



# Council Policy Prioritization: Early Consideration Response Form

Department Police Department  
 Department Rep. Name/Ext. Anthony Mata, Chief of Police  
 Policy/Ordinance Subject Protecting the Public from Sexual Assaults  
Associated with Uber, Lyft, and Taxis

Rules Date 12/07/2022 Item C.1  
 Council Member Sponsorship Mayor Liccardo

### Staff Recommendation

<input checked="" type="checkbox"/> <b>GREEN</b> Adopt based on tradeoffs outlined on next page	<input type="checkbox"/> <b>YELLOW</b> Refer to Priority Setting or to Budget Process	<input type="checkbox"/> <b>RED</b> Recommend Council not adopt nominated idea	<input type="checkbox"/> <b>NEEDS CLARIFICATION OR MORE TIME TO EVALUATE</b>
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### Staff Evaluation

Is this aligned with City Roadmap? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Is this already underway in a Department work plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this time critical or an emergency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Will this require substantial resources, staffing, budget, or strategic support? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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### Criterion to Determine Scale of Project Complexity

Project complexity is determined by scoring the project in each of the 3 criteria below and then summing the score.

a. Low Complexity is a sum of 6 or less.  
 b. Medium Complexity is a sum of 7 – 9. Total Score = 8  
 c. High Complexity is a sum of 10 or greater.

Scoring Criterion	Low Complexity	Medium Complexity	High Complexity
	Estimated Duration	6 – 9 months <input type="checkbox"/> = 1	9 - 18 months <input checked="" type="checkbox"/> = 2
Organizational Complexity (Internal)	Can Easily be Absorbed into Existing Work Plan <input type="checkbox"/> = 1	Planned Work (Future) <input checked="" type="checkbox"/> = 2	Work Not Currently Proposed <input type="checkbox"/> = 3
	Have staff with required skillset/knowledge <input checked="" type="checkbox"/> = 1	Have staff with required skillset/ requires moderate research <input type="checkbox"/> = 2	Do not have staff with required skillset/requires significant research <input type="checkbox"/> = 3
Organizational Complexity (External)	Less than or equal 2 staff required <input type="checkbox"/> = 1	3 - 4 staff required <input checked="" type="checkbox"/> = 2	More than 5 staff required <input type="checkbox"/> = 3
	1 Additional Department <input checked="" type="checkbox"/> = 1	2 Other Departments Involved <input type="checkbox"/> = 2	3 or more Departments Involved <input type="checkbox"/> = 3

DEPT. Required	<input type="checkbox"/> Airport	<input type="checkbox"/> Auditor	<input type="checkbox"/> CMO	<input type="checkbox"/> CMO – Communications	<input type="checkbox"/> OED/CA	<input type="checkbox"/> ESD	<input type="checkbox"/> Fire	<input type="checkbox"/> HR	<input type="checkbox"/> IT	<input type="checkbox"/> PRNS	<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Retirement
	<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Clerk	<input type="checkbox"/> CMO – Budget	<input type="checkbox"/> CMO –	<input type="checkbox"/> Community Energy	<input type="checkbox"/> Finance	<input type="checkbox"/> Housing	<input type="checkbox"/> IPA	<input type="checkbox"/> Library	<input type="checkbox"/> PBCE	<input type="checkbox"/> PW	<input type="checkbox"/> DOT

CMO Approval: /s/ Lee Wilcox Date 12/5/2022

**Analysis**

**Explain the rationale for staff recommendation, including any mitigating factors that need to be considered (recent legislative action, significant work plan changes, etc.). Please address the following as well.**

GREEN LIGHT: The Administration can implement this Nominated Idea under its current work plan. Item should be sent to Council to add to Department work plan. (1) How will the Idea be approached? (2) If adopted, what is its impact and/or tradeoff to the City Roadmap or to a Department work plan, including strategic support? (3) What is the minimum viable scope to move the Idea forward and reduce its complexity?

Recommendation #1 (PD): GREEN - The Police Department will consult and conduct outreach with local survivor support organizations and allied law enforcement agencies in Santa Clara County regarding the potential development of a proposed ordinance that would require all taxi companies and ride-share companies made aware of the occurrence of a sexual assault associated with their operations, to immediately:

- Provide support services and information to the survivor of the sexual assault including contact information for support organizations and law enforcement, their rights as a survivor, and SAFE information; and

[SEE THE ANALYSIS SECTION BELOW FOR ADDITIONAL INFORMATION]

YELLOW LIGHT: The Administration recommends Council send this Nominated Idea to the Priority Setting Process due to (describe cost implications, workload impacts, or other factors).

RED LIGHT: The Administration recommends Council not adopt this Nominated Idea due to (describe reason implementation would be difficult if not impossible – conflict with other laws, etc.).

## Analysis (Continued)

[CONTINUED FROM THE GREEN LIGHT SECTION ABOVE]

- Notify law enforcement of the assault allegation including the survivor's contact information and any known suspect or witness information. The Department will return to City Council at a later date with the findings from the consultation and outreach to inform the Council's consideration of the proposed ordinance. If so directed to implement the proposed ordinance, the Department will continue to collaborate with stakeholders and will develop the information to be provided to survivors through taxi companies and ride-share companies.

Recommendation #2 (CAO): GREEN - The City Attorney's Office will research the State preemption issue.

Recommendation #3 (CAO): GREEN - The City Attorney's Office will explore alternatives if the primary direction is preempted by State law.