



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Councilmember Bien Doan

SUBJECT: See Below

DATE: January 14, 2025

Approved

Date:

01/14/2025

SUBJECT: 3.4 - 2025 Legislative Program and Legislative Priorities

RECOMMENDATION

1. Accept the staff report with the following changes:
 - a. Changes to Legislative Priorities:
 - i. ~~REDUCE UNSHELTERED HOMELESSNESS, SUPPORT (DELETE) UNHOUSED (ADD) UNSHELTERED RESIDENTS, AND INCREASE OPPORTUNITIES FOR AFFORDABLE HOUSING~~
 1. *Support ongoing flexible homelessness funding and pursue opportunities to fund the interim housing system and encampment services including sanitary services and environmental restoration. Support increased supply and funding for permanent affordable housing, land trusts, (ADD) shelter, and associated operational, safety net, and services funding. Support legislation that furthers affordable housing while maintaining local control of land use. Execute this work with an equity lens aiming to remedy past actions that historically destabilized San José's communities of color and low-income communities and excluded these residents from accessing safe and stable housing.*
 - ii. ENHANCE COMMUNITY SAFETY INITIATIVES AND REALIZE VISION ZERO
 1. *Support funding and policy change that helps reduce crime and theft, and makes residents and businesses feel safe in their neighborhoods and downtown. (ADD) Seek legislative opportunities and funding to increase firefighters and police personnel. Seek and support legislation to perform all fire prevention maintenance needed in our city, such as controlled burns, creating fire breaks, and more to mitigate horrific fires*

such as those experienced in Los Angeles in 2025. Seek to further initiatives and funding to reduce violence and harm from firearms. Pursue this work with an equity lens to ensure that all residents, especially immigrants, communities of color, LGBTQIA+, people with disabilities, and San José's other diverse communities are protected against hate crimes/incidents and have their rights and well-being protected. Advocate for legislation and local authority for cities to implement traffic safety measures and pilot initiatives to advance the City's Vision Zero goals. Support expanded funding for pedestrian and bicyclist safety infrastructure projects and to keep the public right of way accessible and clear. Prioritize the City's most vulnerable residents and in areas that disproportionately suffer from fatal and severe traffic injury collisions.

b. Changes to Legislative Programs

1. Safer San Jose

a. Disaster Response and Preparedness

- i. **(Add)** "Preventing Wildfires: performing all necessary maintenance, including controlled burns, fire breaks, enforcing laws pertaining to illegal campfires, and more to destroy all potentially dangerous vegetation in our hills and communities to protect residents' homes and businesses from devastating wildfires as seen in Los Angeles."

2. Homelessness

a. Housing for people Experiencing Homelessness

- i. *Support ongoing, reliable funding and legislation for both construction and long-term operations for a variety of housing options for people experiencing homelessness. These include emergency housing, interim/bridge housing units, new permanent supportive housing apartments, **(ADD)** shelter, and supportive sleeping and parking programs. **(ADD)** Support working with the county of Santa Clara to build shelters.*

b. Homelessness Prevention and Services

- i. Support homelessness prevention services **(ADD)** at the county and state level that reduce residents' likelihood of losing their homes in the short-term. Support and advocate for initiatives and sufficient resources to provide services both

social and sanitary needs) to people experiencing homelessness that improve their quality of life and health outcomes. And funding to expand existing Homelessness Prevention System through public-private-partnerships.

3. Housing

a. Housing Stabilization and Eviction Prevention

- i. Support eviction prevention and foreclosure prevention legislation, including additional funding for homelessness prevention, to protect both tenants and property owners. Support significant additional funding_ to provide legal assistance to tenants facing eviction court without legal representation, in alignment with current city positions, and to support jurisdiction and court costs for eviction diversion programs, mandatory settlement conferences, and Housing Collaborative Courts to avoid evictions and improve renters' access to resources and services. Advance state legislation that requires more information related to evictions be accessible same day to jurisdictional and court cases, including filings of unlawful detainers and notices to pay or quit, to help jurisdictions and nonprofits intervene immediately to avoid evictions. Support financial assistance to **(ADD) PROPERTY OWNERS AND TENANTS TO** stabilize restricted-affordable and regulated apartments that are most impacted by lower-income residents' inability to pay rent to avoid the negative effects of evictions.

b. Tenant Protections and Anti-Displacement

- i. Support the allocation of sufficient state and federal resources to tenant protections and anti-displacement initiatives, including funding for fair housing enforcement, education, and robust community engagement activities. Support and sponsor legislation that affirms the use of tenant preferences for anti-displacement. Support legislation that allows and reimburses local government to help educate on and enforce state laws that stabilize rents, provide just cause eviction protections, and prevent discrimination

against housing voucher holders. Support legislation to advance laws and resources for tenant protections **(ADD)** that the city of San Jose currently has adopted, the preservation of affordable housing including mobile homes, and other residential anti-displacement programs and policies. Support legislation that will address rent increases in Low Income Housing Tax Credit and deed-restricted affordable housing developments.

c. Housing Production and Increased Housing Supply

- i. Support, monitor and shape legislation intended to facilitate both affordable and market rate housing production, **(ADD)** OF ALL TYPES, by cities, particularly legislation directed at cities that are not producing housing, to ensure it does not have unintended consequences for San José. Support efforts that would provide financial incentives for cities that meet or exceed their residential housing goals. Support resources and policies that help housing production and preservation, along with supportive service provision that helps residents remain housed. Programs and policies should prioritize and allocate funding to cities like San José in ways that fit the City's dense development patterns, high costs, need for deeply affordable homes, and unusual housing/jobs balance. Funding should be commensurate with Regional Housing Needs Allocation goals.

d. Affordable Housing Funding

- i. Support and increase funding sources in addition to protecting existing funding for affordable housing including homeless housing. This includes expansion of the Low-Income Housing Tax Credit **(ADD)** and reducing the 50% Test for Private Activity Bonds for multifamily production **(DELETE)** and the lowering of bond thresholds. Support legislation and programs to fund the preservation of existing unrestricted affordable homes, including life and safety rehabilitation, energy efficiency and electrification upgrades, accessibility, and seismic safety improvements.

- e. Operational Costs for Homekey and Homekey+
 - i. Support efforts through the state budget process or through legislation that provides **(ADD)** ONGOING operational subsidy or funding source for Project Homekey and Homekey+ to ensure that these permanent supportive housing projects are financially sustainable.
- 4. Local Control and Fiscal Stability
 - a. **(DELETE)** Decreased Voter Thresholds
 - i. **(DELETE)** Support efforts to reduce the approval threshold of taxes and bonds for transportation and infrastructure funding measures, including those for affordable housing, to less than a two-thirds majority vote. Support efforts to protect the approval of general purpose funding measures by a simple majority vote.
- 5. Sustainability/Resiliency: Air
 - a. Air Quality and Climate Incentives
 - i. Support policies and preserve programs that provide financial incentives for Distributed Energy Resources and electrification projects in private and public sector development, including those that reduce criteria air contaminants and high global warming potential pollutants. Support and preserve incentive programs that address decarbonization such as electric heat pump hot water heaters and zero-emission vehicle and charging infrastructure development. Support policies that monitor and reduce emissions and mitigate climate impacts from consumption of goods and the disposal of solid waste. Support policies that increase our tree canopy as a measure to improve air quality. **(ADD)** Support initiatives above that do not impose significant undue financial burdens on existing homeowners and their tenants.
- 6. 2025 Federal Priorities
 - a. Support Tenant Protections
 - i. Ensure this priority closely aligns with the local program above.

2. Direct the City Manager to post all future annual reports establishing the Legislative Priorities and Legislative Program for the following legislative session to post at least 14 days prior to the City Council meeting at which the item will be discussed.
3. Direct the City Manager, as part of the next annual report establishing Legislative Priorities and the Legislative Program, to explore the possibility of a new policy position category for the Legislative Program in addition to “support” or “oppose.”

BACKGROUND

Council Priorities

The proposed changes to the legislative priorities and programs aim to enhance clarity and alignment with San José’s needs. By refining the language, the proposed amendments provide a clearer roadmap for achieving the City’s goals, particularly in homelessness reduction, community safety, and housing affordability.

The proposed amendments to the homelessness and housing priorities reflect an expansion of the range of interventions needed. For example, adding shelters and supportive sleeping and parking programs acknowledges the diversity of housing solutions required to meet the needs of all residents. Similarly, emphasizing ongoing operational funding for projects like Homekey ensures sustainable, long-term support for the City’s most vulnerable populations.

For community safety, the inclusion of fire prevention measures such as controlled burns and firebreaks addresses the increasing threat of wildfires. This addition complements existing commitments to crime reduction, traffic safety, and equity-based community protection.

Amendments to Legislative Programs

Some of the language in the policy program section of this memo is highly controversial and the community is divided. By amending the positions from the Legislative Program and Legislative Priorities, we would allow the Inter-Governmental Relations team to continue to monitor bills tied to these topics, but would to a reasonable extent, withhold the team's ability to respond to new legislation without first coming to Rules and Open Government Committee or Council. The City should remain neutral in these areas of focus and allow council to deliberate prior to taking a stance.