



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Lee Wilcox

**SUBJECT: 2020 LEGISLATIVE PROGRAM  
AND TOP LEGISLATIVE PRIORITIES**

**DATE:** November 12, 2019

Approved

*D. D. Syl*

Date

*11/22/19*

## REPLACEMENT

### REASON FOR REPLACEMENT

The Legislative Program Report to City Council was originally scheduled for October 8, 2019. The presentation date was deferred, per direction from the Rules and Open Government Committee. October 13, 2019 marked the deadline for the Governor to sign or veto bills. A few legislative policy positions will no longer require action in 2020, as the related legislation was either signed into law or vetoed. Additionally, the Administration added new policy positions in response to activity late in the legislative session. This replacement memo reflects updates to the 2020 Legislative Program and the Citywide Top Legislative Priorities for 2020.

### RECOMMENDATION

Adopt the 2020 Legislative Program and the top legislative priorities for 2020.

### OUTCOME

The 2020 Legislative Program and the top legislative priorities will guide the advocacy work in the State and Federal 2019-2020 legislative session.

### BACKGROUND

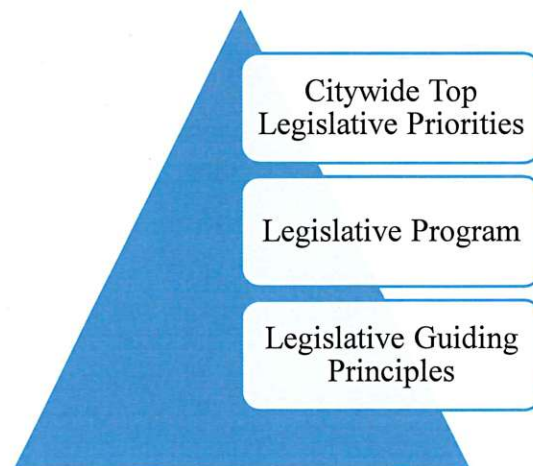
The California Legislature and the United States Congress convene two-year legislative sessions. 2020 will be the second year in the 2019-2020 legislative session for both the California Legislature and United States Congress.

The Legislative Program directs the City's work around legislation and regulation throughout the year. The Administration is bringing forward a small update at the half-way point of the session to reflect current policy windows and Council direction during 2019.

The Legislative Guiding Principles, listed below, are the guiding vision statements that inform the Legislative Program, which contains specific policy positions. The Legislative Guiding Principles are:

- 1) Protect and increase funding to deliver city services, build infrastructure, and serve the San José community;
- 2) Protect local control;
- 3) Support efforts that improve the quality of life, affordability, health, environmental protection, economic development, equity, and safety in San José;
- 4) Support key infrastructure projects; and
- 5) Advance policies that shape new technology deployment to the benefit of the community.

The Legislative Program lists departmental and interdepartmental policy positions that the City will pursue in the 2019-2020 legislative session. City staff crafted the legislative policy positions in the Legislative Program based on the Legislative Guiding Principles and policy direction received from Council throughout the year. From the overall Legislative Program, the Administration analyzed the critical policy windows for the coming year and derived the Citywide Top Legislative Priorities.



The proposed 2020 Legislative Program can be found in Attachment A. Underlined and highlighted text indicate new policies in the program. The Administration has also reviewed and updated existing legislative program items to reflect the current policy landscape and Council direction from 2019.

Under the current internal process for taking positions on legislation, the Administration has authority to take policy positions that align with the Council-adopted Legislative Program. Throughout the year, the Council can amend or add Legislative Program items by bringing a memo to the Rules and Open Government Committee for referral to the full Council.

Attachment B lists Citywide top legislative priorities, which are policies the City would work to proactively advance in 2020. The Administration developed and updated this list in consultation with our federal and state legislative advocates, including Leslie Pollner, Lauri Hettinger, and Eve O'Toole of Holland & Knight and Steve Cruz and Anna Alvarado of Cruz Strategies, to reflect the current policy landscape. The top legislative priorities list is not exhaustive; the City will also work on legislative policies in the 2020 Legislative Program and report on advocacy efforts regularly at Council.

### **ANALYSIS**

The Administration recognizes that policy windows in Sacramento and Washington D.C. often open quickly and unexpectedly. The 2020 Legislative Program contains general policy direction that will allow the Administration to take advantage of policy windows and advance the Council's legislative and regulatory agenda. The 2020 Legislative Program will provide the Administration with Council direction, so the Administration can work early with our delegation, key legislative leaders, and stakeholders to implement the Council's legislative and regulatory agenda.

### **CONCLUSION**

The Administration is bringing forward the 2020 Legislative Program for Council adoption. The Administration will continue to actively engage legislators in support of the Legislative Program and the City's top legislative and regulatory priorities in 2020.

### **EVALUATION AND FOLLOW-UP**

Every year policy windows open with new opportunities for engagement. As these opportunities occur, the Administration will bring to Council any legislative or regulatory items that align with the Council-Adopted Legislative Guiding Principles, but are not covered in the 2020 Legislative Program. The Administration will also provide regular updates to Council on actions taken on legislation.

### **CLIMATE SMART SAN JOSE**

The recommendation in this memo aligns with one or more Climate Smart San José energy, water, or mobility goals.



HONORABLE MAYOR AND CITY COUNCIL

November 12, 2019

**Subject: 2020 Legislative Program and Top Legislative Priorities**

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### **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the December 3, 2019 Council Meeting.

### **COORDINATION**

The Administration coordinated this memo with the City's state and federal legislative advocates, the City Attorney's Office, City Clerk's Office, City Manager's Budget Office, and the departments of Airport, Community Energy, Environmental Services, Economic Development, Finance, Fire, Housing, Information Technology, Library, Parks, Recreation, and Neighborhood Services, Public Works, Planning, Building, and Code Enforcement, Police, and Transportation.

### **COMMISSION RECOMMENDATION/INPUT**

The recommended actions do not have a Commission Recommendation.

### **CEQA**

Not a Project, File No. PP17 009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

/s/

LEE WILCOX

Chief of Staff

For questions, please contact Bena Chang, Director of Intergovernmental Relations, (408) 975-3240.

## Attachment A

### City of San José 2020 LEGISLATIVE GUIDING PRINCIPLES

- 1) Protect and increase funding to deliver city services, build infrastructure, and serve the San José community;
- 2) Protect local control;
- 3) Support efforts that improve the quality of life, affordability, health, environmental protection, economic development, equity, and safety in San José;
- 4) Support key infrastructure projects; and
- 5) Advance policies that shape new technology deployment to the benefit of the community.

### City of San José 2020 LEGISLATIVE PROGRAM

#### LEGEND:

 New Items (underline)

#### Interdepartmental Policy Positions

| DEPARTMENT                                                                                                           | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                    |
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| City Manager's Office /<br>Environmental Services /<br>Office of Emergency<br>Management / Fire                      | <b>Resiliency:</b> Support efforts that make the city more resilient to climate change and natural disasters. Efforts include but are not limited to assessment of climate hazards and vulnerabilities, wildfire mitigation efforts such as infrastructure hardening, utility undergrounding, and vegetation management, and earthquake mitigation efforts on soft story seismic retrofits.        |
| <u>City Manager's<br/>Office/Finance</u>                                                                             | <u><b>Funding:</b> Protect and increase funding to deliver city services or build infrastructure for the benefit of the San José community.</u>                                                                                                                                                                                                                                                    |
| <u>City Manager's Office /<br/>Office of Emergency<br/>Management / San José<br/>Clean Energy / Public<br/>Works</u> | <u><b>Public Safety Power Shutoffs:</b> Through legislation and regulation, advocate for adequate resources/equipment, and timely and appropriate information and notification that will allow the City to respond to and mitigate Public Safety Power Shutoff events. Explore potential legislation or regulations to require greater public oversight of Public Safety Power Shutoff events.</u> |

## Attachment A

| DEPARTMENT                                                                                                                | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| City Manager's Office /<br>Office of Employee<br>Relations / Library /<br>Parks, Recreation, and<br>Neighborhood Services | <b>Family Friendly Policy:</b> Support legislative efforts that prioritize children and families. Support efforts that would improve the workplace for parents and families - such as supporting efforts to improve access to quality child care, private lactation accommodations, and parental leave.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Civic Innovation /<br>Department of<br>Transportation /<br>Information Technology /<br>Library                            | <b>Data Privacy:</b> Support legislation that creates comprehensive data reporting requirements for all commercial uses (including freight and passenger services) in the right-of-way. Data should include safety reporting movement data. Ensure that public agencies have the ability to collect and access data they need while protecting the privacy of individuals or the sharing of personally identifiable information that contradicts City policy or the City's Privacy Principles. Support legislation that expands the definition of what is included in the patron record for the purposes of protecting and enhancing the confidentiality of library activities for library patrons. Oppose any legislation that erodes patron confidentiality. |
| Civic Innovation / Library                                                                                                | <b>Broadband:</b> Oppose legislation which would weaken local government's ability to regulate wireless attachments on vertical infrastructure and regulate the deployment of fiber/coax. Support or co-sponsor legislation that would take a balanced approach to accelerating broadband including fiber, small cells, and macro cell towers in an equitable and inclusive manner. Explore public private partnerships around Federal Infrastructure funding including, but not limited to, broadband deployment partnerships with telecom providers. Support efforts to secure funding for bridging the digital divide.                                                                                                                                      |
| Climate Smart                                                                                                             | <b>Cap-and-Trade:</b> Support Cap-and-Trade programs that benefit key City priorities and Climate Smart San José strategy including the Transit and Intercity Rail Capital Program, High Speed Rail, and the Affordable Housing and Sustainable Communities Program. Permit local jurisdictions and airports to allocate Cap-and-Trade allowances towards community funds or programs that they deem appropriate, and mitigate impacts in low income communities beyond traditional environmental investments. Support policies that ensure that the Cap-and-Trade market is financially robust.                                                                                                                                                               |
| Climate Smart                                                                                                             | <b>Zero Emission Vehicles:</b> Support growth in the use of zero-emission vehicles and low carbon fuels and designate revenues generated from greenhouse gas-related fees or taxes to local or municipal government entities; ensuring sufficient and dedicated EV rebate funding especially for low-income Californians.                                                                                                                                                                                                                                                                                                                                                                                                                                      |



## Attachment A

| DEPARTMENT    | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                       |
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| Climate Smart | <b>Environmental Justice:</b> Support policies that provide financial and technical assistance to low-income residents and communities of color to prevent and reduce disproportionate impacts of climate change. Support investment and new technology in environmental justice communities to address the disproportionate burden of pollution.                                                     |
| Climate Smart | <b>Promote Water Conservation:</b> Support the expanded use of alternative water sources (recycled water, rainwater, stormwater, graywater, etc.) for nonpotable purposes as well as supplementing our existing potable water supplies with additional potable sources (such as groundwater). Support legislation and funding that offer programs to improve water efficiency and water conservation. |
| Climate Smart | <b>Public Goods Charge:</b> Support policies that allow regulatory agencies to assign administration of all or part of the Public Goods Charge Funds to the California Energy Commission, local governments (including community choice aggregators), or to cover costs for local Distributed Energy Resources (DER) ordinances.                                                                      |
| Climate Smart | <b>Water and Energy Rebates:</b> Oppose legislation that decreases rebates and other incentives provided to DER projects, and pre-empts local government.                                                                                                                                                                                                                                             |
| Climate Smart | <b>Air Quality and Climate:</b> Support policies that provide financial incentives for DER projects in private sector development, including those that reduce criteria air contaminants and high global warming potential pollutants; support incentive programs that address decarbonization (e.g. electric heat pump hot water heaters).                                                           |
| Climate Smart | <b>Local Government Funding:</b> Promote policies that provide funding for local governments to enact programs and policies that measurably reduce local and global carbon emissions including switching from fossil fuel technologies.                                                                                                                                                               |
| Climate Smart | <b>Carbon Accounting:</b> Support policies that establish a carbon accounting standard, designate a tracking mechanism, and create an entity to manage carbon accounting on a statewide, regional, or federal level.                                                                                                                                                                                  |

## Attachment A

| DEPARTMENT                                                                                                                                                                                         | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Climate Smart                                                                                                                                                                                      | <b>Transportation Demand Management:</b> Support growth in the use of sustainable modes of transportation including transit, biking, and other alternatives to single occupancy autos; designate revenues generated from greenhouse gas-related fees or taxes to local or municipal government entities.                                                                                                                                                                                                                                                    |
| Climate Smart                                                                                                                                                                                      | <b>Green Building:</b> Support policies that encourage adaptive reuse of existing structures, provide financial incentives for green building (especially for affordable housing), all electric buildings and DER projects (e.g. solar photovoltaic) in public and private sector development, and promote green building practices that reduce toxics and indoor air contaminants.                                                                                                                                                                         |
| Department of<br>Transportation /<br>Environmental Services /<br>Public Works / Climate<br>Smart / Office of<br>Economic Development /<br>Airport / Planning,<br>Building, and Code<br>Enforcement | <b>Federal Surface Transportation Reauthorization:</b> Ensure City priorities around safety, infrastructure, climate change, environmental resiliency, transportation planning, and project delivery are addressed within federal surface transportation reauthorization. Ensure that San José can secure adequate and proportional funding relative to our population and needs, as well as maintain program flexibility and local autonomy.                                                                                                               |
| Department of<br>Transportation / Housing /<br>Environmental Services /<br>Public Works / Parks,<br>Recreation, and<br>Neighborhood Services /<br>San José Clean Energy                            | <b>Disadvantaged Communities Evaluation:</b> Support legislation to broaden the state's definition of disadvantaged communities, so that it includes all socio-economically disadvantaged areas more equitably and is better aligned with the needs of San José's communities of concern. Monitor and engage in efforts related to the update of the CalEnviroScreen metric, and to help communities in San José qualify for additional funding and Public Safety Power Shutoff notification programs by broadening the scope of disadvantaged communities. |
| Finance / Office of<br>Economic Development                                                                                                                                                        | <b>Infrastructure Financing:</b> Explore legislation that would retroactively freeze the property tax base year for purposes of any future Integrated Financing Districts in San José.                                                                                                                                                                                                                                                                                                                                                                      |



## Attachment A

| DEPARTMENT                                                                          | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| Finance / Parks, Recreation, and Neighborhood Services                              | <b>Private Activity Bonds:</b> Explore legislation to add community-serving facilities to the list of exempt facilities for Private Activity Bonds.                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Finance / Police                                                                    | <b>Cannabis Banking:</b> Support legislation that provides access to traditional banking services for licensed cannabis businesses.                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Housing / Office of Economic Development                                            | <b>Opportunity Zones:</b> Implement Opportunity Zones in ways that encourage investment and development in San José. Support the development of commercial properties, mixed-use developments, and affordable housing in Opportunity Zones that help minimize and mitigate tenant displacement.                                                                                                                                                                                                                                                                                   |
| Housing / Office of Economic Development / Planning, Building, and Code Enforcement | <b>Transit-Oriented Development:</b> Work with the legislature to ensure that state legislation that establishes minimum density requirements around transit does not impact San José's approach for planning for densification around transit nodes, an approach that seeks to minimize community and business displacement and ensure that new urban development is compatible with adjacent surrounding neighborhoods. Support legislation that promotes transit supportive commercial/employment uses, affordable housing adjacent to transit and anti-displacement measures. |
| Housing / Planning, Building, and Code Enforcement                                  | <b>Zoning and Planning:</b> Support housing and land-use legislation that fits the needs of charter cities and larger cities. Support legislation that allows greater zoning and building code flexibility for cities addressing homelessness.                                                                                                                                                                                                                                                                                                                                    |
| Housing / Planning, Building, and Code Enforcement / Office of Economic Development | <b>CEQA Reform:</b> Support state legislation that streamlines or amends the CEQA process for land use regulation by Cities or through the citizen initiative process. Expand exemption or categorical exemption for urban infill projects and opportunity zones that are already regulated by other State or Federal regulations. Support CEQA modifications to protect against abuse leading to frivolous lawsuits while maintaining local control.                                                                                                                             |
| Immigrant Affairs / Office of Economic Development                                  | <b>Census 2020:</b> Advocate for funding to support Census activities in San José and Santa Clara County, with an emphasis on directing funding to hard-to-count populations. Support policies that ensure a fair, complete count, such as policies that increase language access.                                                                                                                                                                                                                                                                                                |

## Attachment A

| DEPARTMENT                                             | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Library / Parks, Recreation, and Neighborhood Services | <b>Early Education/Out of School Time Programming:</b> Advocate for legislation that increases financial resources for the provision of Early Education and Out of School Time programming; support efforts that increase the resources available for programming that supports Kindergarten readiness; continue to advocate for financial support for summer lunch/snack programs for school-aged children and their families. |
| Office of Economic Development / Police                | <b>Cannabis Equity Assistance Program:</b> Continue to advocate for additional funding cycles for the grant program under the California Cannabis Equity Act of 2018 (Equity Act) established by Senate Bill 1294.                                                                                                                                                                                                              |
| Planning, Building, and Code Enforcement / Housing     | <b>Housing Production:</b> Monitor and help shape proposed legislation that is intended to facilitate housing production by Cities, particularly legislation directed at cities that are not producing housing, to ensure the legislation does not have unintended consequences for San José.                                                                                                                                   |

## Department Policy Positions

| DEPARTMENT | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Airport    | <b>Local Control:</b> Support measures to maintain local control for the Airport, including permitting, fees, and funding (important for supporting PFCs, CFCs, local control of assets, permitting for ground transportation, etc.)                                                                                                                                                                                                                                                                                                                                     |
| Airport    | <b>Operations and Funding:</b> Support and/or modify regulations, policies, and legislation to facilitate Airport operations, promote investment in the Airport, support additional air services, and enhance economic development (important for supporting funding for airport development, upgrades, and operations, e.g. AIP grants, CBP Officers, TSA Officers, LEO grants, environmental grants, etc.). Oppose mandatory environmental measures that will disqualify or reduce the eligibility of California Airports for Federal environmental mitigation grants. |



## Attachment A

| DEPARTMENT             | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Airport                | <b>Terminal Area Improvement Program:</b> Support the implementation of the San José International Airport Terminal Area Improvement Program, Phase II, including all precursor efforts needed to facilitate Phase II.                                                                                                                                                                                                                |
| Airport                | <b>Aircraft Noise:</b> Oppose legislation, policies, regulations, guidelines, or procedures that would result in an increase in aircraft noise impacts on San José residents without an increased benefit to the community.                                                                                                                                                                                                           |
| Airport                | <b>Airport Demand Management:</b> Support legislation, regulations, and policies that authorize local aviation authorities to use demand management strategies to encourage the more efficient allocation of air service in the region.                                                                                                                                                                                               |
| Environmental Services | <b>Recycling Markets:</b> Support local, regional, statewide, and federal efforts that address disposal challenges by finding sustainable solutions for end-of-life products, materials, and waste residuals. Support legislation that addresses challenges with narrowing overseas recycled materials markets through short and long-term solutions that uphold the City's sustainability goals.                                     |
| Environmental Services | <b>Water Supply:</b> Support local and regional efforts that address procuring permanent status regarding treated water supply from the San Francisco Public Utilities Commission (SFPUC) for the San José Municipal Water System (SJMWS).                                                                                                                                                                                            |
| Environmental Services | <b>Extended Producer Responsibility:</b> Support efforts that address source reduction including single-use plastics, packaging, reuse, recycled content requirements, household hazardous take-backs, pharmaceuticals and sharps, and Right to Repair. Support efforts that uphold the City's bans, including bags and Expanded Polystyrene Foam; ensure state or federal regulations do not preempt the City's existing ordinances. |
| Environmental Services | <b>Solid Waste:</b> Support/oppose solid waste-related legislation that would add/remove funding to local jurisdictions like the bottle bill. Support legislation to adopt a statewide landfill surcharge with an exemption for locally enacted landfill fees or other statewide solution for low cost regional landfill issue.                                                                                                       |

## Attachment A

| DEPARTMENT             | POLICY POSITION                                                                                                                                                                                                                                                                                                                                        |
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| Environmental Services | <b>Local Government Energy Efficiency Programs:</b> Support efforts to alter cost-effectiveness calculations including Total Resource Cost used in energy efficiency programs to support our local government programs and better reflect local governments' role in capacity building.                                                                |
| Environmental Services | <b>Funding:</b> Support efforts to increase funding for stormwater infrastructure and creek cleanups.                                                                                                                                                                                                                                                  |
| Finance                | <b>Advance Refunding Bond:</b> Support Federal legislation that will restore a municipality's ability to issue tax exempt advance refunding bonds.                                                                                                                                                                                                     |
| Fire                   | <b>Emergency Medical Services (EMS):</b> Support legislation to expand transport destination options (other than Emergency Rooms) for patients receiving prehospital care by first responders.                                                                                                                                                         |
| Fire                   | <b>Cost Recovery for Fire and Emergency Medical Services (EMS):</b> Ensure adequate compensation for mutual aid activities. Oppose any efforts to shift costs from private EMS providers to the City.                                                                                                                                                  |
| Fire                   | <b>DRiSC:</b> Work with the Disaster Readiness for Safer Communities (DRiSC) Coalition on legislation around fire response and emergency preparation.                                                                                                                                                                                                  |
| Housing                | <b>Housing Stabilization:</b> Support legislation to advance tenant protections, the preservation of affordable housing including mobilehomes, and anti-displacement. Engage on legislation that may impact the City's Apartment and Mobilehome Rent Ordinances. Support legislation that affirms the use of tenant preferences for anti-displacement. |
| Housing                | <b>Homeless Funding:</b> Work with the Big Cities Mayors Coalition to explore additional homelessness funding opportunities.                                                                                                                                                                                                                           |
| Housing                | <b>Funding and Tools:</b> Protect existing and increase funding sources for affordable housing and homelessness. Support the creation of tools to encourage affordable and mixed income housing development and addressing homelessness.                                                                                                               |



## Attachment A

| DEPARTMENT                     | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Housing                        | <b>Cost of Housing:</b> Support efforts to address the increasing cost of housing construction, such as training programs for the construction trades, encouraging modular housing, and cost-efficient materials markets.                                                                                                                                                                                                                                                                 |
| Housing                        | <b>Affirmatively Furthering Fair Housing:</b> Increase and protect the effectiveness of the affirmatively furthering fair housing rule.                                                                                                                                                                                                                                                                                                                                                   |
| Housing                        | <b>Affordable Homes by Design:</b> Support legislation that validates use of land use tools to promote creation of affordable housing, including ADUs and "affordable by design" densification.                                                                                                                                                                                                                                                                                           |
| Information Technology         | <b>Cybersecurity Data Sharing:</b> Support legislation that frees organizations to share information to better deter malicious cybersecurity actors. To encourage intel sharing and "getting ahead of the breach," support legislation that explicitly protects cybersecurity information sharing from liability that puts the organization at risk and disclosure of information that would open the organization to cyberattacks.                                                       |
| Office of Economic Development | <b>Job Creation:</b> Support Federal and State economic development programs that will help create jobs in San José, including changes to CalCompets and State support of Opportunity Zones.                                                                                                                                                                                                                                                                                              |
| Office of Emergency Management | <b>Statewide Emergency Preparedness Funding:</b> Support state legislation to fund local emergency preparedness and resilience planning and training.                                                                                                                                                                                                                                                                                                                                     |
| Office of Emergency Management | <b>Statewide Emergency Management:</b> Modernize and reform the State's Emergency Management System. Support legislation that makes it easier to prepare for emergencies, protect vulnerable communities, and ensure universal access to emergency alert systems. Support policies that address emergency preparedness and response needs for vulnerable community members with access and functional needs, including at-risk seniors, children, and individuals with language barriers. |
| Office of Emergency Management | <b>Federal Funding:</b> Advocate for Federal emergency preparedness funds, including Urban Areas Security Initiative (UASI).                                                                                                                                                                                                                                                                                                                                                              |

## Attachment A

| DEPARTMENT                           | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| Office of Employee Relations         | <b>Sexual Harassment &amp; Sexual Assault in the Workplace:</b> Support efforts to fight sexual harassment and thereby provide all Californians with equal opportunity to succeed in the workplace. This should include supporting legislation to protect women from sexual assault in their places of work.                                                                                                                                                                                                            |
| Office of Employee Relations         | <b>Workers Rights:</b> Support legislation that would hold accountable employers that destroy or withhold passports or other immigration documents from their workers and would require employers provide their workers with a “Workers Bill of Rights.” Support efforts to increase the protections for service workers from wage theft.                                                                                                                                                                               |
| Office of Immigrant Affairs          | <b>Immigration:</b> Support policies that protect and ensure the rights of all immigrants, regardless of immigration status, provide a pathway for citizenship or legal permanent residency, and policies that promote welcoming and immigrant inclusion initiatives. Oppose efforts that remove due process rights, undermine the humanity of immigrants and refugees, and weaken data privacy or confidentiality rights. Strongly oppose policies that separate families or require long-term detainment of families. |
| Planning, Building, Code Enforcement | <b>Electronic Cigarettes and Flavored Tobacco:</b> Support state and federal legislation to prohibit the sale of e-cigarettes and flavored tobacco products.                                                                                                                                                                                                                                                                                                                                                            |
| Planning, Building, Code Enforcement | <b>Charter Cities General Plan and Zoning Alignment:</b> Explore legislation to amend SB 1333 (Wieckowski, 2018) to only require charter cities to rezone properties consistent with the City’s General Plan if these properties are identified as housing sites in the City’s adopted Housing Element.                                                                                                                                                                                                                 |
| Police                               | <b>Hate Crimes:</b> Support legislation that would address ongoing safety concerns and help prevent acts of violence motivated by hate, including improving data collection and reporting. Expand California’s “criminal threat” statute (Penal Code 422(a)) to include mass shooting-related threats.                                                                                                                                                                                                                  |
| Police                               | <b>Porch Theft:</b> Support legislation that would make entering the curtilage of a residence with the intent to commit theft of a package delivered through the mail or through a public or private carrier a violation of the law and subject to punishment for burglary.                                                                                                                                                                                                                                             |



## Attachment A

| DEPARTMENT | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Police     | <b>Active Shooter Training:</b> Support legislation requiring schools to conduct active shooter/mass casualty drills. Support efforts to secure funding for law enforcement to provide training and additional officers to better protect schools and large public events from active shooters.                                                                                                                                                                             |
| Police     | <b>Law Enforcement History:</b> Support legislation requiring police training in the history and use of law enforcement in the U.S. that explores disproportionate expectations of justice through the examination of high-profile historical events, which affect perceptions of law enforcement among diverse community members.                                                                                                                                          |
| Police     | <b>Funding:</b> Oppose Federal action to withhold funds based on local immigration policies.                                                                                                                                                                                                                                                                                                                                                                                |
| Police     | <b>Cannabis Enforcement:</b> Support efforts on enforcement of unlicensed cannabis providers. Protect local control around cannabis regulations, including delivery.                                                                                                                                                                                                                                                                                                        |
| Police     | <b>Human Trafficking:</b> Advocate in support to expand California Department of Justice efforts to combat human trafficking and support efforts that would give new tools to law enforcement to protect Californians from becoming victims of Human Trafficking. Additionally, support measures that provide funding for combatting human trafficking.                                                                                                                     |
| Police     | <b>Sexual Assault:</b> Support efforts to protect woman from sexual assault, including efforts to increase funding levels, provide new tools for law enforcement, and support collaboration across agencies.                                                                                                                                                                                                                                                                |
| Police     | <b>Gun-violence:</b> Support efforts to reduce gun violence, including support of legislation that prevents theft and unauthorized usage, and allows employers, co-workers and teachers to request a gun violence restraining order. Support a state tax, insurance - or fee-based approach to gun violence harm reduction and urge legislation that removes local preemption.                                                                                              |
| Police     | <b>Domestic Violence:</b> Support laws that would improve services and response to domestic violence survivors, protect human rights issues that impact survivors, and advocate for increased funding from the state and the federal government to support domestic violence services. At the federal level, support the full funding for the Violence Against Women Act (VA WA), Victims of Crime Act (VOCA), and the Family Violence Prevention and Services Act (FVPSA). |

## Attachment A

| DEPARTMENT                                   | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| Parks, Recreation, and Neighborhood Services | <b>Funding:</b> Protect and increase state and federal funds for youth violence, gang intervention and prevention, recreation-based social safety net programs, open space acquisition and preservation, and park acquisition and rehabilitation.                                                                                                                                                                                                                                                                                       |
| Parks, Recreation, and Neighborhood Services | <b>Rodent Control:</b> Explore regulatory and legislative authority to allow the City to pilot innovative rodent control methods.                                                                                                                                                                                                                                                                                                                                                                                                       |
| Parks, Recreation, and Neighborhood Services | <b>Early Childhood Recreation:</b> Provide legislative clarification on the definitions of and requirements for preschool, afterschool, and camp programs to ensure they meet programmatic goals and community needs.                                                                                                                                                                                                                                                                                                                   |
| San José Clean Energy                        | <b>"Exit Fee":</b> Oppose legislation or regulations that would suspend or slow the growth of Community Choice Aggregators (CCAs), including efforts to increase the Power Charge Indifference Adjustment (PCIA) fees that customers pay to "exit" from Investor-Owned Utilities and join San José Clean Energy. Support legislation and regulations that increase the transparency and predictability of the PCIA over time through legislation or Phase 2 of the PCIA proceeding. Oppose legislation that would expand Direct Access. |
| San José Clean Energy                        | <b>Energy Procurement:</b> Oppose legislation or regulations that would change energy procurement towards reducing local flexibility and increasing authority with the Investor-Owned Utilities or the CA Public Utilities Commission.                                                                                                                                                                                                                                                                                                  |
| <u>San José Clean Energy</u>                 | <u><b>Municipalization and Microgrids:</b> Support legislation to expand opportunities for cities and counties to form municipal utilities and offer microgrid service to provide reliable, cost effective service. Explore legislation to establish a clear process to value electricity infrastructure and facilitate the sale of assets, and limit Investor Owned Utilities campaigns against local energy resiliency and safety measures.</u>                                                                                       |
| <u>San José Clean Energy</u>                 | <u><b>Electric Restructuring:</b> Engage in PG&amp;E restructuring by advocating for public safety, ratepayer affordability, fiscal transparency, and local accountability. Advocate for corporate accountability that is tied to increased safety requirements. Consider reducing the size of PG&amp;E or alternative utility ownership models.</u>                                                                                                                                                                                    |
| San José Clean Energy                        | <b>Renewable Energy and Smart Grid:</b> Support legislation requiring or encouraging more renewable electricity procurement and a smarter grid, including electric vehicle infrastructure programs.                                                                                                                                                                                                                                                                                                                                     |



## Attachment A

| DEPARTMENT     | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Transportation | <p><b>Safety and Vision Zero Initiatives:</b> Actively work to achieve Vision Zero traffic safety goals. Support proposals that provide funding, support, or local discretion for municipal governments to implement traffic safety programs and initiatives consistent with Vision Zero. This includes the ability to utilize Automated Speed Enforcement (ASE) tools and establish speed limits based on context sensitive methods aimed at protecting vulnerable roadway users, such as pedestrians, bicyclists, children, and seniors. Work with DOT Big Cities Coalition to advance transportation policies that provide local cities with additional flexibility to ensure safety and accessibility for all users.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Transportation | <p><b>Transportation Funding:</b> Preserve and pursue transportation funding from federal, state, regional, and local sources that help maintain, improve and expand transportation systems and mobility in San José. Ensure that these funds remain unencumbered towards the programs and areas with the greatest need for investment. Maintain vital funding streams at the local, regional, state, and federal level from SB 1, Cap-and-Trade, RM 3, Measure B, Active Transportation, and other programs. Support additional funding requests for investments that benefit San José's transportation priorities. Oppose legislation that would threaten San José transportation investments.</p> <p>Support efforts to reduce the approval of taxes and bonds for transportation and infrastructure funding measures to less than a two-thirds majority vote. Support policies that ensure direct and indirect uses and impacts to San José's right-of-way and infrastructure are accurately priced and collected. Support legislation that would improve project delivery, maintenance, or servicing of infrastructure within the city. Oppose legislation and rulemaking that would negatively impact those processes. Support policies and legislation which funds programs to reduce greenhouse gas emissions and incentivize the adoption and deployment of beneficial emerging technologies including electric vehicle technologies and infrastructure.</p> |
| Transportation | <p><b>Rapid Transit and Rail Infrastructure:</b> Continue to develop and improve transformative rail projects and infrastructure in San José including BART Phase II, Diridon Station, Caltrain, and High-Speed Rail. Identify and advocate for projects which would enhance San José's transportation network within a regional ballot measure or legislative proposal. Support legislation and funding that provides additional opportunities to develop or improve rail infrastructure in San José. Support efforts to advance and secure additional funds for BART Phase 2 as needed. Identify and secure funding for Diridon Station planning and construction efforts. Support Caltrain electrification and modernization efforts. Work closely with High-Speed Rail stakeholders to support infrastructure and right-of-way improvements in San José. Support legislation that encourages High Speed Rail to work more collaboratively with the cities that it will be traveling through. Oppose legislative efforts that jeopardize the development or deployment of these programs.</p>                                                                                                                                                                                                                                                                                                                                                                      |

## Attachment A

| DEPARTMENT     | POLICY POSITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| Transportation | <p><b>Emerging Technologies:</b> Advance the adoption of state and federal legislation and regulations that encourage the development of drones, shared mobility options, transportation networking companies, and autonomous vehicle (AV) technologies that enable the city to balance the potential harms and benefits. Continue to work with state agencies as regulations are implemented.</p> <p>Support regulations and legislation that provides travel data from transportation companies for land-use planning, traffic management, and operational purposes. Encourage the development of inclusive mobility options that can provide equitable and accessible transit options for all of San José's residents. Oppose efforts that would prevent San José from developing regulations independent from federal and state statutes.</p> |
| Transportation | <p><b>CMP Alignment with VMT:</b> Support legislation developed in coordination with regional partners to align Congestion Management Program (CMP) statutes with Vehicle Miles Traveled (VMT) reduction requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



**2020 Top Legislative and Regulatory Priorities**  
**City of San José**

**State**

- **Homelessness Funding:** Pursue additional funding to address homelessness.
- **Statewide Emergency Preparedness Funding:** Explore legislation to fund local emergency preparedness and resilience.
- **Public Safety Power Shutoffs:** Explore legislation to advocate for greater public oversights and adequate resources to respond to and mitigate Public Safety Power Shutoff events.

**Federal**

- **Homelessness Funding:** Pursue additional funding to address homelessness.
- **Immigration:** Support policies that protect immigrant and mixed-families, provide a pathway for citizenship or legal permanent residency, and ensure the rights of immigrants, regardless of immigration status.
- **Transportation Re-authorization:** Ensure the City's priorities around safety, infrastructure, climate change resiliency, and transportation planning and project delivery are addresses in federal transportation reauthorization.