



Memorandum

TO: Mayor and City Council

FROM: Councilmember David Cohen

SUBJECT: SEE BELOW

DATE: 3/16/2023

Approved

Date: 3/16/2023

David Cohen

SUBJECT: Approval of the Fiscal Year 2023-2024 Mayor's March Budget Message

RECOMMENDATION

Acknowledge the commentary below while discussions are occurring regarding the budget message.

COMMENTARY

Introduction

I was initially planning to be present for the adoption of the Budget Message, but due to this discussion being pushed back a week and my previous travel commitment, I am unable to attend. This memo acts as my commentary in place of in-person comments during the meeting.

I am pleased to have participated in Brown Act discussions with Mayor Mahan, his budget team, and other council colleagues. Several of my priorities have been incorporated into the budget message including accelerating Vision Zero, focusing on decarbonization and electrification, and improving garbage service at encampments and throughout the city.

I am also glad that the Mayor's team accepted my suggestion that our staffing challenges should be addressed right at the top of his budget message. We will not be able to make progress on any of the priorities outlined in the memo without enough staff. We must allow our existing staff to focus on this important effort.

However, two basic services that our residents depend on are not highlighted in the Mayor's message - parks and libraries. We have made iterative progress in the last couple of years on improving service in both these areas and while there hasn't been discussion regarding cutting back on these commitments, I think it is important to reiterate them.

There are some areas in the budget message that over-specify the tasks at hand for staff to complete and does not allow for flexibility for staff to provide their expertise and best approaches. For example, stating that the City Manager should "hire or designate a staff

member” to evaluate the programmatic success of Vision Zero is too prescriptive. The City Manager should instead recommend how additional funding could be directed to accelerate progress toward our Vision Zero objectives and improve pedestrian, bike, and vehicle safety city-wide. This recommendation might include hiring a new staff member, but the discretion should come from the City Manager herself. This is only one example where we as a Council should be directing the “what” the City Manager works on, while we rely on her and the Administration to provide direction on “how” we achieve it.

I’ve also provided additional commentary about more specific issues below:

Unsheltered Homelessness, Right to Legal Counsel, and Measure E

We agree that everyone should have access to housing, but the potential establishment of a ‘no encampment zone’ is not conducive to the work to help our unhoused neighbors. No encampment zones;

- will force unhoused people from one neighborhood to the next, with enforcement mechanisms that may lead to the unintended consequence of criminalizing homelessness, especially with the inclusion of a proposal to utilize a team within the police department to enforce the zones;
- push unhoused populations to neighborhoods where they haven’t been before rather than ‘preserve the progress’ we will see with the additional investment in prevention and rehousing efforts.

The focus should remain on preventing residents from slipping into homelessness and housing those facing unsheltered homelessness. I’m hoping that this year, we can make progress toward our goal of 1000 emergency housing sites and start construction of more affordable housing, particularly in North San Jose. However, until we have adequate options and enough beds to offer our unhoused residents placement, it is premature to discuss policies to make homelessness illegal.

In addition, our work as a Council must be clear and reasonable. We must set goals to ensure accountability, track metrics that allow us to gauge our level of success, and continually evolve our solutions to match the needs of those we serve. One example of this is on page 14 where the Mayor directs “the City Manager to allocate sufficient resources and funding to create new capacity to move at least 1,000 people who are currently living in the most environmentally-destructive and unsafe encampments into safer alternatives by the end of the calendar year.” While possibly bold, this is unrealistic from funding and staff capacity perspectives given the existing level of work around this effort. It would be more efficient to allocate funding to ensure we keep 1,000 residents from falling into homelessness.

In conversations over the past two years and from discussions within the mayoral transition committee, we have discussed the necessity for SOAR-like services at more locations and the need for sanitary services such as garbage collection, mobile showers, and port-a-potties. While

we continue to lack enough shelter space for all of our unhoused, we must fund efforts to maintain access to basic sanitary facilities and access for the unhoused. Additionally, we should coordinate with the county to expand mobile medical services to areas with a high propensity of unhoused people.

Right to legal counsel is also a valuable tool to prevent residents from being evicted and losing their housing - investments like these are what make the difference between being stably housed and homelessness. The message does mention 'legal resources', but I wanted to point out that we should make it a priority to make legal counsel available for low-income residents facing eviction or displacement. The program can serve our residents in the long run and will continue to bring down the number of new households becoming homeless. As mentioned in the memo, in 2022 for each person housed, another 1.7 became homeless. Right to counsel is an integral tool in continuing the effort to bring 1.7 to 0 and permanently preserve our progress.

Finally, Measure E will have to be reallocated to fund all the requests related to homelessness solutions and prevention. With the adoption of the Mayor's Budget Message, we should continue to use Measure E funds for the stated purpose adopted by the voters - affordable housing production and homelessness prevention. There is an opportunity to make some one-time adjustments to the allocations to experiment with some short-term programs, but Council should be very careful and mindful of voter trust when doing so.

Continued Investment Climate Smart, Achieving 2030 Goals, and Tree Canopy

The infrastructure section lumps a lot of important service areas into one 'Brilliant at the Basics' heading. It's important to recognize that there is nothing basic about the wide variety of services that the city provides and the diversity of infrastructure projects that remain underfunded. To ensure that San Jose remains a leader in sustainability, we must continue to invest in electrification, green infrastructure, and expansion of the tree canopy. Climate Smart San Jose established bold goals to achieve a greener city including locating jobs and housing near transit (transit-oriented development), increasing the use of solar power, and expanding electric vehicle infrastructure. After hiring three full-time Climate Smart staff members last year, the program should now be considered a core service of the City. The progress that Climate Smart began and continues to make should be prioritized as we look to the future.

Climate adaptation and our goals of dramatically reducing our greenhouse gas output are urgent and require a budgetary focus. I urge the council to treat these priorities with the same urgency as the priorities addressed by the mayor's transition committees. The City of San Jose is faced with several severe risks that can be mitigated if they are given the attention, planning, and funding that they need to keep residents safe. These include sea level rise, wildfires, saltwater intrusion, subsidence, and geological hazards such as earthquakes and liquefaction. Investing in these areas will make us much more resilient and less reactive in times of crisis.

I am happy to see the inclusion of the expansion of our tree canopy in the Mayor's message. Our office has been evaluating how we can address our lost tree cover through local tree planting

efforts and by auditing replacement tree in-lieu fees. The conclusion of the audit made it clear that we have the funds to address this growing problem.

Library Hours

We have to preserve the progress we've made in library services for San Jose's residents. Opening 16 branches on Sundays and ensuring that lower-resourced libraries are open 47 hours per week Monday through Saturday is good progress. For consistency, we should provide uniform hours at all of our branches. My goal is to see all 24 branch libraries open 47 hours per week Monday through Saturday plus 5 hours on Sundays by the beginning of fiscal year 2024-2025.

Parks

The residents of San Jose consistently rank our city parks as one of the most used services we provide. To maintain the quality of our parks, we should reintroduce more garbage cans and dog waste bags in parks and on city sidewalks to prevent garbage from being left behind. City parks also add to the overall well-being of our neighborhoods by providing much-needed green space and outlets for outdoor activities like playing sports, walking, and biking. We must continue our progress in maintaining the beauty of our parks and investing in new parks for future generations.

Interjurisdictional Collaboration

While we explore better coordination with Valley Water in the proposed waterways clean-up team and with the County in regards to mental health and homeless services, we should ensure that we are acting within our role as a secondary jurisdiction in these negotiations. If there is work that is the primary responsibility of another jurisdiction, their role as the lead agency will give them access to matching funding dollars and the appropriate staffing to fulfill these tasks. Reducing our reliance on contracting service providers can be significant if we partner directly with the agencies that specialize in these focus areas and will reduce costs and timelines.

Conclusion

This is only the beginning of the budget process, so we should expect more revisions and suggestions to come in the months ahead. I will continue to actively monitor our work in the areas discussed in this memo as the City Manager comes back with her recommended budget outline. In addition, I will utilize my budget document requests to further some of the priorities listed above. Efforts to preserve funding for our parks, libraries, and climate change mitigation, as well as homelessness prevention continue to be among my top priorities, along with building more housing, particularly in North San Jose.

HONORABLE CITY COUNCIL

March 21, 2023

Subject: Approval of the Fiscal Year 2023-2024 Mayor's March Budget Message

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The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.