

Council Policy Prioritization

Priority Setting Session

March 5, 2019

Item 3.3





Outcomes

1. Approve completion of items on current Council Policy Prioritization List.
2. Freeze remaining top 10 items on current Council Policy Prioritization List.
3. Vote on Nomination List (Yellow Lighted Items & new Policy Nominations).
4. Rank remaining items.
5. Finalize NEW Council Policy Prioritization List.



Agenda

Part 1 Background Information

I. Council Policy Prioritization (CPP) Background

II. Review Current List

II. A Look Ahead – CPP Timeline 2019

III. Other Council Directed Work and Department Workplans

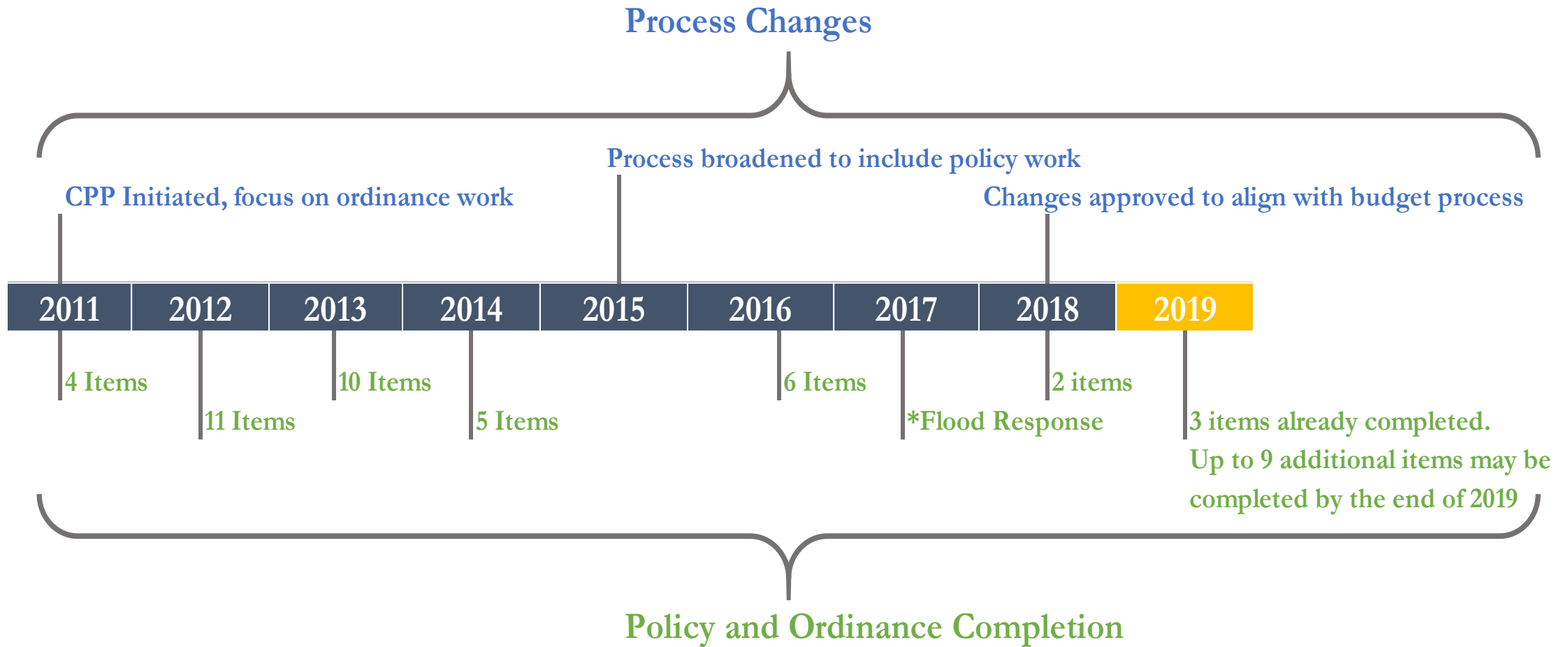
Part 2 Actions for New Priority List

IV. Review Nomination List and Administration Referrals

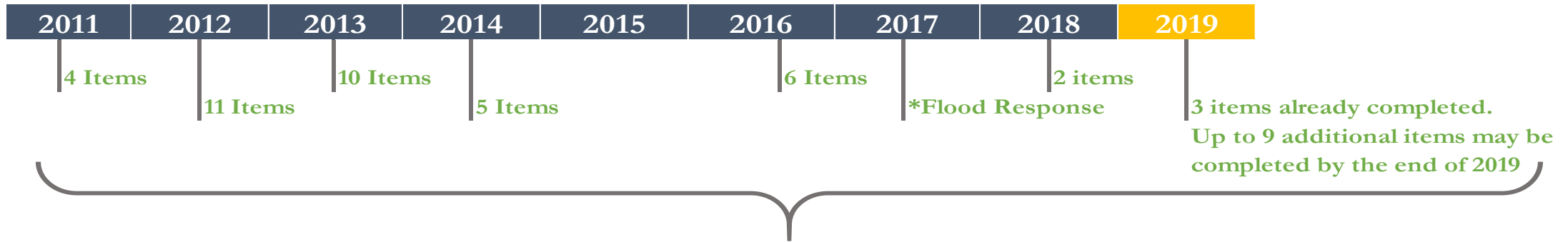
V. Vote and Rank

PART 1: Background

CPP Background



CPP Background: Where Work Goes To Get Done



1	Update the City's Rental Rights and Referrals Program	11	Medical Marijuana Regulatory Program	21	Zoning Standards- Main Street/Alum Rock	31	Sign Ordinance
2	Downtown Active Storefronts Initiative	12	Utilizing Hotels to House the Homeless	22	Urban Village Zoning District	32	Smoking in Outdoor Areas
3	Massage Parlor Regulation	13	Reducing the Cost of Home Improvement	23	Two-year Extension of the Construction Tax Incentive Program	33	Social Host Ordinance
4	Illegal Fireworks Ordinance	14	Employment Development Streamlining	24	Access to Healthy Food/Streamline Permit Process for Recurring Farmers Markets on Private Property	34	Taxicab Vehicle Operation Ordinance Amendment
5	Gender Pay Equity	15	Landscape Ordinance (Water Efficient)	25	Amendments to Title 16 for Gaming Control Licensing and Work Permits	35	Bail Bonds Ordinance Analysis
6	Surplus Land Sale	16	Medical Marijuana Collectives - Remedies for Nonpayment of City Fees or Taxes	26	Contractor Employee Benefits	36	Development Agreement Ordinance
7	Wage Theft, Parts A, B, & C	17	Mobile Vending	27	Mills Act Contract Ordinance Streamlining	37	San Jose Municipal Water System
8	Riparian Corridor & Bird-Safe Buildings	18	Regulation of Unattended Donation Boxes	28	Off-Sale of Alcohol Process Streamlining	38	Sign Code Update - 3 year pilot program for electronic/digital signs
9	Peddler Permits Enforcement/Outdoor Mobile Vendor Policy	19	Transportation Innovations to Support High Density Development	29	Payday Lending	39	Lobbyist Ordinance Amendment- Communications with Lobbyists
10	Special Events Ordinance	20	Tree Removal Ordinance	30	Sign Code Major Update	40	Plug-in Requirements for Parking Garages

CPP Background: 2018 Changes

Process Changes

1. Align to City Annual Budget Process
2. Stand Alone Meeting
3. Simplify Process and Nominations
4. Require Regular Progress Reports at Council Committees
5. Create API Point of Contact

Changes approved to align with budget process





Council Policy Prioritization: Policy Nomination Form

Council Member _____ District _____ Date ____ / ____ / 2019

Council Member Lead Staff _____ Lead Staff Ext. _____

Policy Subject _____ CSA Area _____

Policy Problem Statement

Policy Proposal

Additional Information (Background)

Expected Outcome (Expected impact policy change will have on city services, San Jose residents)

Budget Implications (if known)

City funding required _____ Fund(s) Impacted (e.g. General Fund, C&T Tax Fund, etc.)

Priority 1 Update the City's Rental Rights and Referrals Program

Description: Explore modifications to strengthen the City's rent control ordinance (rent registry, notices of rent increase, banking); and the creation of ordinances to address retaliatory evictions, income discrimination, major capital improvement pass-through, displacement and relocation (Ellis).

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	Housing	Rachel VanderVeen	Kim Welsh	CAO

Work being completed:

- ✓ On May 17, 2016, the City Council adopted the Interim Apartment Rent Ordinance. The 5% annual allowable rent increase took effect on June 17, 2016.
- ✓ On August 23, 2016, Council approved regulations to implement the fair return process as part of the Interim Ordinance. The fair return process was implemented starting September 27, 2016.
- ✓ On April 18, 2017, the City Council approved the Ellis Act Ordinance, which provides protections to tenants in apartments being removed from the rental market.
- ✓ On May 9, 2017, the City Council passed the Tenant Protection Ordinance, which provides just cause eviction protections to tenants living in over 80,000 apartments in San Jose.
- ✓ On November 14, 2017, the City Council approved the updated Apartment Rent Ordinance and Regulations.
- ✓ On April 24, 2017, the City Council passed amendments to the Tenant Protection Ordinance prohibiting retaliatory action to tenants based on immigration status and introducing a criminal activity just cause reason; Ellis Act Ordinance reducing the re-control requirements; and the Apartment Rent Ordinance clarifying ratio utility billing is not allowed.
- ✓ The Housing Department returned to the City Council with clarifying language on the amendment to the Apartment Rent Ordinance on May 22, 2018.

What's next:

- Council approved the item on June 19, 2018.

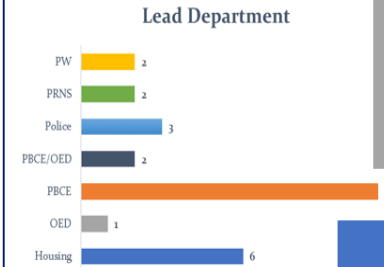
Project Status

STATUS: ✓ COMPLETE PROJECT COMPLETION: 100%

POLICY PRIORITIZATION HIGHLIGHTS

5 Policies were completed in 2018 & early 2019.

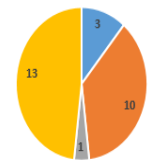
41% of prioritizations fall under PBCE alone (11/27).



12 Projects have estimated completions in 2019.

48% of policies were added in 2017.

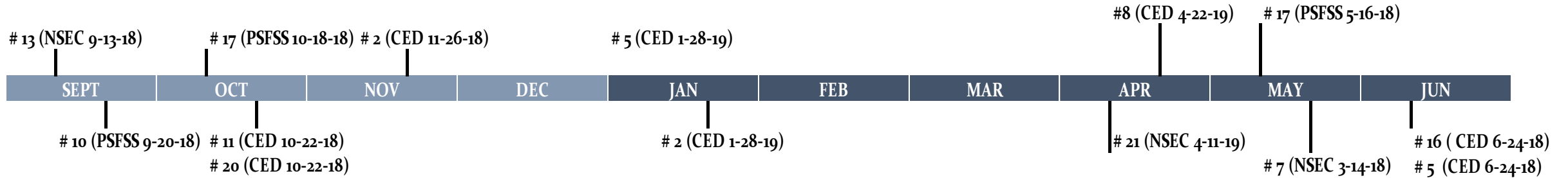
Prioritization Year



■ 2014 ■ 2015 ■ 2016 ■ 2017

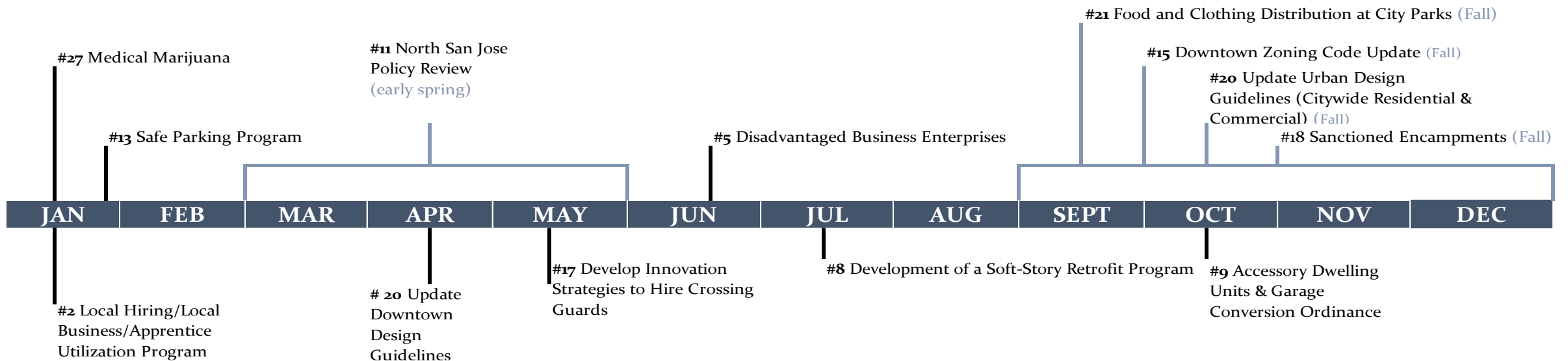
CPP Background: Integration into Legislative Process

Council Policy Prioritization - Council Committee Timeline September 2018-June 2019*



*Timeline Updated 2.25.19

Items Estimated for Completion in 2019



Part 1: Current List

Current List

Current List / Complete

1. Update the City's Rental Rights and Referrals Program
2. Local Hiring/Local Business/Apprentice Utilization Program
3. Mobile Home Conversions
4. Housing Rehabilitation Program
5. Disadvantaged Business Enterprises
6. Electronic Billboards
7. Downtown and/or Citywide Parks Operations and Maintenance Financing District
8. Development of a Soft-Story Retrofit Program
9. ADUs & Garage Conversion Ordinance
10. Personal Care Business Compliance Initiative
11. North San Jose Policy Review
12. Commercial Linkage Fee for Affordable Housing
13. Safe Parking Program
14. Private Property Graffiti Abatement Ordinance
15. Downtown Zoning Code Update
16. Impact Fee Deferred Payment Program for Housing
17. Innovative Strategies to Hire Crossing Guards
18. Sanctioned Encampments
19. Anti-Displacement Preference Ordinance
20. Update Urban Design Guidelines
21. Food and Clothing Distribution at City Parks
22. Smoke-Free Housing
23. Spurring High Density Development Along Transit Corridors
24. Riparian Corridors and Bird Safe Design
25. Downtown Active Storefronts Initiative
26. San Jose is Open for Business/Legal Non-Conforming Uses
27. Medical Marijuana

- ~~1. Update the City's Rental Rights and Referrals Program~~
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Current List

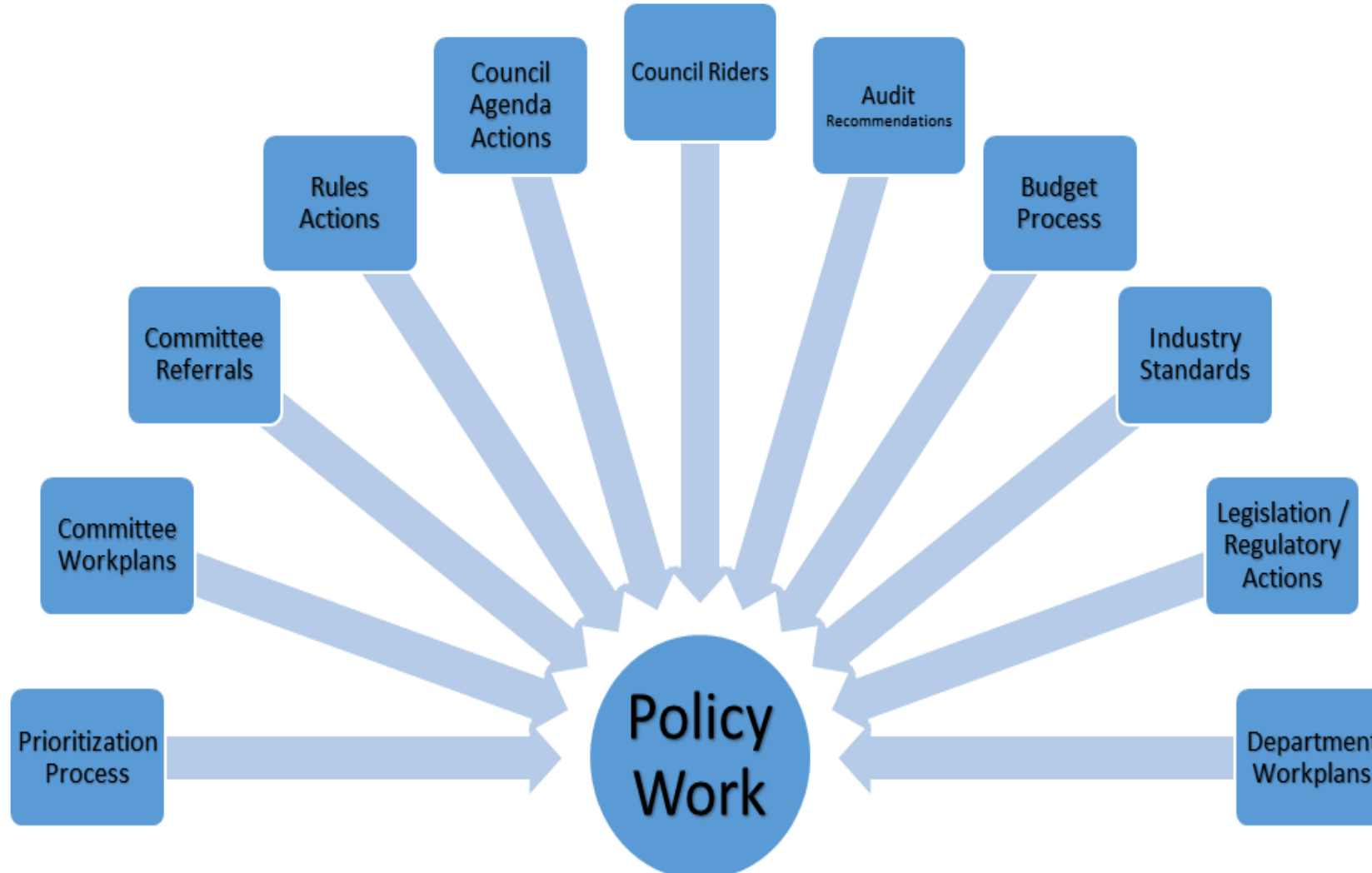
Complete by June 2019

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**CPP: Current List, Other
Council Directed Work, and
Department Workloads**

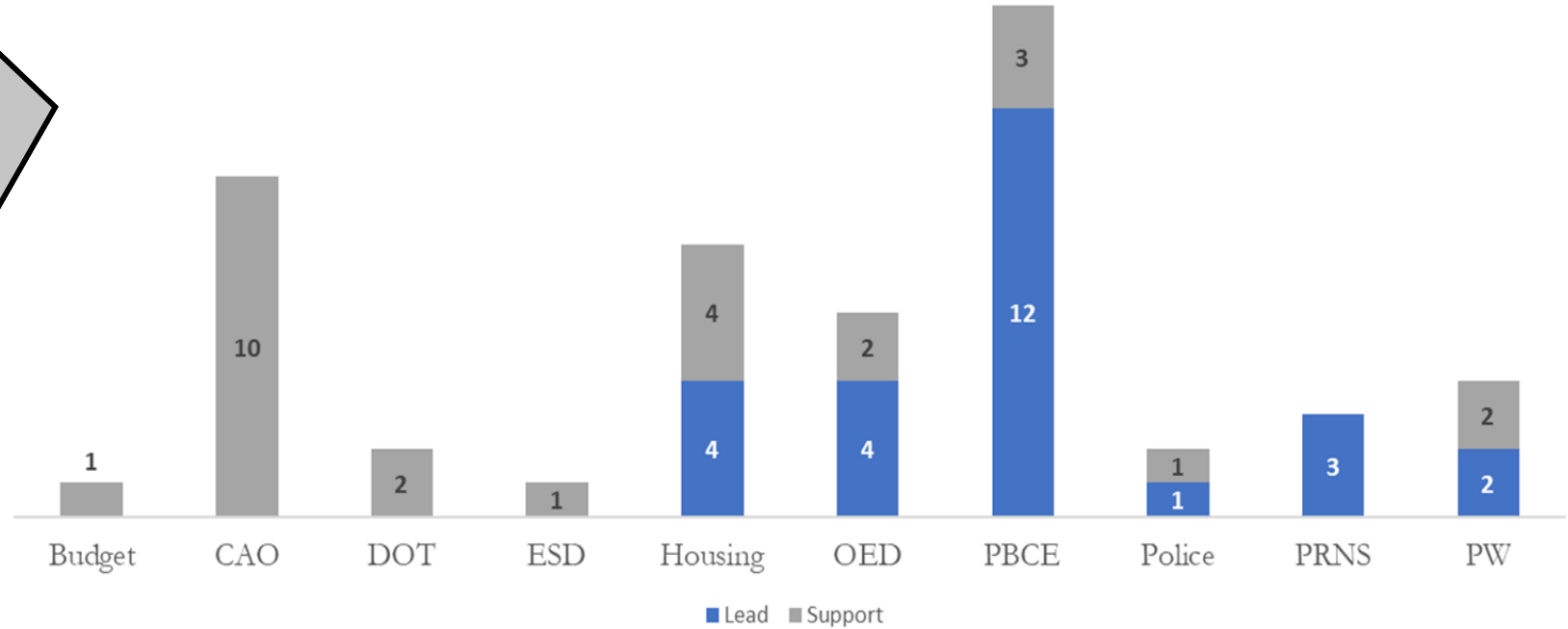
Sources of Policy Work



Current List / Complete

1. Update the City's Rental Rights and Referrals Program
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Current Policy Priority List: Department Breakdown



Council Directed Work & Department Workplans: PBCE

Housing

- Housing Crisis Workplan
- AH Entitlements
- Applications of AH
- Concierge
- Legislative Policy
- Density Bonus Guidance Materials
- **#15 Downtown Zoning Code Update**
- **#16 Impact Fee Deferred Payment Program for Housing**
- **#23 Spurring High Density Development Along Transit Corridors**

Urban Village & Station Area Planning

- Diridon Station (Google)
- Berryessa BART
- Entitlements
- VTA study/policy plan/land-use development for (BART Phase II)
- Four plans– a) N 1st St, b) SW Expressway, c) Race St, d) Alum Rock
- 4 Entitlement Projects w/in UV
- Updating Implementation Chapters to align with UV finance framework
- Tri Village
- Community Engagement for Five Wounds
- UV for section of Alum Rock

General Plan & Analytics

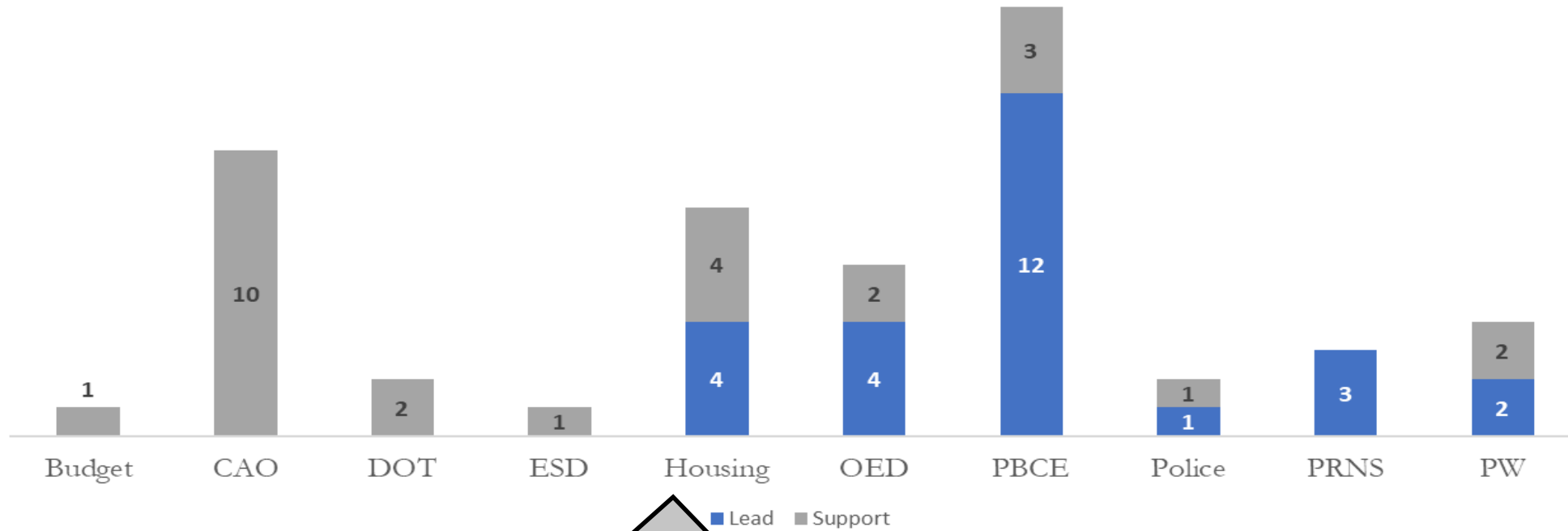
- Four Year Review
- Annual Review
- Development Highlights & 5 Year Forecast
- General data support/ land use data/ mapping
- Housing Element Annual Report
- Mobility & Access Plan for City
- Downtown/ Berryessa Bart, East SJ, West SJ Multimodal Improvement Plans
- **#3 Mobile Home Conversions**
- **#11 North San Jose Policy Review**

Ordinance/Policy and City Design

- Code change requests
- ADU Amnesty Program
- Cannabis related
- Zoning in conformance with GP (40,000 properties)
- Parking ordinances
- Signage opportunities
- Developing UV Zoning Districts
- **#6 Electronic Billboards**
- **#9 ADUs & Garage Conversion Ordinance**
- **#13 Safe Parking Program**
- **#15 Downtown Zoning Code Update**
- **#22 Smoke-Free Housing**
- **#24 Riparian Corridors & Bird Safe Design**
- **#26 San Jose is Open for Business/Legal Non-Conforming Uses**

Council Directed Work & Department Workplans: Housing

Current Policy Priority List: Department Breakdown



- 8. Development of a Soft-Story Retrofit Program
- 12. Commercial Linkage Fee for Affordable Housing (with OED)
- 18. Sanctioned Encampments
- 19. Anti-Displacement Preference Ordinance

Council Directed Work & Department Workplans: Housing

Housing Crisis

- 10,000 Unit Goal
 - NOFA Follow ups
 - Policy developments
- Cost of Development
- Rent Stabilization
- Support GP changes for Affordable Housing
- Research Community Land Trusts
- Inclusionary Ordinance
- **#12 Commercial Linkage Fee for Affordable Housing (with OED)**

Homelessness Work plan

- Source of Income Ordinance
- HEAP
- Enterprise Priorities
- Navigation Center
- Encampment Abatement
- Hope Village
- Rapid Rehousing
- Coordinated Care Program (Annual Report)
- Crisis Response (Annual Report)
- Humane Public Toilet & Trash Program
- Audit Recommendations
- Hotline
- City-County Collaboration
- **#18 Sanctioned Encampments**

Other Major Policy Work

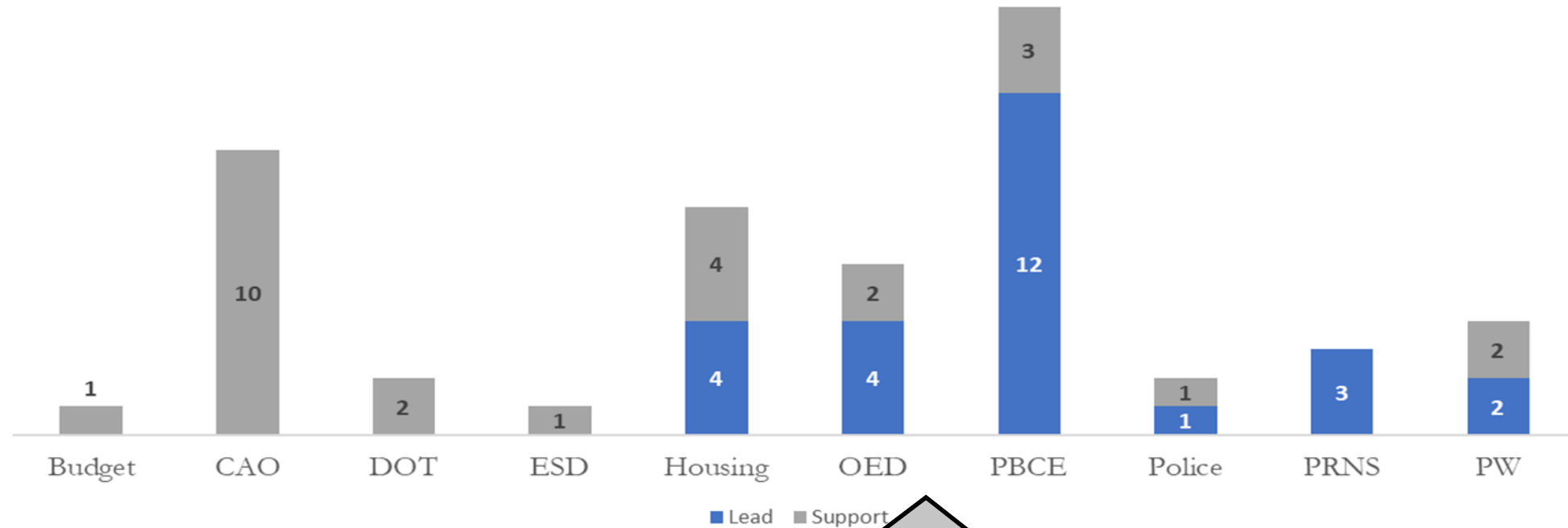
- 5 Year Consolidated Action Plan (all federal dollars)
- Affirmatively Furthering Fair Housing (AFFH)
- Emergency Management & Preparedness
 - Recovery Work
 - RFP for Emergency Shelter
- Policy Development
- **#8 Development of a Soft-Story Retrofit Program**
- Program Development
- Participate in Regional Forums/Boards

Other Major Project Work

- Cost of Development
- Rent Registry (Technology)
- DAHLIA (Technology)
- STIR (Technology)
 - Compliance for Affordable Housing Rentals
- Emergency Preparedness
- National Anti-Displacement Cohort
 - Creation of Anti-Displacement Toolkit
- **# 19 Anti-Displacement Preference Ordinance**
- Community Engagement Work

Council Directed Work & Department Workplans: OED

Current Policy Priority List: Department Breakdown



- 6. Electronic Billboards
- 11. North San Jose Policy Review
- 12. Commercial Linkage Fee (with Housing)
- 16. Impact Fee Deferred Payment Program for Housing (with PBCE)

Council Directed Work & Department Workplans: OED

Housing Crisis

- Housing Catalyst Team Formation/Implementation
- Update Residential Cost of Development Study
- **#11 North San Jose Policy Review**
- **#12 Commercial Linkage Fee Nexus/Feasibility Study**
- **#16 Impact Fee Deferred Payment Program for Housing**

Diridon Station Area Planning/Google Planning

- Diridon Station Area Plan Revisions
- Diridon Integrated Station Concept Plan (DISC)
- Diridon Civic Engagement
- Google Development Agreement/Community Benefits Negotiation
- Diridon District Parking Plan
- Diridon Infrastructure/Amenities Financing Plan

Other Major Policy Work

- Small Business Displacement Mitigation Strategies/Tools
- Mobile Vendor Policy Update
- Coyote Valley Real Estate Negotiations
- Measure T Bond Strategy/Real Estate Support
- Citywide Retail Strategy and Implementation
- **#6 Electronic Billboards + Large Format Signage on City Bldgs/on Private Property**

Other Major Project Work

- Museum Place Project/Block Planning
- Park Avenue Redesign as Park-Paseo
- Sharks Ice Rink Expansion/SJSU Parking Collaboration
- Team San Jose Agreement Negotiation and Convention Center Expansion
- Downtown Wayfinding Program Implementation
- Major Development Project Facilitation (as required, such as Peery-Arillaga)
- Plant Lands Development RFP
- Opportunity Zone Program Launch/Implementation
- Hammer Theater O&A Agreement Re-Negotiation
- Census 2020 Planning/Outreach

Part 2 Actions and New Priority List

IV. Review Nominations

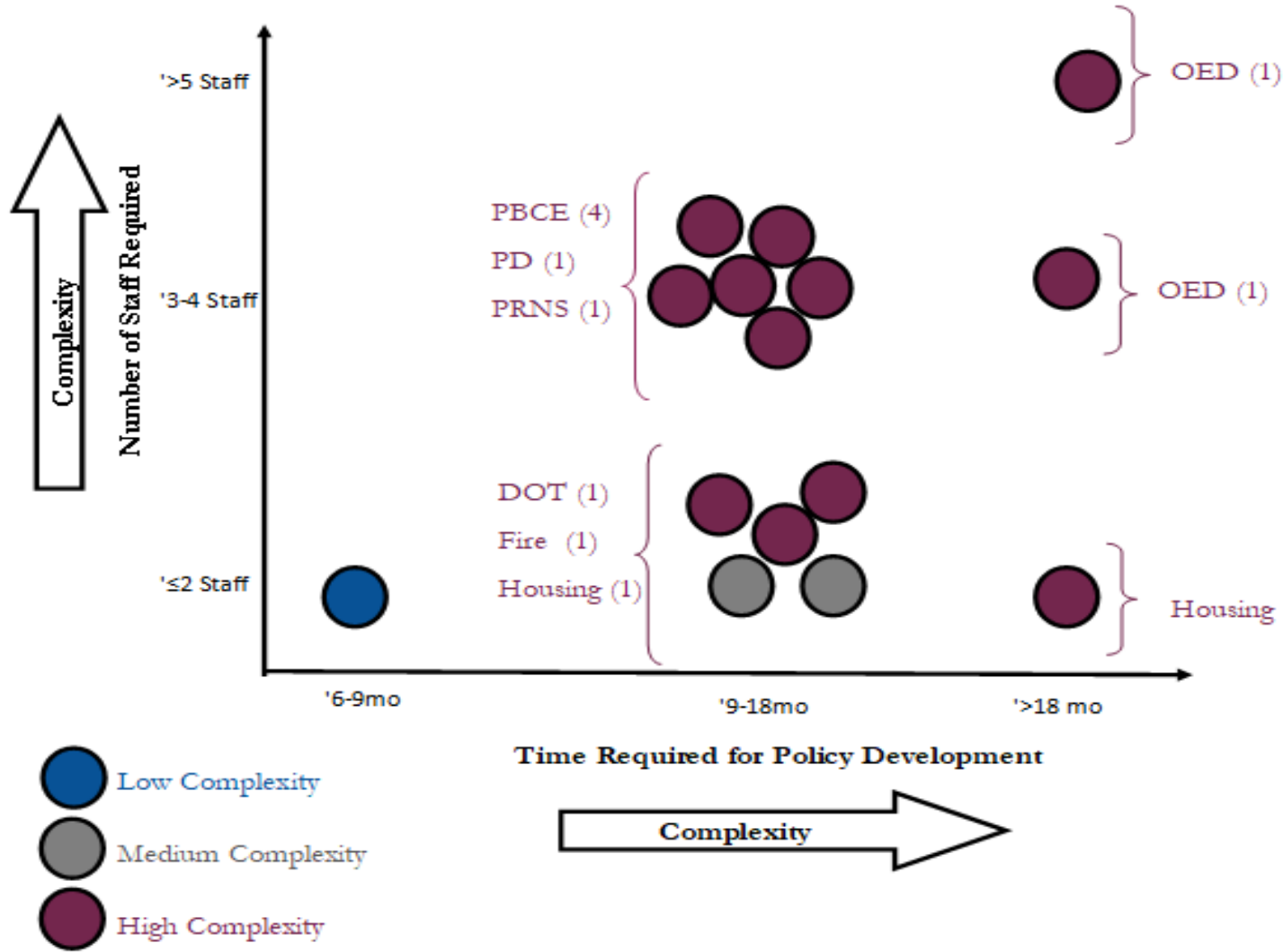
V. Vote and Rank

Policy Nomination List

Overview

- 25 Policy Nomination Forms submitted
 - Several referred to budget process
 - 7 Green Lighted
 - 2 nominations disaggregated into distinct items
- 7 Yellow Lighted items
- 3 Items from current priority list

Policy Nomination List: Level of Complexity



Today's Voting Process

Recommendation: Freeze Top 10 from Current List

- ~~1. Update the City's Rental Rights and Referrals Program~~
- 2. Local Hiring/Local Business/Apprentice Utilization Program**
3. Mobile Home Conversions
- ~~4. Housing Rehabilitation Program~~
- 5. Disadvantaged Business Enterprises**
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Today's Voting Process

Round 1 Vote on Nominations

- ✓ **25 total items = 8 votes for each Council Member**
- ✓ **No Clustering Votes**
- ✓ **Any nomination receiving 6 or more votes is added to the priority list (Round 2)**

Today's Voting Process

Round 1 Vote on Nominations

Policy Nomination	My Votes
Nomination 1	X
Nomination 2	
Nomination 3	
Nomination 4	X
Nomination 5	
Nomination 6	X
Nomination 7	X
Nomination 8	
Nomination 9	
Nomination 10	X
Nomination 11	
Nomination 12	
Nomination 13	X



Policy Nomination	All Council Votes
Nomination 1	9
Nomination 2	3
Nomination 3	0
Nomination 4	6
Nomination 5	4
Nomination 6	8
Nomination 7	5
Nomination 8	0
Nomination 9	1
Nomination 10	7
Nomination 11	2
Nomination 12	2
Nomination 13	6



Move to
Round 2 Ranking

Nomination 1
Nomination 4
Nomination 6
Nomination 10
Nomination 13

Today's Voting Process

Round 2 Prioritization (Ranking)

- ✓ **n/3 votes for each Council Member** (Dependent on Round 1)
- ✓ **No Clustering Votes**

Today's Voting Process

Round 2 Prioritization (Ranking)

Round 1 List

Nomination 1
Nomination 4
Nomination 6
Nomination 10
Nomination 13

$5/3 = 2$ votes

Policy Nomination	My Vote
Nomination 1	
Nomination 4	X
Nomination 6	
Nomination 10	
Nomination 13	X

AGGREGATE

Policy Nomination	All Council Votes
Nomination 1	7
Nomination 4	10
Nomination 6	4
Nomination 10	1
Nomination 13	8

TABULATE

FINAL PRIORITIZED LIST

Nomination 4
Nomination 13
Nomination 1
Nomination 16
Nomination 10

Today's Voting Process

Final Prioritized List Example

Frozen Top 10

1. Local Hiring/Local Business/ Apprentice Utilization Program
2. Mobile Home Conversions
3. Disadvantaged Business Enterprises
4. Electronic Billboards
5. Downtown and/or Citywide Parks Operations and Maintenance Financing District
6. Development of a Soft-Story Retrofit Program
7. ADUs & Garage Conversion Ordinance
8. North San Jose Policy Review
9. Commercial Linkage Fee for Affordable Housing
10. Safe Parking Program



New + Existing Items

11. Nomination 4
12. Nomination 13
13. Nomination 1
14. Nomination 16
15. Nomination 10

Operationalizing and Evaluating Policy Work

Further **integration and alignment** with legislative and budget processes.

Strengthening the enterprise's **adaptability and effectiveness** through support from the City Manager's Office of API.

Evaluating and communicating the impact of our initiatives, processes and programs.

ROUND 1

ROUND 2