adopted: January 10, 2022

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JOHN MIRISCH  
Presiding Councilmember of the City  
Council Liaison / Legislative/Lobby  
Committee of the City of Beverly Hills,  
California

# **Item B-2**



**CITY OF BEVERLY HILLS**  
**POLICY AND MANAGEMENT**

**MEMORANDUM**

**TO:** City Council Liaison/Legislative/Lobby Committee

**FROM:** Cindy Owens, Policy and Management Analyst

**DATE:** January 10, 2022

**SUBJECT:** 2022 Legislative Platform

**ATTACHMENT:** 1. 2022 Legislative Platform – Redline of 2021 Legislative Platform

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**INTRODUCTION**

Each year, the City establishes a Legislative Platform, which embodies key legislative themes and priorities for the upcoming year. The legislative platform provides direction for our legislative advocates and City staff as they work to secure clear and strategic initiatives locally as well as in Sacramento and Washington, D.C.

**DISCUSSION**

The objective of the legislative platform is to outline the City's position on legislative matters and serve as the foundation for the City to support or oppose various local, state and federal legislation. This platform seeks to not only secure critical resources for our City, but also outlines policy statements that will allow City staff and our legislative lobbyists to more effectively respond to and influence legislation at the local, state and federal level. This platform is meant to be an evolving document that will be amended from year to year by City Council.

The legislative priorities were established to encompass the objectives of the City Council and the interests of the City of Beverly Hills. The Legislative Platform priorities are arranged by category and significance.

The following item was removed from the Legislative Platform as it is no longer relevant as the City successfully lobbied for the change to the state Election Code mentioned below:

- Support legislation which will amend the state Election Code to allow any term of office set to expire in March or April 2022 to be extended to expire in June 2022 following the certification of election results and administration of oath of office to the newly elected office holder, notwithstanding subdivision (b) of Elections Code section 10403.5.

The following item was added to the Legislative Platform for 2022 at the request of the Community Development Department:

- Collaborate with local stakeholders on measures that work to maintain renter populations and prevent homelessness,

Other non-substantive updates were made to the document.

## **RECOMMENDATION**

Staff recommends that the Legislative/Lobby Liaison Committee provide direction on proceeding with the Legislative Platform. Staff is also requesting the Legislative/Lobby Liaison Committee confirm the following items will remain as the primary legislative focus for the City:

- Supporting legislation in regards to local control with community self determination
- Supporting legislation which focuses on addressing mental health issues
- Supporting sustainability in the community including:
  - Reduce, reuse, recycle;
  - Minimizing food waste; and
  - Supporting state funding for the development of solar power, a solar grid, and solar batteries.

Staff can make modifications to the Legislative Platform as directed by the Liaisons and place it on the City Council agenda for the February 8, 2022 Study Session followed by adoption at either March 1, 2022 or March 15, 2022, Formal Session Meeting.

# **Attachment 1**

# CITY OF BEVERLY HILLS LEGISLATIVE ADVOCACY PLATFORM



2021<sup>2</sup> LEGISLATIVE SESSION



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# **City of Beverly Hills**

## **STATE AND FEDERAL LEGISLATIVE PLATFORM**

### **Platform Overview**

The purpose of the legislative platform is to provide a means for summarizing the City's core legislative principles for the purpose of advocacy efforts at the regional, state and federal level. The Legislative Platform contains broad policy statements pertaining to a variety of issues that impact the City of Beverly Hills.

The legislative platform sets forth the City's legislative objectives for the 2024~~2~~ legislative session and provides direction for our legislative advocates as they work to secure clear and strategic initiatives in Sacramento and Washington, D.C. Approval of the legislative platform also streamlines the City's process and allows the City's Executive team to effectively respond and take immediate action on pressing legislation under City Council direction.

The policies established within the platform do not preclude City Council consideration of additional legislative matters arising throughout the year that may be brought forward for City Council action as presented to the City Council Legislative/Lobby Liaison Committee.

The City's primary legislative focus includes:

- Supporting legislation in regards to local control with community self determination
- Supporting legislation which focuses on ~~resolving~~addressing mental health issues
- Supporting sustainability in the community including:
  - Reduce, reuse, recycle;
  - Minimizing food waste; and
  - Supporting state funding for the development of solar power, a solar grid, and solar batteries.

### **Local Control**

- Support legislation that preserves local control.
- Support legislation that protects local control over urban planning.
- Oppose state legislation that supersedes a jurisdiction's adopted zoning ordinances.
- Support a state constitutional amendment to protect local discretionary authority whereby legislative oversight remains at the lowest level of the appropriate governing body while encouraging regional cooperation. For example, zoning authority would remain with a city whereas air quality, etc. would remain at the regional or state level.

- Support legislation that enhances local control of resources and that allows the City of Beverly Hills to address the needs of local constituents within a framework of regional cooperation.
- Support legislation that encourages the use of federal and state incentives for local government action rather than mandates.
- Oppose preemption of the City of Beverly Hills' local authority whether by state or federal legislation or ballot propositions.
- In general, oppose any county, state or federal mandates without the direct or indirect reimbursement for the costs associated with complying with new and/or modified laws, regulations, policies, procedures, permits and/or programs.
- Support measures increasing local autonomy, protecting privacy and maintaining local authority over public records. This includes measures that provide for the recovery of costs with regard to public records requests.
- Support transparent government and the purpose of the California Public Records Act while simultaneously observing and protecting the current Rule of Law in California including better legislation in regards to protecting the privacy of public records and enhancing laws related to digital records.
- Support legislation that preserves local control of short term rentals and online hotel intermediaries such as Airbnb.
- Oppose state legislation and state guidelines issued by the Bureau of Cannabis Control that override the intent of Proposition 64 to preserve local control over the sale and distribution of cannabis.
- Oppose the Governor's 2021/2022 budget proposal to create a new Housing Accountability Unit within the Department of Housing and Community Development (HCD), to provide technical assistance to local governments. The Housing Accountability Unit would be responsible, among other things, for monitoring city council meetings and meetings of board of supervisors and planning commissions. The Housing Accountability Unit would also enhance the Administration's enforcement of those obligations.

### **Pension Reform**

- Monitor, encourage, and lobby for legislative initiatives designed to achieve public employee pension reform.
- Inform the City Council of future legislative bills, statewide initiatives or other options as they emerge in regards to pension reform.
- Continue to support, where necessary and applicable, any future efforts that may impact the City of Beverly Hills ability to achieve and/or maintain sustainable pensions.
- Support the California League of Cities ("League") efforts on pension reform based on the report provided at the League's City Manager's Department Meeting February 2018 meeting.

### **Fiscal and Administrative Initiatives**

- Support fiscal sustainability and "best practices" administrative initiatives to ensure the delivery of superlative city services.

- Monitor initiatives which seek changes in fiscal relationships at the local, state and federal level.
- Support legislation that guarantees ongoing revenue sources for local government.
- Pursue funding opportunities for public facilities and services including capital improvement projects, public works projects, homeland security, library, parks and social service facilities.
- Oppose any legislation that would undermine voter-approved initiatives to guarantee ongoing revenue sources for the City of Beverly Hills.
- Oppose legislation that would preempt the City's authority over local taxes and fees.
- Protect the City's right to levy and collect Transient Occupancy Taxes from hotels, including online hotel intermediaries.
- Oppose any federal or state legislation that would provide immunity to online hotel intermediaries and/or prohibit the City from collecting (retroactively or otherwise) Transient Occupancy Taxes.
- Support continued or expanded funding for the Community Development Block Grant (CDBG) program.
- Oppose the reduction to Department of Homeland Security and Federal Emergency Grants.
- Oppose any attempt to eliminate or limit the traditional tax exemption for municipal bonds.
- Engage in and advocate for legislation or ballot measures to prevent the state from borrowing, raiding or otherwise redirecting local government funds (local taxes, property taxes, etc.).
- Continue to promote increased flexibility for the utilization of municipally generated revenues.
- Support California League of Cities legislative efforts for pension reform and other post-employment benefits (**OPEB**) unfunded liability.
- Oppose legislation that triggers cost implications pertaining to "public works" projects.
- Support legislation for long-term funding solutions for Peace Officer Standards and Training (POST).
- Support legislation which offers financial opportunities for reimbursement to local jurisdictions in order to supplement increased custodial and supervision costs resulting from prison realignment.
- Oppose legislation with mandates for local agency adherence to operations and programs that may not be reimbursable by State budget funds (e.g. unfunded state mandates).
- Support legislation, which authorizes tax incremental financing for affordable housing projects.
- Support legislation that provides funding to local government for COVID-19.
- Support funding for COVID-19 related infrastructure projects.

## Electoral Process

- Monitor legislative or other initiatives which may address the integrity of the electoral process.
- Encourage safeguards ensuring that all eligible voters are provided with the mechanisms to exercise the right to vote.
- Support initiatives which promote government transparency regarding the election process.
- Support legislation that provides a mechanism to ensure non-eligible voters are unable to vote in an election.
- Support legislation that ensures the voting process is fair and equitable to both the voters and the candidates on the ballot.
- Support legislation which strengthens and clarifies the current state Election Code in order to provide better protection for elections workers and election sites.
- ~~Support legislation which will amend the state Election Code to allow any term of office set to expire in March or April 2022 to be extended to expire in June 2022 following the certification of election results and administration of oath of office to the newly elected office holder, notwithstanding subdivision (b) of Elections Code section 10403.5.~~

## Public Safety

- Support the development and use of new firefighting technology in order to produce higher levels of health and safety for the Beverly Hills Fire Department.
- Support legislation that aids paramedics and other emergency medical service practitioners in their ability to be responsive to community needs.
- Support legislation that amends the Centers for Medicare & Medicaid Services (CMS) regulation *42 CFR 410.40 Coverage of Ambulance Services (e)* to allow Medicare reimbursement for beneficiaries not transported to the emergency department by the Beverly Hills Fire Department. This would include:
  - Allowing CMS to provide a benefit to local jurisdictions for 'dry runs'
  - Allowing CMS to provide a benefit for treatment in the field apart from transport, including reimbursement for mid-level practitioners, such as nurse practitioners, as many jurisdictions are moving towards a model of staffing Emergency Medical Services with a higher level of medical care.
- Support legislation, which prioritizes fighting hate crimes and domestic terrorism.
- Oppose legislation or other administrative actions, which seek to limit the Beverly Hills Police Department's ability to collect and utilize asset forfeiture funds for a wide variety of police services.
- Support legislation, which provides frontline funding to the Beverly Hills Police Department for costs associated with the early release of state prisoners as a result of state-mandated criminal justice realignment provisions.
  - Identify opportunities for reimbursements to Beverly Hills for increased custodial and supervision costs resulting from prison realignment.
- Support legislation to increase funding to ensure responsible supervision by parole agents and for local agencies that provide post-release community supervision.

- Advocate for legislation and/or funding to take advantage of current technology to prevent crime in Beverly Hills (e.g. - the ability to use surveillance cameras and automatic license plate recognition technology).
- Support the deployment of new and emerging investigation technology, including unmanned aircraft, and the development of local policies that provides the tools to save abducted children; collect DNA, prevent the exploitation of children and vulnerable adults; and prosecute those who violate the rights of any person.
- Support the deployment and research of new and emerging technologies, which will provide the Beverly Hills Police Department with tools to provide the highest level of service including:
  - Next Generation 911
  - Mobile and Body Worn Cameras
  - New Generation Investigative Technology - including unmanned aircraft
  - Digital Evidence - support funding for local jurisdictions to collect, store and retain digital evidence.
- Support the development and deployment of enhanced 911 services to allow first responders the ability to respond quickly to the needs of the people of California.
- Support legislation and seek funding to assist in preventing and reducing crimes in Beverly Hills, primarily related to property crimes, cyber-crime, drugs, gang violence, mental illness, and pedestrian safety.
- Support evidence-based studies that seek to improve law enforcement tactics and non-lethal force options that ensure both the safety of the public and peace officers.
- Support efforts to work collectively with the Office of the California Attorney General to maintain transparency concerning lethal force encounters while concurrently retaining local control of investigations of such incidents.
- Oppose legislation that would challenge the use of force standards which are enshrined by federal and state statute and Case Law (e.g. Graham v. Connor, Tennessee v. Garner, etc.).
- Oppose any efforts to further decriminalize existing crimes in California or lessen the sentences of any offenses that would result in the release of serious criminals who would further harm the safety of the public and law enforcement personnel.
- Oppose legislation that would expand the definition of early release, non-serious crimes, and non-violent crimes.
- Oppose legislation to expand “early release” for low-risk, serious and violent offenders.
- Support the Reducing Crime and Keeping California Safe Act 2020 and continue to raise awareness regarding the deficiencies of Proposition 47 and Proposition 57 as well as work to gain support for the fixes contained within November 2020 initiative.
- Support efforts to reverse all legislation, including AB 109, that created “early release” for low-risk, serious and violent offenders.

- Oppose legislation that decriminalizes repeated substance use as well as inform and engage the Legislature and Governor on the public safety impacts of medicinal and recreational cannabis legalization in California.
- Oppose legislation that would expunge or otherwise reduce sentences for the most dangerous cannabis crimes, including sales to minors, commercial drug trafficking and driving under the influence of drugs (DUID).
- Support rehabilitation, housing, and employment programs for local and state prisoners.
- Support legislation, which combats the growing crime of human trafficking and provide to the legislature details and figures to further understand the scope of human trafficking in California.
- Support funding initiatives for Peace Officers Standards and Training (POST) and other law enforcement support organizations.
- Support and encourage legislation and budget negotiations, which retain funding for the Beverly Hills Police Department when the legislation and/or budget negotiations includes behavioral health treatment; drug and trafficking taskforces; crisis intervention teams; and adequate patrol staffing.
- Support funding for the increased demand placed on Beverly Hills to respond to societal issues including homelessness; substance abuse and dependency; and unpredictable and potentially harmful behavior towards the public and peace officers.
- Support effective and relevant reporting of local agency data and ensure that any disclosed data be fair as well as balanced and protects the safety of officers and the public they serve.
- Support efforts to engage with the Legislature and Governor on the extreme need for local funding to collect, store, and retain large amounts of digital evidence.
- Support legislation that allows local control on the deployment of body cameras and using facial recognition software.
- Support efforts for cannabis enforcement that encourages state licensing entities to streamline enforcement relationships between the state and local jurisdictions. This includes improving existing systems in order to share information, providing additional funding for local law enforcement, and strengthening enforcement capabilities within the Bureau of Cannabis Control.
- Support common sense gun safety regulations, including legislation that addresses issues caused by firearms made by an individual without a serial number or other identifying markings (known as “ghost guns”).
- Urge the state legislature to redefine recidivism to its original definition as the current definition only considers a person to be a recidivist if there is an arrest resulting in a charge within three years of the individual’s release from incarceration.

## **Emergency Management and Homeland Security**

- Support strategies, legislation and funding that promotes emergency preparedness, resiliency and recovery efforts.
- Support efforts to continue regional interoperability advocacy and expansion efforts through ongoing participation with the ICI System Authority.
- Support legislation that enhances and further develops the regional ICI System Authority's interoperable communications platform through the continued funding of strategic technical and operational improvements.
- Support interoperable communication solutions that meet radio spectrum needs of first responders.
- Support funding opportunities for local homeland security, public safety and emergency management programs including new technology and equipment (e.g., closed circuit television) that does not supplant other City funding, services or operations.
- Seek grants and pilot project/demonstration project funding for City homeland security, public safety and emergency management priorities.
- Support federal funding for the deployment and long-term sustainment of the Biowatch [program](#) and other monitoring programs in Beverly Hills.
- Support funding for a cost effective public seismic early warning system and other emergency notification systems.
- Support legislation that ensures funding for disaster relief for all types of natural and manmade disasters.
- Support federal or state legislation and funding that improves building resiliency and recovery efforts after a seismic event.

## **Housing and Land Use**

- Pursue incentive-based housing legislation to encourage expanding the housing supply in our area including more flexibility for local jurisdictions to work together to provide housing that counts toward Regional Housing Needs Assessment (RHNA) requirements.
- Support federal and state funding for affordable senior housing opportunities and projects.
- Monitor land use issues and support legislative and administrative efforts to maintain the integrity of local government's control over land use, planning and zoning matters.
- Emphasize local control related to land use planning.
- Support and pursue the repeal of state laws that affect local control on housing and land use.
- Continue to support new initiatives regarding rent control legislation at the state level.
- Support legislation to protect areas designated for single-family homes as the City recognizes the benefits of having single-family homes as an alternative for housing.



## Mental Health Funding, Homelessness, and At-Risk Youth

- Support additional funding for homeless and mental health outreach teams, as well as for programs targeting at-risk youth.
- Support legislation that expands the treatment of and response to mentally ill persons and inform the Legislature and Governor on the effective mental and behavioral health practices currently being used by law enforcement in California.
- Promote legislation that provides for increased services to or funding for at-risk populations such as ~~the frail~~ elderly who require assistance, homeless, disabled and other challenged populations.
- Support funding and policy initiatives that support mental health care (e.g., access to psychiatric facilities, behavioral health care treatment, and street-based services).
- Support legislation that addresses the need for housing and supportive services, (e.g. health, mental health and social services) for the City's homeless population.
- Collaborate with local stakeholders on measures that work to maintain renter populations and prevent homelessness.

## Transportation

- Support legislation, which would repeal or modify existing law regarding how a local jurisdiction makes findings on setting a speed limit for a street. Specifically, modify the requirement that mandates the City to set an enforceable speed limit at the 85<sup>th</sup> percentile of a surveyed street speed.
- Support legislation, which would allow local jurisdictions to install speed enforcement cameras.
- Support legislation, which would allow local jurisdictions to install cameras at stop sign intersections for enforcement of vehicle code violations when a vehicle does not come to a complete stop.
- Support state and federal legislation that enhances the safety of the City's streets for automobile and pedestrian traffic, including issues related to, traffic congestion reduction programs and regional transportation improvements.
- Promote funding, policy goals and visibility for the development of autonomous vehicles.
- Support regional, state and federal efforts for the development of compatible autonomous vehicle infrastructure.
- Support measures and discretionary grant programs that provide funding for critical transportation infrastructure projects that improve mobility for residents and visitors in and around Beverly Hills.
- Support legislation that expands transportation planning, funding, and voluntary incentives to include an increasingly multi-modal perspective focusing on transit, alternative fuel vehicles and fleets, pedestrian ways, bikeways, multi-use trails and parking.
- Support measures which provide the City's fair share of funding from the State's cap and trade funding sources.

- Support legislation to provide more tools to both the California Department of Motor Vehicles and local law enforcement to reduce disabled parking placard fraud and abuse.
- Work with other agencies in the region to support current state and federal funding levels and encourage increased funding and flexibility in both operating and capital funding for mass transit.
- In conjunction with the Westside Cities Council of Governments (WSCOG) and other agencies, support legislation that provides incentives for the development of local transportation corridors.
- Support local, regional, state and federal legislative, administrative, and regulatory efforts that will expand and/or supplement funding for maintaining and upgrading major thoroughfares in Beverly Hills to improve the safety for all forms of modality.
- Support increased state and federal resources to mitigate traffic congestion on the City of Beverly Hills' streets and rebuild and maintain roads.

### **Environmental Sustainability**

- Advocate for cost-effective, sustainable, and responsible environmental policy and programs in the areas of energy efficiency, greenhouse gases, climate change, potable water, wastewater, solid waste removal and storm water, among others.
- Support state funding opportunities to assist agencies in meeting sustainability objectives including energy and water efficiencies, active transportation enhancements, connectivity and mobility improvements and carbon sequestration through natural landscape management and protection.
- Support legislation for funding opportunities to expand local infrastructure, such as EV charging stations, to support Governor Executive Order N-79-20 on the phase-out of gasoline powered vehicles by Year 2035.
- Support legislation protecting, preserving and restoring the natural environment where it does not conflict with local control and land use designations.
- Support efforts to create partnerships among the City, Beverly Hills Unified School District, businesses, residents, and all other community stakeholders as necessary to achieve a sustainable community.
- Support legislation to combat climate change and improve air quality that results in turning back ~~the global~~ warming ~~of the globe~~ to minimize drought and wildland fires.
- Support funding to foster an environmentally sustainable city as well as a walkable community that provides ample goods, services and benefits to all residents while respecting the local environment.
- Support legislation and funding for the Metropolitan Transportation Agency (MTA) and other regional transit authorities to continue to create multi-modal transportation systems that minimizes pollution and reduces motor vehicle congestion while ensuring access and mobility for all.

- Oppose legislation that will expand or create new opportunities for off shore oil drilling.
- Support legislation and funding for solar power infrastructure, including solar batteries, as a renewable energy resource.

### **Community Services**

- Support legislation related to the Internet and filtering in public facilities.
- Support funding for literacy and English-as-a-second language programs.
- Support protection against censorship and oppose restriction of free speech.
- Support funding for ADA facility and park upgrades.
- Support legislation that provides opportunities for healthy “aging in place” (aging in one’s own home) options.
- Where reasonable, support public investment in parks, open space and recreation.
- In general, support efforts to provide funding for the rehabilitation, development and capital improvements for local park improvements.

### **Public Health**

- Continue to promote legislation that enhances the health and safety of the general population, with an emphasis on programs that focus on youth, the elderly and at-risk populations.
- Monitor opportunities to expand the City’s ordinances to regulate smoking to other communities or through state legislation.
- Support legislation that will increase funding for mental health at the local level in order to address mental health issues and the impact those with mental health issues have on Beverly Hills.
- Support legislation that provides funding to expand the treatment of, and response to, mentally ill persons and the growing issues associated with the mentally ill.
- Support legislation that would provide direct funding and alternative avenues of healthcare to local first response agencies to adequately address behavioral and mental health issues.
- Support legislation to maintain or increase funding for the provision of mental health services and to establish programs to assist jurisdictions with helping those individuals who may have mental health issues.
- Support legislative efforts to regulate the smoking of any substance at multi-family complexes.
- Oppose legislation that would reduce or eliminate funding allocations for the Prevention and Public Health Fund.
- Support the Personal Health Investment Today Act (PHIT) introduced in March 2017 in Congress.
- Support access opportunities for all Californians for physical activity, proper nutrition and healthy lifestyle options through the promotion of active transportation, complete street implementation, healthy foods, youth programming and maximizing the usage of green space.

- Support legislation that will actively support and provide funding for vaccinations.

### **General Government**

- Support legislation that reinstates net neutrality.
- Support legislation that preserves the ability of local governments to provide broadband capability and services to its residents.
- Support legislation that would prohibit the flying of helicopters, unmanned aircraft or other aircraft at low altitudes over residential neighbors excluding police, fire or other public safety aircraft.
- Support efforts to increase state resources for local arts, cultural events and library programs, including performing and visual arts programs.
- Support legislation that encourages policies and programming that promote healthy lifestyles; e.g. physical activity, preventative screenings, healthful eating and core wellness for people of all ages and abilities.
- Support legislation that would establish statewide regulations prohibiting the use of unmanned aircraft to record or transmit any visual audio recording of any person or private real property in which the subject person or owner of property has a reasonable expectation of privacy.

### **Public Works – Solid Waste**

- Support funding for new infrastructure related to the passage of AB 1826 – Mandatory Commercial Organics Recycling and SB 1383 – Short-Lived Climate Pollutants: Methane Emissions.
- Support legislation that incentivizes corporations to recycle in the United States rather than sending recyclables overseas.
- Support legislation that incentivizes manufacturers to produce recyclable products.
- Support legislation that requires manufactures to be responsible for the end of life of non-recyclable products.
  
- Support legislation that promotes sustainable practices related to waste reduction, increased reuse of materials, and then recycling.
- Support legislation that encourages the reduction diversion of commercial food waste.

### **Public Works - Stormwater**

- Support state and county efforts to develop avenues for agencies to collect revenue to support stormwater retention efforts.
- Support legislation that would classify stormwater as a utility similar to water, wastewater and solid waste services.
- Support legislation for funding stormwater infrastructure improvements, including building facilities to capture stormwater runoff and integrate with local, regional and statewide water resources.
- Support legislation that would provide pragmatic compliance goals in statewide and regional National Pollutant Discharge Elimination System (NPDES) permits.

- Ensure the state continues to fund the California Department of Transportation (Cal Trans) capital construction budget for offsetting their requirements to limit their total maximum daily load (TMDL) for pollutant discharge. Encourage Cal Trans to continue to enter into Cooperative Implementation Agreements with local jurisdictions to fund stormwater capture and retention projects.
- Ensure that the State (State Water Resources Control Board) continues to provide Cal Trans Stormwater a Compliance Based Credit System that includes compliance based on using funds to support stormwater projects that would meet statewide TMDLs.

### **Public Works – Water & Utilities**

- Support California Water Fix as it will assist with protecting the water supply for Beverly Hills.
- Support projects and legislation that protect the City’s ability to receive water from the Bay Delta and the State Water Project.
- Support measures that uphold the ability of the City of Beverly Hills City Council to regulate and manage their publicly owned water utility so that local authority is not eroded by state or federal agencies, authorities, or other regulatory bodies.
- Oppose legislation that adds requirements to provide services that customers do not value, want, or need.
- Support legislation that ensures local ratemaking authority is preserved and remains meaningful.
- Support policies that recognize, support, and credit the role of water conservation and water use efficiency in reducing greenhouse gas emissions.
- Support local control of groundwater uses and groundwater rights unless otherwise contraindicated.
- Support local control for planning management and use of water supplies to address local needs and contribute to long-term sustainability, unless otherwise contraindicated.
- Support efforts that seek to bring federal sources of funding to California for water infrastructure development and renewable energy development through water management.
- Support cost effective water conservation programs and incentives that are funded by the state or federal government.
- Support flexible funding options that will help Beverly Hills upgrade and replace water and wastewater infrastructure.
- Support legislation for state funding for the development of local water supply and water conservation efforts.
- Support legislation that provides the City of Beverly Hills the flexibility to implement a community choice aggregation program for the purchase of renewable electricity and oppose legislation that would place overly strict requirements on the establishment of, and activities by, community choice aggregators.

- Oppose legislation that makes it more difficult for community-choice aggregators to implement a successful community choice aggregation program.
- Support legislation that ensures equitable cost-sharing between investor-owned utilities and community choice aggregation for stranded costs.
- Support funding and legislation for water recycling projects.
- Support legislation and funding aimed at strengthening cyber security and preventing cyber security threats to critical infrastructure, including water utilities.
- Support state funding and a statewide policy for broadband access for all, which would allow remote access for at home education and telework. This will reduce vehicle miles traveled and assist with reducing climate change.

Revised ~~February~~ <Month> 20221

# **Item B-3**



**CITY OF BEVERLY HILLS**  
**POLICY AND MANAGEMENT**

**MEMORANDUM**

**TO:** City Council Liaison/Legislative/Lobby Committee

**FROM:** Cynthia Owens, Policy and Management Analyst

**DATE:** January 10, 2022

**SUBJECT:** Request by Councilmember Mirisch to Sign on to a Letter to the Governor Regarding the Implementation of Programs to Grow Local Solar

**ATTACHMENT:** 1. Memo from Shaw, Yoder, Antwih, Schmelzer & Lange

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This item is a request by Councilmember Mirisch to sign on to letter to the Governor regarding the implementation of programs to grow local solar.

The City's state lobbyist, Shaw, Yoder, Antwih, Schmelzer & Lange, will provide an overview of the proposal at the California Public Utilities Commission Regarding Changes to the State's Net Energy Metering Program (NEM 3.0).

After discussion, the City Council Legislative / Lobby Liaison Committee may provide any direction they wish on this subject matter. This item may be placed on a future City Council agenda depending on the direction recommended by the Legislative / Lobby Liaison Committee.



# **Attachment 1**



**January 03, 2022**

**To: Cindy Owens, City of Beverly Hills**

**From: Andrew K. Antwih, Partner, Shaw Yoder Antwih Schmelzer & Lange  
Priscilla Quiroz, Legislative Advocate, Shaw Yoder Antwih Schmelzer & Lange**

**Re: Proposal at the CA Public Utilities Commission (CPUC) Regarding Changes to the State's Net Energy Metering Program (NEM 3.0)**

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**Summary**

The California Public Utilities Commission (CPUC) released a Proposed Decision on December 13, 2021 to make drastic changes to the state's Net Energy Metering (NEM) program.

**Background**

In 1995, the state enacted **SB 656 (Alquist)** which established net energy metering in California, an electricity tariff-based billing mechanism created to "encourage private investment in renewable energy resources, stimulate in-state economic growth, enhance the continued diversification of California's energy resource mix, and reduce utility interconnection and administrative costs."

SB 656 directed every electric utility in California to develop a standard contract or tariff to allow eligible customer-generators (customers who own and operate a solar electrical generating facility to offset part or all its own electrical requirements) to receive a financial credit on their electric bills for any surplus energy fed back to the utility's grid. In the first net energy metering tariff, referred to as **NEM 1.0**, utility customers who installed solar on their roofs received a full retail rate bill credit for power generated by their onsite systems that was fed back into the grid when generation exceeded onsite energy demand. The credits offset a customer's monthly electricity bills and could be used on subsequent bills for up to one year.

Subsequent legislation in **2013, AB 327 (Perea)** required the CPUC to adopt a successor to the existing net energy metering tariff (NEM 2.0) with several mandated components.

In 2021, the Legislature considered AB 1139 (Gonzalez), a measure that sought to direct the CPUC to adopt a new net-energy metering standard contract or tariff (NEM 3.0), by August 1, 2022. The bill also sought to require an electrical investor-owned utility (IOU) to offer the replacement tariff to an eligible customer-generator by December 31, 2023. If the CPUC fails to act, the CPUC is required to adopt a new tariff under terms prescribed by this bill. This measure failed on the Assembly Floor. The bill needed forty-one votes to pass. The

final vote was 27-27 with, twenty-five voting members either absent or recorded as not voting.

### **Arguments in Support of AB 1139 (Gonzalez)**

The California State Association of Electrical Workers and the Coalition of California Utility Employee are the sponsors of this bill with the intent of ending the "NEM unjust cost shift" and begin to reform the "Reverse Robin Hood nature of our solar programs that take from the poor and gives to the wealthy...giving all ratepayers a rate cut on their electric rates." They report that "NEM Customers are not paying their share of system costs, so the 91% of non-NEM customers are paying all the costs for the 9% who are in NEM...This wind fall profit [the difference between the wholesale and retail rate] amounts to \$3 Billion in 2021 and will grow to \$4.5 Billion in 4 short years. Again, the 91% paying this windfall to the 9%."

### **Arguments in Opposition to AB 1139 (Gonzalez)**

Several opponents recognize the need for a replacement NEM tariff but object to the terms of the "backstop" or replacement tariff that would be triggered by this bill if the CPUC fails to act. Environmental groups opine that the terms "undervalue established benefits of distributed generation, removing a consideration in developing a future NEM structure intended to ensure deployment continues at levels necessary to California's climate goals." The bill was amended in policy committee so there is little correspondence on the current version. However, the general sentiment has been that the Legislature should not act and allow the CPUC to continue its work on a replacement tariff. "Depending on the outcome of those proceedings, there may be a need for the state legislature to weigh in on the future of net energy metering policy but undertaking such an effort while a proceeding is open and active would be inappropriate."

### **Alternate Proposals Filed With the CPUC**

According to the CPUC, several groups have individually or jointly filed proposals or submitted recommendations for a successor to the current net energy metering tariff. Please see link here for a summary of the current Proposed Decision that is pending with the CPUC Governing Board, and a summary of each proposal listed below:

<https://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=430903088>

- AARP Recommendation
- CALSSA Proposal
- CCSA Proposal
- Californians for Renewable Energy Proposal
- CESA Proposal
- CalWEA Proposal
- Clean Coalition Proposal
- Foundation Windpower Proposal
- GRID Alternatives/Vote Solar/Sierra Club Proposal
- Ivy Energy Multifamily VNEM Proposal

Joint Utilities Proposal  
NRDC Proposal  
PCF Recommendations  
Public Advocates Office Proposal  
Sierra Club Proposal  
SBUA Proposal  
SEIA/Vote Solar Proposal  
TURN Proposal

The CPUC has identified the following guiding principles to evaluate this proposed decision:

- What guiding principles (including those related to Assembly Bill 327 (2013, Perea), equity, environmental goals, and social justice) should the Commission adopt to assist in the development and evaluation of a successor to the current net energy metering tariff?
- What information from the Net Energy Metering 2.0 Lookback Study should inform the successor and how should the Commission apply those findings in its consideration?
- What method should the Commission use to analyze the program elements identified in Issue 4 and the resulting proposals, while ensuring the proposals comply with the guiding principles?
- What program elements or specific features should the Commission include in a successor to the current net energy metering tariff?
- Which of the analyzed proposals should the Commission adopt as a successor to the current net energy metering tariff and why? What should the timeline be for implementation?
- Other issues that may arise related to current net energy metering tariffs and subtariffs, which include but are not limited to the virtual net energy metering subtariff, net energy metering aggregation subtariff, the Renewable Energy Self-Generation Bill Credit Transfer program, and the net energy metering fuel cell tariff.
- What additional or enhanced consumer protections for customers taking service under net energy metering and/or the successor to the current net energy metering tariff should be adopted by the Commission?

### **Next Steps**

The CPUC is currently scheduled to vote on this Proposed Decision on January 27, 2022.

# **Item B-4**



**CITY OF BEVERLY HILLS**  
**POLICY AND MANAGEMENT**

**MEMORANDUM**

**TO:** City Council Liaison/Legislative/Lobby Committee  
**FROM:** Cynthia Owens, Policy and Management Analyst  
**DATE:** January 10, 2022  
**SUBJECT:** State and Federal Legislative Updates  
**ATTACHMENTS:** None

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Verbal updates on legislative issues will be presented by the City's state and federal lobbyists.

# **Item B-5**



**CITY OF BEVERLY HILLS**  
**POLICY AND MANAGEMENT**

**MEMORANDUM**

**TO:** City Council Liaison/Legislative/Lobby Committee  
**FROM:** Cynthia Owens, Policy and Management Analyst  
**DATE:** January 10, 2022  
**SUBJECT:** Future Agenda Items Discussion  
**ATTACHMENTS:** None

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The Legislative/Lobby Liaison Committee may request items related to the purview of the Committee be placed on the next agenda.