

COUNCIL AGENDA: 12-14-10  
ITEM: 2.29

## *Memorandum*

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**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Lee Price, MMC  
City Clerk

**SUBJECT:** SEE BELOW

**DATE:** 12-08-10

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**SUBJECT: 2011 LEGISLATIVE GUIDING PRINCIPLES, PRIORITIES AND  
ADVOCACY ISSUES**

### **RECOMMENDATION**

As recommended by the Rules and Open Government Committee on December 8, 2010 and outlined in the attached memo previously submitted to the Rules and Open Government Committee, accept the 2011 Legislative Guiding Principles as edited by the Council Committees, and the Legislative Priorities and Advocacy Issues for the first year of the two-year Legislative Session in Sacramento and the 112<sup>th</sup> Congress.



# Memorandum

**TO:** RULES AND OPEN GOVERNMENT  
COMMITTEE

**FROM:** Betsy Shotwell

**SUBJECT:** SEE BELOW

**DATE:** December 1, 2010

Approved

Date

12/2/10

**SUBJECT: 2011 LEGISLATIVE GUIDING PRINCIPLES, PRIORITIES AND  
ADVOCACY ISSUES**

## RECOMMENDATION

1. Accept the 2011 Legislative Guiding Principles as edited by the Council Committees, and the Legislative Priorities and Advocacy Issues for the first year of the two-year Legislative Session in Sacramento and the 112<sup>th</sup> Congress.
2. A one-week turnaround to the City Council is requested so that the City's lobbyists can begin carrying out Council direction in Sacramento and Washington, D.C.

## OUTCOME

Input from the Rules and Open Government Committee will be incorporated into the 2011 Legislative Guiding Principles and Priorities and will be forwarded to the City Council for adoption. The Legislative Guiding Principles and Priorities represent a framework for organizing the City's legislative interests and is a starting point for the development of a manageable workload in Sacramento and in Washington, D.C. The following key legislative guiding principles form the foundation of the City's advocacy efforts:

- Protect local control;
- Ensure region's competitiveness through strategic economic development;
- Protect and increase local funding; no unfunded mandates;
- Pursue or retain federal and state funding for key efforts;
- Preserve redevelopment as a tool for revitalization;
- Promote livability, sustainable development, and environmental protection;
- Support efforts to keep San Jose safe;
- Promote investment in infrastructure maintenance and rehabilitation.

## **BACKGROUND**

In the fall of 2010, City Service Areas (CSAs) developed legislative principles that have been consolidated into the City's 2011 Legislative Guiding Principles. During the months of October and November, the draft Guiding Principles document was presented before the Transportation and Environment, Neighborhood Services and Education, Public Safety, Finance and Strategic Support, and Community and Economic Development Committees. This document provides a framework for formulating City-sponsored legislation and directing the City's support, opposition, or co-sponsoring of State and Federal legislation.

## **ANALYSIS**

### **2011 Legislative Guiding Principles**

During the above referenced Council Committee's review the following Guiding Principles were added or edited by the Committees:

#### **B. Ensure Region's Competiveness through Strategic Economic Development:**

The City supports efforts, legislation, and policies that:

11. (New) Incentivizes at the State and Federal levels the creation of manufacturing companies.

#### **F: Promote Livability, Sustainable Development, and Environmental Protection:**

The City supports legislation that promotes livability, sustainable development, and environmental protection that:

12. (Existing, edit in *italics*). Provides funding for programs *throughout the City* that promote health and wellness, increase access to local organic foods, increase physical activity and ensure proper nutrition and nutrition services to improve seniors and children's individual health.

#### **G. Support Efforts to Keep San Jose Safe:**

Support legislation and policies that:

11. (New) Urge the federal Drug Enforcement, and the Food and Drug Administrations to remove marijuana from Schedule 1 of the Controlled Substances Act of 1970.

*Background:*

The Community and Economic Development Committee recommended that this item be added to the 2011 Legislative Guiding Principles. The Controlled Substance Act, which consists of five Schedules (classifications), is the federal U.S. drug policy under which the manufacture, importation, possession, use and distribution of certain substances is regulated. By listing marijuana as a Schedule 1 drug, the drug is defined as having no medical uses and is considered as dangerous as heroin or LSD also on Schedule 1. To be listed on Schedule 1 drugs, "A. The drug or other substance has a high potential for abuse; B. The drug or other substance has no currently accepted medical use in treatment in the United States; and C. There is a lack of accepted safety for use of the drug or other substance under medical supervision."

Also under current consideration by the National League of Cities (NLC) is a draft 2011 resolution concerning the medical use of marijuana whereby the NLC "seeks clarification from the federal government with respect to its posture on the parameters within which states can legitimately and legally allow for the use of medical marijuana under prescribed circumstances." As drafted, the NLC also "urges Congress and the Administration to consider a more precise interpretation of the Controlled Substances Act to recognize and address the perception that the legitimate medical use of marijuana in prescribed circumstances is not in conflict with the Act's stated purpose." Staff is following the outcome of this resolution closely and will keep the Council informed of its status within the NLC's priorities for 2011.

**H. Promote Investment in Infrastructure Maintenance and Rehabilitation:**

The City supports legislation and policies that promote investing in the rehabilitation of aging utility infrastructure and system capacity expansion to support smart growth principles. Ideally such legislation would:

7. (Revised C. 12 in italics) *Reduce legal barriers to the establishment of assessment districts and allow for greater flexibility with the creation of districts for maintenance and infrastructure opportunities.*

**2011 Legislative Priorities and Advocacy Issues**

Concurrent to the development of the Guiding Principles, staff has developed the 2011 Legislative Priorities and Advocacy Issues, which consist of actionable items of high priority to the City (and the legislative work plan). These items include both State and Federal priorities, with potential FY2012 Federal appropriation requests attached as a sample of City funding priorities.

*Federal*

Outcomes of the November midterm elections present a starkly different legislative environment. With Republican control of the House of Representatives and Republicans making gains in the Senate, voters nationwide vented their frustration with Washington and sent a message to the President and lawmakers that they must find a way to create jobs and grow the economy – without adding to the deficit.

Thus far, for the tenth consecutive year, Congress was unable to complete the appropriations process and, in fact, did not pass any FY2011 spending bills prior to the start of the Federal fiscal year on October 1. Instead, Congress passed a Continuing Resolution (CR) funding the Federal government at FY2010 levels through December 3. (Congress is expected to pass another short-term CR through December 18.) Moreover, Congress did not pass a budget resolution for FY2011 and therefore each chamber set its own discretionary funding caps. Partisanship over spending levels and funding priorities will continue to affect the budget process and create an even more challenging appropriations environment for FY2011 and beyond.

The FY2011 spending bills must be addressed in the “lame duck” session of Congress before Congress adjourns, either through passage of an omnibus package including all bills, by a short-term CR into next year, or a year-long CR covering the remainder of FY2011. While a newly-imposed Senate Republican earmark ban will apply only to bills introduced in the 112th Congress (the House Republican ban remains current for the remainder of 2010), it may block passage of an FY2011 omnibus bill including earmarks. The Senate rejected a proposal to ban earmarks for 3 years on November 30, when an amendment to the food safety bill failed to clear a 60-vote procedural threshold vote, 39-56 (eight Republicans voted against their party line on earmarks, seven Democrats did as well). Democrats in both chambers are working on an omnibus bill that recedes to Senate Republican top-line funding. It was thought that if they were able to reduce funding levels to those supported by Senate Republicans, the package would garner the required Senate votes for passage. However, recent actions by Senate Republican leaders make passage a bit more uncertain.

Following the outcome of the City’s current appropriation requests pending Congressional action in either December or January, staff will return to the City Council in early 2011 with an updated list of City priorities at the Federal level, as needed. As the impacts of the economic recession continues to be reflected in high unemployment numbers and with the Federal government’s budget deficit for 2011 predicted to exceed \$1.4 trillion, it remains to be seen what Federal activities related to the City’s priorities may be impacted. With a reversal by the Senate Republican leadership, a moratorium on earmarks next year now is becoming increasingly likely in the Senate as well as the House.

According to the City’s lobbying firm of Patton Boggs, while line-item appropriations earmarks are constrained in the House and could be in the Senate, no determination has been made about application of limits to authorization bills -- comments by some of the most

prominent earmark opponents suggest distinguishing projects in SAFETEA from the appropriations bill earmark moratorium. Furthermore, those reauthorization bills are the vehicle for major program and policy content that determine the amount, use, and decision-making related to funding allocations for major urban areas, and potentially mean more for targeting funds than individual earmark projects.

Additionally, Patton Boggs still does see potential opportunities for other non-earmark approaches that can help to secure funding through the appropriations process via programmatic direction. The firm has been and will increasingly focus on federal agency discretionary and competitive options, such as raising profile for positioning, identifying program office internal topical priorities, promoting creation of demonstration projects, submitting unsolicited proposals, or encouraging incorporation of certain program development / implementation criteria.

However, Patton Boggs also expects an increased need for defensive action on primary mainstream funding sources in the budget and legislation, given the various "deficit reduction" recommendations being floated proposing core policy changes to CDBG, AIP, and other funding streams, as well as overall downward pressure on future appropriations levels. As this settles during the congressional reorganization over the next few weeks, Patton Boggs will work with the City and develop more detail and resources on how best to approach these earmark alternative options.

#### *State*

With California's continuing structural budget deficit, estimated to be \$25.4 billion through June 2012, it will again be critical that the City support legislation, including fiscal reform legislation and policies, that reduce any negative impacts to City services, revenues, or costs resulting from State legislation or budgets that impact the City.

In an effort to protect local control and funding for cities, the voters in November approved the State ballot Proposition 22, *The Local Taxpayer, Public Safety, and Transportation Protection Act of 2010*. A coalition of cities, special districts, redevelopment agencies, transit operators, business and labor organizations sponsored this initiative to protect local revenues for vital local services. It will be critical that the intent of Proposition 22 be carried forward during these difficult budgetary times in California.

Although there were significant positive outcomes for local government with the passage of Proposition 22, and the defeat of Propositions 19 and 23, the voters passed Proposition 26, a constitutional amendment to require a two-thirds vote to approve certain types of fees imposed by local governments and two-thirds approval of State Legislature for certain State imposed fees. The measure will apply to both state and local government in different ways. The implementation of Proposition 26 and issues will be monitored.

The Legislature and Governor approved the 2010-11 State Budget 100 days after the June 15 deadline for the Legislature to pass the budget before the July 1 start of the new fiscal year. The 2010-11 State budget did not include an additional taking or borrowing of local revenues beyond the \$350 million shift of redevelopment funds that was part of the two-year \$2.05 billion "taking" of redevelopment funds that includes \$62 million in 09-10 and \$13 million in the current fiscal year from the San Jose Redevelopment Agency as approved in the 2009-10 State Budget.

The State's budget problem consists of a \$6.1 billion deficit for 2010-11 and \$19.3 billion between revenues and expenditures in 2011-12 according to the Legislative Analyst (LAO). A major contribution to the 2010-11 deficit is an unrealistic assumption that the State will receive \$5.4 billion in federal funding. The budget also projects higher than budgeted costs in prisons and other programs. The current year's budget deficit reflects a budget that could have been balanced if previous budgets had not been based on one-time solutions, expiration of temporary tax increases, passage of Propositions 22 and 26, the unemployment rate continuing above 12 percent, depressed housing and real estate market and struggling, slow growth in the economy. The LAO's budget forecast assumes the passage of Proposition 22 will prevent the state from achieving \$800 million in budgeted solutions in 2010-11.

Governor Arnold Schwarzenegger has announced he will call for a budget special session on December 6, declaring that the State faces a fiscal emergency and the legislature will have 45 days to act on issues to address the State's massive budget deficit. If the special session is called legislators will be asked to consider proposals to resolve the \$6.1 billion current-year deficit when the Legislature convenes the 2011-2012 Legislative Session. The Governor has indicated his proposals will rely on added spending cuts and no tax increases.

Incoming Governor-elect Jerry Brown, has stressed the need to build bipartisan consensus with every lawmaker invested in the budget process and to have an honest discussion with the public about options these changes are going to take a long time to implement. Even though the voters voted a new party in the governor's office, voters did little to alter the Legislature. No sitting lawmaker lost a bid for reelection and six Assembly members advanced to the Senate. The Legislature will be the same Legislature as we had before the governor-elect. Governor-elect Brown, will have to abide with voter approved bonds or initiatives, such as Proposition 98/education or High Speed Rail, that obligate the State's revenues and will have to reach consensus on a budget with alternatives limited by voter-approved restrictions. But the voters did pass Proposition 25 on the November 2 ballot to lower the votes required in the Legislature to pass a budget that could make the governor's job of reaching agreement easier.

When the 2011-12 State Legislative Session convenes December 6, there will be 38 new members (includes legislators elected to each house) of the 120 seats in the Legislature. The Senate has 10 new members out of 40 with 24 Democrats, 14 Republicans and two seats to be decided in special elections. The Senate will then have 25 Democrats and be 2 votes short of 27 or a 2/3rds vote. In the Assembly, there are 28 new members out of 80 with 52 Democrats, 28 Republicans with 54 votes required for a 2/3 votes.

While Governor Schwarzenegger is preparing to address the current year budget deficit during the special session, some Democrat legislators have stated their preference to work with Governor-elect Brown after he is sworn in as governor on January 3. The new governor will then present his 2011-12 State Budget on January 10. During the gubernatorial campaign this fall, Jerry Brown promised voters to "only raise taxes with a vote of the people." The LAO has said revenues are needed and recommends that the new governor and the Legislature "target \$10 billion of permanent budget solutions in 2011-12 and \$15 billion of temporary budget solutions."

### **2011 Legislative Priorities Matrix**

In addition to the above mentioned legislative strategies the City will pursue in Sacramento and in Washington, D.C., we are pursuing legislative priorities to seek State and Federal funding opportunities, as example, for transportation infrastructure, economic stimulus, job creation, housing, youth and family fitness, community center after-hours use, and technology for support for front line police officers. Together, the documents form the foundation for proactive participation with our State and Federal delegation on those issues of highest priority to the City in 2011.

The 2011 Legislative Priorities identify prioritized actionable items briefly described under the categories as follows:

- Advance Airport Construction Projects
- Maximize Transportation Funding
- Fund Education and Literacy Programs
- Support Parks and Recreation Opportunities
- Secure Housing Funds
- Advance Environmental Initiatives
- Ensure Public Safety
- Workforce Development

As stated in the Legislative Guiding Principles, the City supports legislation that will enhance the City's ability to maintain a balanced budget, deliver stable quality City services, and minimize the costs of operations.

As these "living" documents concern circumstances that will be in play during the entire legislative year, staff will update the Council regularly and provide amendments to the documents as needed for Council review and direction. For example, the Mayor is convening the fourth annual Clean Tech Legislative Agenda Summit in January which will lead to the development of the City's Clean Tech Legislative Agenda for 2011. These priorities will require proactive advocacy with policy-makers, regulatory agencies, and active partnerships and collaborations with a wide variety of organizations at the regional, State and Federal levels. In addition, when finalized, staff will bring forward to Council in January the Santa

Clara Valley Water District's Federal Appropriation priorities for projects within the City of San Jose.

### PUBLIC OUTREACH

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater.  
**(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This document will be posted on the City's website for the December 8, 2011 Rules and Open Government Committee meeting where Council and the public have the opportunity to comment.

### COORDINATION

The documents attached were coordinated with City Departments, City Service Areas, the Redevelopment Agency, the City Attorney's Office, the City's Legislative Representative in Sacramento, and the City's Federal lobbyist firm of Patton Boggs.

### POLICY ALIGNMENT

The 2011 Legislative Guiding Principles, Legislative Priorities and Advocacy Issues, will further the City's legislative policy goals and form the foundation of the City's efforts to work with our regional, State and Federal partners on issues of concern and interest to the City.



BETSY SHOTWELL

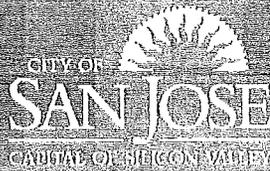
Director, Intergovernmental Relations

#### Attachments:

- A. 2011 Legislative Guiding Principles Overview
- B. Legislative Guiding Principles Detail of Legislative Activities for 2011
- C. 2011 Federal and State Legislative Priorities and Advocacy Issues

For more information contact Betsy Shotwell, Director IGR, (408)535-8270.

**ATTACHMENT A. 2011 LEGISLATIVE GUIDING PRINCIPLES OVERVIEW**



City of San José

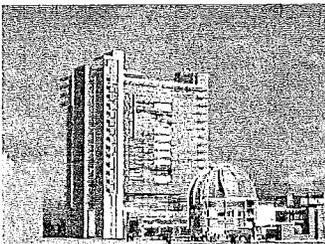
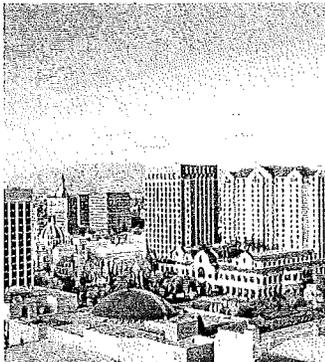
# 2011 Legislative Guiding Principles

DRAFT

San José, the "Capital of Silicon Valley" and county seat of Santa Clara County, is the third largest city in California, tenth largest in the nation and home to a population of 1,007,000 residents. While San José and Silicon Valley are largely associated with the technology industry, the City's business profile is diverse and healthy with the presence of robust commercial, retail, industrial, professional and service businesses and a thriving clean technology sector. The City is proud of the cultural and ethnic diversity of its population and workforce and the rich cultural identity of its many neighborhoods. City residents speak more than 52 different languages. San José ranks first in the nation in terms of the number of college graduates per capita.

The City of San José is often recognized as a leader in municipal services, economic prosperity, and for its quality of life. This reputation is, in part, a result of City government's ability to influence regional, state and national policies that impact service delivery.

Over the past years, the City of San José has experienced continuous growth in residential population. This has presented significant public policy challenges related to the municipal services that the City provides and the ability to respond effectively to changing needs. The challenge of effectively responding to emerging trends with informed policy and legislative initiatives will continue to increase, along with the complexity of the issues and diverse expectations from residents and the change in the Federal Administration. This document highlights the City's legislative guiding principles; together with the City's legislative priorities, they form the basis of the City's efforts to work with our federal and State partners. This document is organized by the following legislative guiding principles:



- **Protect Local Control**

The City values its ability to exercise local control, enable excellent public services and protect and enhance the quality of life for San José residents. The City supports local control efforts to streamline regulations that simplify the job of running the City.

- **Ensure Region's Competitiveness Through Strategic Economic Development**

The City embraces efforts to obtain funding for economic development and environmental initiatives, including planning and implementation of regional transportation and traffic congestion relief projects, the creation of affordable housing, and the creation of a Clean Technology economic sector.

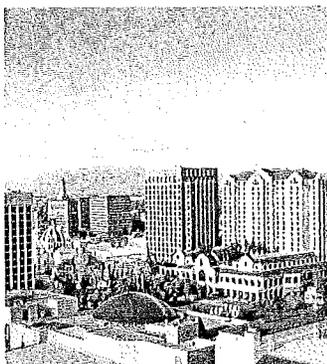
- **Protect and Increase Local Funding; No Unfunded Mandates**

Oppose legislation, policies, or budgets that have negative impacts on City services, revenues or costs.



City of San José

# 2011 Legislative Guiding Principles



- **Pursue Federal and State Funding for Key Efforts**

In order to support the City's efforts and key policies to provide quality services, affordable housing, transportation, and public infrastructure for its residents, it is necessary that the federal and State governments act as partners and provide appropriate levels of funding for these City and regional efforts.

- **Preserve Redevelopment as a Tool for Revitalization**

The City supports legislation and policies that maintain the local autonomy of the Redevelopment Agency and protect the Agency's flexibility to use redevelopment funds, while opposing efforts to limit or divert the use of redevelopment funds (including 20% funds) or any diversion of redevelopment funds by the State.

- **Promote Livability, Sustainable Development, and Environmental Protection**

The City values a sustainable quality of life in an urban environment, including child care, aging and youth services, urban parks and open space, recreation facilities, environmental protection, climate protection, vibrant libraries, arts and culture. The City supports legislation and policies that emphasize sustainable development; improve environmental standards and the regulatory process; provide incentives and financial measures for preservation of natural resources; promote sustainable energy policies; and are consistent with the Green Vision.

- **Support Efforts to Keep San José Safe**

The City supports legislation and policies that enable local officials to access resources to provide quality police, fire, emergency management, and emergency medical services to the community.

- **Promote Investment in Infrastructure Maintenance and Rehabilitation**

The City supports legislation and policies that promote investing in the rehabilitation of aging utility infrastructure and system capacity expansion to support smart growth principles.

**ATTACHMENT B. LEGISLATIVE GUIDING PRINCIPLES DETAIL OF  
LEGISLATIVE ACTIVITIES FOR 2011**

## Under these Guiding Principles the City's Legislative Activities for 2011 Include:

### A. Protect Local Control

The City values its ability to exercise local control, enable excellent public services and protect and enhance the quality of life for San José residents. The City supports local control efforts to streamline regulations that simplify the job of running the City.

Specifically, the City supports efforts, legislation, and policies that:

1. Protect local government revenues by maintaining local authority over the collection of fees and generation of revenues.
2. Reward cities that routinely provide their fair share of housing, while relieving them of slow, unnecessary, or unproductive regulatory review.
3. Allow greater local control regarding the location and permitting of group homes, while ensuring reasonable accommodations to persons with disabilities.
4. Protect the rights of cities to manage local integrated waste management facilities, programs, and materials.
5. Promote the ability of cities, in the area of telecommunications, to have control over the collection of fees and raising of revenues through franchise agreements.
6. Protect local decision making in relation to transportation and land-use decisions. Maintain local land-use authority.
7. Result in an appropriate balance between promoting construction activity and City goals, thus enabling the highest return for capital improvement dollars while making San Jose a city that is attractive and desirable to pursue opportunities for construction activity.
8. Promote a regulatory environment that allows and encourages cities to implement innovative programs to achieve local, state, and national environmental goals.

9. Protect the City's ability to enforce and maintain rent control in mobilehome parks.

And opposes legislation that:

10. That reduces the authority and/or ability of local government to determine how best to effectively operate local programs, services and activities.
11. That would bypass agency regulatory rulemaking processes to impose national public safety staffing standards and/or response times on airports.

### B. Ensure Region's Competitiveness through Strategic Economic Development

The City embraces efforts to obtain funding for economic development and environmental initiatives, including planning and implementation of regional transportation and traffic congestion relief projects, the creation of affordable housing, and the creation of a Clean Technology economic sector.

The City supports efforts, legislation, and policies that:

1. Provide resources and incentives for workforce training, job creation, small business development, and research and development, especially for green jobs.
2. Give more flexibility to Workforce Investment Boards and enable WIBs to target services according to local needs.
3. Encourage innovation, spur demand and remove barriers to consumer adoption of clean technologies and sustainable products.
4. Improve methods of assessment, collection and allocation of local revenues, and oppose efforts that threaten the sources and flexibility of existing revenues.
5. Support the Implementation of the San José International Airport Terminal Area Improvement Program, Phase II when traffic levels rebound and warrant proceeding with the program.
6. Support legislation that allows for the flexible use or repayment of local agency funds to advance key infrastructure issues.
7. Support legislation that encourages and/or enhances economic development and/or additional air service at airports and, more specifically, at Mineta San Jose International Airport.

8. Support legislation to capture appropriate tax revenues from airline a la carte pricing to support the federal Airport and Aviation Trust Fund.
9. Support legislation that temporarily or permanently exempts airport bonds from the Alternative Minimum Tax.
10. Advocate and support legislation that reforms the federal government's housing and social service funding formulas, which rely too much on poverty indices as determiners of "need." This places San Jose and other high-cost regions at a competitive disadvantage for critical housing, community development, and social service program dollars.

And opposes legislation that:

11. Limits or eliminates the ability of airports to collect existing fees for air and ground services that benefit the public.
12. Undermine San José's competitiveness and the City's revenue base, or that adversely impact San José-based businesses.

## C. Protect and Increase Local Funding; No Unfunded Mandates

Oppose legislation, policies, or budgets that would have negative impacts on City services, revenues or costs, and support initiatives, legislation and policies that:

1. Results in the development and implementation of a plan to address the State's public finance system. Pursue reform and advocate for measures that enhance the City's ability to govern and provide essential services with dedicated local funding sources.
2. Ensure that mandated programs are linked to funding to offset the local costs.
3. Support the cost of public safety overtime associated with federal actions and mandates, including changes in Homeland Security alert color codes.
4. Promote policies that provide a more sustainable and cost-effective delivery of workers' compensation benefits for injured City employees.
5. Provide State funding and efforts that strengthen the monitoring of sex offenders.
6. Ensure sufficient funding for security efforts, and law enforcement, including funding for staffing, facilities, training and equipment
7. Support State and Federal transportation funding mechanisms and support legislation to reduce the approval of taxes for transportation and infrastructure funding measures to less than two-thirds majority.
8. Support policies that incorporate the costs of recycling, disposal of products and materials to producers and users, and encourage re-design of products to be less toxic, more easily recycled, and more durable/repairable.
9. Support State and Federal aviation legislation, policies, funding, mechanisms and activities with the objective of:
  - Securing funding that will support Airport development;
  - Improving airport safety, security and convenience;
  - Increasing the Passenger Facility Charges (PFC) ceiling rate;
  - Maintaining and increasing funding for the Airport Improvement Program (AIP);
  - Allowing airports greater flexibility in the use of locally-generated revenues, PFC's and AIP funding; and
  - Ensuring federal capital and operating programs are funded by stable and predictable revenue streams.
10. Support legislation creating a Passengers' Bill of Rights provided it does not result in a transfer of responsibility from airlines to airports and/or impose unfunded mandates on the airport.
11. Pursue and support legislative efforts that curb and/or control the escalating cost of employer provided healthcare and encourages competition.
12. Reduce legal barriers to establishment of assessment districts.
13. Support advocacy efforts that promote the development and implementation of a revised poverty formula, which will provide a more accurate account of the City's high cost of living and the ability of families to meet their basic needs, allowing the City to qualify for more funding programs that use the poverty formula as a tool to determine funding awards.
14. Support and reimburse through grants, the cost of any state-mandated seismic retrofits of single residential or multi-family building structures determined as vulnerable or unsafe by local, state, or federal

government-sanctioned structural engineers.

## D. Pursue Federal and State Funding for Key Efforts

In order to support the City's efforts and key policies to provide quality services, affordable housing, transportation, and public infrastructure for its residents, it is necessary that the federal and State governments act as partners and provide appropriate levels of funding for these City and regional efforts.

1. Protect and enhance current sources of federal and State funding that promote the creation of affordable housing. Specifically, continue the efforts begun under the federal American Recovery and Reinvestment Act (ARRA) which helped to boost and expand the use of federal and State Low-Income Housing Tax Credits.
2. Create and continue vital federal funding to communities' efforts to end chronic homelessness. Include more dollars for the Emergency Shelter Grant, HOPWA, McKinney-Vento, and Section 8 Housing Choice Vouchers programs, and continuation of the Homeless Prevention and Rapid Re-housing (HPRP) program.
3. Fully fund the HOME, CDBG Programs and protect these programs from adverse changes to the funding formula which may disadvantage San Jose and other high-cost, west coast jurisdictions.
4. Support legislation that provides more dollars to local governments or agencies to provide foreclosure assistance, including, but not limited to: 1) helping protect homeowners and tenants from evictions; 2) maintaining bank-owned or blighted properties through local funding for code enforcement efforts to abate and secure blighted and abandoned foreclosed properties; 3) providing more flexibility for high-cost areas to purchase and re-sell foreclosed properties; 4) funding to keep homebuyers in their homes through temporary mortgage payment assistance or funding for re-financing; 5) requiring banks to work with homeowners at risk of foreclosure; 6) provide temporary mortgage payment assistance to households experiencing job loss or reduction in pay; or 7) provide funding for refinancing or other mortgage products such as an equity share program. In order to keep households at risk of foreclosure in their homes.
5. Seek funding for storm water Best Management Practices in parks and open space facilities.
6. Preserve and pursue California's and San José's share of federal and State transportation funding, for planning and implementation of State and regional transportation and traffic congestion relief projects.
7. Provide transportation investment to: preserve existing facilities; support multimodal travel and enhance community livability.
8. Seek funding for the implementation of the Envision San Jose 2040 General Plan, including master planning and zoning efforts to facilitate mixed-use transit oriented urban development and development of complete communities.
9. Seek funding for the development, operations and maintenance of a balanced parks and recreation system to serve the residents of San Jose.
10. Seek federal and state funding for the build out of the City's Green Vision Goal #10 of 100 miles of interconnected trails.
11. Support legislation that allows for the further development of the Guadalupe River Park & Gardens as a key central park and economic development driver for the City.
12. Provide funding for library construction activities and enhanced library services.
13. Enable the construction of high quality child care centers and improve the professional development and training of early childhood educators.
14. Support authorization efforts of the Federal Transportation bill that include flexibility for local agencies, and key themes from the Transportation for Tomorrow report including: maintaining the current transportation system ("Fix-it-First/State of Good Repair"), metropolitan mobility/Urban priority (enhancing mobility between metropolitan areas), highway safety, bicycle funding energy security, streamlining project delivery, MPO Reform, and investments in Intercity and High-Speed Rail.
15. Support efforts to maintain and increase transportation investment through activities, such as increasing the gas tax, expanding user pricing, VMT fees, transportation as utilities, and Public Private Partnerships.
16. Provide rewards in the form of funding for transportation, affordable housing, parks and other infrastructure to communities that have the largest share of Regional Housing Need Allocations (RHNA)

17. Promote California's High-Speed Rail project, which includes an approved southern gateway alignment through the Pacheco Pass into San Jose and support federal and state activities that will advance California's project, including the Diridon Station and San Jose to San Francisco segment.
18. Support efforts that promote BART, automated airport transit access, roadway/interchange improvements, bikeways and pedestrian enhancements, along with the necessary funding sources.
19. Support the creation of new permanent sources of funding for affordable housing at the State level and support the creation and funding of the National Housing Trust Fund.
20. Increase California's conforming loans and FHA multifamily loan limits and regain San Jose's designation as a Difficult Development Area (DDA) in order to provide maximum funding and housing opportunities for San Jose residents and other high-cost areas.
21. Restore Federal Justice Assistance Grant (JAG) funding to assist with purchase of necessary equipment to perform law enforcement functions.
22. Support legislation that attracts investors to Low-Income Housing Tax Credit Program (LIHTC) through "carryback" proceeds that allow investors to lower their tax bills when they invest in new affordable housing developments.
23. Seek federal and state funding for the City to invest into vacant foreclosed homes in the hardest hit communities and to sell these homes as affordable homes to first time homebuyers.
24. Achieve consistency between federal and State affordability requirements, specifically as the requirements relate to the usage of income limits and rent calculations in order to ensure and maintain the financial feasibility of affordable rental development.

## **E. Preserve Redevelopment as a Tool for City Revitalization**

The City supports legislation and policies that maintain the local autonomy of the Redevelopment Agency and protects the Agency's flexibility to use redevelopment funds, while opposing efforts to limit or divert the use of redevelopment funds (including 20% funds) or

any diversion of redevelopment funds by the State.

1. The Agency supports the judicious use of eminent domain in the implementation of the City's redevelopment and neighborhood revitalization.
2. Oppose efforts to reduce the powers of redevelopment agencies to reduce blight and improve our neighborhoods.
3. Support efforts to increase flexibility with respect to the Agency's construction processes.
4. The Agency supports efforts to assist businesses and create and retain jobs through the Enterprise Zone Program and would be in opposition to (or take issue with) efforts that would eliminate or curtail its ability to provide such assistance.
5. The Agency supports Low-and Moderate-Income Housing Funds (or 20% Housing Set-Aside) and would be in opposition to (or take issue with) diverting such funding.

## **F. Promote Livability, Sustainable Development, and Environmental Protection**

The City values a sustainable quality of life in an urban environment, including child care, aging and youth services, urban parks and open space, recreation facilities, environmental protection, climate protection, vibrant libraries, arts and culture. The City supports legislation and policies that emphasize sustainable development; improve environmental standards and the regulatory process; provide incentives and financial measures for preservation of natural resources; promote sustainable energy policies; and are consistent with the Green Vision.

The City supports legislation that promotes livability, sustainable development, and environmental protection that:

1. Advances initiatives and secures funding to address climate change, and supports San Jose's Green Vision efforts to become a Sustainable City, through Green Building initiatives, pollution prevention practices, water, waste and energy efficiency, and regional, state and global initiatives (e.g. Urban Environmental Accords.)
2. Enacts Extended Producer Responsibility (EPR) statewide and nationally.
3. Protects the environment through conservation and, preservation of natural

- resources, habitat, and improving the health of local watersheds.
4. Expands and maintains the City's system of trails and recreational facilities.
  5. Streamlines the CEQA process, to promote infill and high-density housing and employment near public transportation or corridors.
  6. Promotes research, development, production and procurement of environmentally preferable goods, services, and transportation.
  7. Maintains the effectiveness and flexibility of housing and community development efforts by both increasing the Section 8 Voucher Program and continuing flexibility of the Moving to Work program.
  8. Seeks to protect the community and residents from certain reverse annuity mortgages or specialized loan products that place seniors or persons with limited English skills in danger of foreclosures.
  9. Supports Source Reduction and increased recycling and composting in order to achieve Zero Waste.
  10. Supports efforts that provide greater flexibility for the successful delivery of transportation projects including innovative project management tools, as well as environmental streamlining.
  11. Provides funding for transportation, parks and other infrastructure that supports infill and higher density housing and employment, as well as Transit-Oriented Development (TOD).
  12. Provides funding for programs that promote health and wellness, increase access to local organic foods, increase physical activity and ensure proper nutrition and nutrition services to improve seniors' and children's individual health.
  13. Provides funding for the preservation of open space and the acquisition of parkland in park deficient and low-income communities.
  14. Facilitates collaboration between cities and schools to increase community use of facilities.
  15. Promotes access to affordable health care for seniors and youth.
  16. Promotes user-pays policies as they relate to costs associated with handling, recycling, and disposal of hazardous and/or universal waste materials, or handling or clean-up of litter.
  17. Supports state and federal incentives that foster energy innovations including energy efficiency, smart grid, clean renewable energy, energy conversion and storage technological development.
  18. Promotes Housing Element reform and addresses regional planning and land-use issues of concern to San José.
  19. Addresses infrastructure improvements in mobilehome parks that serve low-income households.
  20. Maintains a city's ability to manage the location of growth, such as Urban Growth Boundaries and other techniques.
  21. Promotes San Jose as a national leader of Parks and Recreation in cultivating healthy communities through quality programs and dynamic public spaces.
  22. Provides funding for sports, aquatics and other recreational facilities and programs.
  23. Promotes and provides funding for the creation and, operations and maintenance of new and existing parks, urban open spaces and recreation facilities.
  24. Provides funding for improvements and restoration of aging infrastructure in the regional parks.
  25. Seeks Federal and State funding to ensure the continued provision of recreation based services to children, youth, adults and persons with disabilities.
  26. Seeks federal and state funding and supports legislation that:
    - a. Furthers the development of a vibrant arts and cultural sector;
    - b. Promotes visual and performing arts education and fosters lifelong arts and cultural learning in the arts;
    - c. Fosters high quality art and design in urban planning and development;
    - d. Promotes the creative industries, including creative entrepreneurs and the commercial creative sector;
    - e. Supports the availability of diverse cultural spaces and places throughout the community.
  27. Provides funding for library services, materials, and facilities to ensure equal access to information and lifelong learning for all San Jose residents.
  28. Supports adult and family literacy services that increase the self-sufficiency of families and improve the educational achievement of children.

29. Promotes quality early education programs for young children and addresses the need for increased early care options to meet the needs of San Jose families.
30. Provides funding to facilitate the development of affordable/mixed-income residential development in transit corridors and at transit stations.
31. Provides funding for the retrofitting of weatherization for multifamily housing development.
32. Provide transportation investment to: preserve existing facilities; support multimodal travel including public transit, biking, and walking; enhance community livability; and promote sustainable compact development.
33. Provides funding for integrated land-use planning, mixed-use development, and dense, compact development, especially as it relates to reversing inefficient, low-density, sprawl development in suburban regions.

## G. Support Efforts to Keep San José Safe

The City supports legislation and policies that enable local officials to access resources to provide quality police, fire, emergency management, and emergency medical services to the community.

Support legislation and policies that:

1. Provide opportunities for community policing and public safety education programs.
2. Secure or protect ongoing funding for Homeland Security efforts to enable the City, as a local first responder, to effectively respond to all forms of emergencies.
3. Ensure that San José receives a proportionate share of funding for public safety/security initiatives.
4. Provide ongoing support for proposals related to interoperability of voice/data communications systems for Police and Fire.
5. Increase prevention and intervention based recreation services that deter gang involvement and involve youth in positive alternatives.
6. Promote transportation safety and security for all modes including traffic calming within neighborhoods, safe routes to school for children, and increase local authority to set effective traffic control practices on local streets.

7. Provide innovative funding sources to increase enforcement and safety measures on local streets as well as provides funding to provide transportation safety education.
8. Promote technologies that provide for the increased safety of road users including, pedestrians, bicyclists and drivers.
9. Increase resources that effectively address and assist individuals impacted by domestic violence through prevention, education, and intervention programs and services.
10. Further deploy a nationwide 700 MHz Interoperability Public Safety Broadband Network to ensure multi-jurisdiction communication that is paramount to sustaining public confidence and quick recovery during a time of crisis.

## H. Promote Investment in Infrastructure Maintenance and Rehabilitation

The City supports legislation and policies that promote investing in the rehabilitation of aging utility infrastructure and system capacity expansion to support smart growth principles. Ideally such legislation would:

1. Promote legislation and policies that increase local control of utility infrastructure.
2. Fund infrastructure, construction, repair and replacement of flood control and storm drainage systems, potable and recycled water systems, sanitary sewer systems, and waste water treatment facilities in all areas of San Jose including redevelopment areas.
3. Ensure adequate funding of Water Pollution Control Plant infrastructure needs.
4. Encourage public utility companies to prioritize and efficiently maintain and construct underground projects.
5. Enable the development and protection of transportation funding for the maintenance and operations of local streets, trails and roads.
6. Provide funding for improvements and restoration of aging infrastructure in the regional parks.

**ATTACHMENT C. 2011 FEDERAL AND STATE LEGISLATIVE PRIORITIES  
AND ADVOCACY ISSUES**

LEGISLATIVE PRIORITY	TYPE	A REVENUE B PUBLIC POLICY CHANGE C APPROPRIATION REQUEST			POTENTIAL FISCAL IMPACT	SCHEDULE/MILESTONES	LEAD STAFF/ DEPARTMENT
		A	B	C			
<p><b>ADVANCE AIRPORT CONSTRUCTION PROJECTS</b></p> <p>Passage of a multi-year Federal Aviation Administration Reauthorization Bill that includes:</p> <ol style="list-style-type: none"> <li>1. An adjustment of the ceiling for Passenger Facilities Charges (PFCs) to no less than \$7.50 per enplaned passenger;</li> <li>2. Maintenance and, preferably, an increase in Airport Improvement Program funding;</li> <li>3. Temporary and, preferably permanently, extension of the exemption from the alternative minimum tax on airport bond funding; and</li> <li>4. The modernization of the air traffic control system</li> </ol>	Federal	X			Up to an additional \$6-10 million a year in revenue (based on current level of passenger activity and depending on if and how much the ceiling is raised)	<p>June 2007 – Council adopts legislative position to increase the PFC ceiling level. Although the House has three times passed a bill providing a \$7.00 PFC, the Senate has yet to pass its version of the bill.</p> <p>The current reauthorization legislation, which was to have expired in 2007 has been temporarily extended sixteen times current bill was introduced in the spring of 2007 and is now set to expire on December 31, 2010. City staff will continue to closely watch the bill's progress and convey concerns and positions to the both the House and Senate</p> <p>Congressional delegation as appropriate</p> <p><b>CSJ Request:</b> 1) Adjust the ceiling of \$4.50 for the passenger facility charge (PFC) to \$7.50; 2) maintain or increase the current level of Airport Improvement Program funding; and 3) provide a permanent exemption from the Alternative Minimum Tax for airport bond funding.</p> <p><b>Consequence/Results:</b> An adjustment of at least \$1 may possibly allow the City to reallocate resources to construct a new public parking garage that cannot now be constructed due to budget constraints. In the meantime, any increase in PFC revenues will allow the City to more rapidly pay down outstanding bond debt for past safety, security, operational and environmental improvement projects.</p>	Jim Webb -Airport

**MAXIMIZE TRANSPORTATION FUNDING**

**New Federal Transportation Bill** – The current Federal transportation funding policy program SAFETEA-LU expired on September 30, 2009. The program has been extended and may be extended for a period of 18 months before a transportation bill is passed. Transportation is facing severe deficits as a result of declining gas tax revenues due to reduced fuel consumption. A new Federal transportation policy is needed to support the financing of transportation system maintenance, operations and enhancement as well as to address needed policy changes, such as proportional representation at the MPO level.

Federal

X

Significant source of funding for transportation. Current Federal transportation bill funding amount is \$244 billion (over 6 years) with estimates of a new bill around \$450 billion (6-year period).

City policy priority action is to influence the development of a new Federal transportation funding bill that supports the City's objectives related to infrastructure condition, safety, multi-modal mobility, economic development and environmental sustainability. Key policy issues include: adequate and sustainable funding, focus on maintenance and safety, support for intercity transit (e.g., BART and High Speed Trains), delegated authority to local/regional level for local investments, Metropolitan Planning Organization (MPO) proportional representation, and R&D support for new technology.

Hans Larsen- DOT

**2012 Federal Appropriations**-Each year Congress adopts a Transportation Appropriation bill. The measure provided the legal authority for the federal Department of Transportation to spend funds for the projects they administer. In addition to providing the funding level for specific programs, Congress is able to provide smaller levels of funding for projects within their districts. Transportation projects are generally funded at levels \$2 million and below. This year's list of potential projects submitted by SJDOT include projects that provide bicycle transportation connections between jobs and housing and a project that is high-priority for the development of the federalized segment of the BART extension in San Jose. They are:

Federal

X

Coyote Creek Trail- Amount Considered for Federal Request: \$2,000,000/\$400,000 match  
 Coyote Creek Trail Connector- Amount Considered for Federal Request: \$2,000,000/\$400,000 match  
 U.S. 101/Mabury Interchange-Amount considered for Federal request: \$800,000/\$280,000 match  
 Branham Corridor- Amount considered for Federal request: \$1,200,000/\$300,000 match.

Hans Larsen- DOT

- Coyote Creek Trail (North San Jose)
- Coyote Creek Trail Connector (Edenvale)
- U.S. 101/mabury interchange Project Study Report and Environmental Document
- Branham Corridor Separated Bikeway Project

**ENSURE PUBLIC SAFETY**

<p><b>Funding for Implementation of Officer Mounted Video/Audio Device-</b> The San Jose Police Department recently completed a pilot program with the on-officer camera system. There was significant success in court proceedings, Internal Affairs investigations and Civil Liability cases due to video captured during this pilot. The City and Department understand the importance of this type of technology to enhance the capabilities of front line law enforcement and ensure an accurate and truthful record of events. In order to properly implement this type of technology, a minimum of 100 devices would need to be purchased in order to support both the Patrol staffing and Special Operations personnel and implement a software solution to store and retrieve audio and video recordings.</p>	Federal		X	Amount considered for Federal request \$700,000	<p>CSJ Request: \$700,000 in Federal funds.</p> <p><b>Consequences/Results:</b> This technology would enhance the capabilities of front line police officers in capturing contacts with members of the community.</p>	Lt. Tom Sims- Research and Development Unit, Office of the Chief
<p><b>Project ACT – Action, Collaboration and Transformation – A Project of the Mayor’s Gang Prevention Task Force -</b> The City of San Jose is requesting an appropriation of approximately \$1.2M to implement the following:</p> <ul style="list-style-type: none"> <li>• Increase the use of community centers during non-traditional hours. This would be for City and Community-based organization personnel that would be involved in the delivery of intervention services. Expenses in the category would include, but not limited to staff salaries, program supplies, and evaluation.</li> <li>• Staff development training for approximately 100 field intervention workers in specialized disciplines including behavior modification and Leadership Development. Costs involved would be for purchase of the training as well as staff salaries, program materials, facility rentals and any expenses for food. Increase the level of Substance Abuse services at middle and high schools in the City of San José. These would be implemented through contracts with community-based organizations.</li> </ul>	Federal		X	Up to \$1,200,000 for the next three years (FY 2011-2014)	<p>CSJ Request: FY 2011 Appropriations request for up to \$1,200,000 (over three-years).</p> <p><b>Consequences/Results:</b> City will be able to provide late-night programming (recreational, pro-social activities, and opportunities for personal transformation), outpatient and substance abuse intervention services in key hot-spot areas as identified by the Mayor’s Gang Prevention Task Force. Intended outcomes are a reduction in the overall gang related crimes and increased number of participants that will transition to more positive and productive lifestyles.</p>	Albert Balagso/ Angel Rios- PRNS

**ADVANCE ENVIRONMENTAL INITIATIVES**

<p><b>CSJ/Harvest Power Biomethane Production Demonstration Project-</b> This project entails pre-development activities and development of a demonstration facility of an innovative, small-scale gasification technology that will use urban wood waste and biosolids for the production of transportation fuel quality biomethane. The goal of this project is to demonstrate that biomethane suitable for</p>	Federal		X	CSJ Request: \$1,000,000 in Federal funds.	John Stuffiebean/Michele Young- Environmental Services
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<p>produced through gasification of wood and biosolids feed stocks and that such facilities can be successfully operated as decentralized, distributed energy scale.</p>	<p><b>South Bay Water Recycling-</b> Formerly known as the San Jose Area Water Reclamation and Reuse Program is requesting \$20.1 million which will fulfill the federal obligation under the existing authorization by reimbursing the federal share of past expenses and enable the City to continue to invest in the water reuse program.</p>	<p><b>San José Environmental Innovation Center –</b> Adaptive reuse of a 46,000 square foot historic warehouse on a 4.2-acre light industrial property that is centrally located in the City of San José and Santa Clara County. The Leadership in Energy and Environmental Design (LEED) design incorporates a Clean Tech Demonstration Center (CTDC), Household Hazardous Waste facility, materials reuse store, space to showcase sustainable technologies, and conference space for environmentally-focused workshops and job training programs.</p> <p>This project will provide opportunities for City and County residents, particularly those at lower income levels and in underserved areas, to enter the green economy and improve their access to quality jobs. Approximately one-third of the facility will house living laboratories where innovators will test and deploy renewable energy, energy efficiency, and clean transportation technologies. The CTDC—an innovation, development, and demonstration incubator for alternative energy, green fleet vehicles, and emerging energy efficient technologies—seeks to capitalize on Silicon Valley’s unrivaled entrepreneurial expertise, engineering talent, and commercialization experience by integrating an array of workforce training opportunities with regional partners and established clean tech incubators. Linked with the skill sets and expertise of its members, the CTDC will have the necessary staff expertise to host workshops and training programs on emerging technologies and clean tech manufacturing jobs.</p> <p>In conjunction with creating jobs, the project aims to provide a much needed venue for the safe disposal of common household products that can be toxic to both humans and the environment. Local program data supports the conclusion that Santa Clara County cities must increase their efforts to improve participation in regional programs to improve environmental quality and reduce the incidence of child poisonings from household chemicals. Additionally, small businesses need low-cost hazardous waste disposal and information</p>	<p>Federal</p>	<p>X</p>	<p>Total On-Going and Future Costs: \$28 million project total (more with possible phase III expansion); approximately \$11.4 million expensed to date</p> <p>Local / Non-Federal Commitment: \$10.135 million (for construction)</p> <p>Federal Appropriation Request for FY12: \$4 million</p>	<p>CSJ Request: \$20.1 million in Federal funds.</p>	<p>John Stuffiebean/Eric Rosenblum- Environmental Services</p> <p>John Stuffiebean/ Jo Zientek, ESD Kim Walesh- OED</p>
		<p>CSJ Request: \$4 million requested from Congress</p> <p><b>Consequences/Results:</b> Receiving funding in FY12 would assist the City close the funding gap for the construction of the San Jose Environmental Innovation Center and/or fund add alternates as well as potentially pay for programming and design work for a possible expansion of the project onto the recently-purchased, adjacent property.</p>					

<p>operational hazards and costs, improve profitability, and remain in business.</p> <p><b>Santa Clara Valley Water District (SCVWD) and Levee Guidelines regarding Vegetation:</b> The US Army Corps has recently implemented levee guidelines regarding vegetation which is of concern to the SCVWD. The required removal of vegetation impacts thousands of miles of levees across the state and according to the SCVWD "compromises our already fragile ecosystem, places a large financial burden on our struggling economy, and negatively impacts public safety."</p> <p><b>Property Assessed Clean Energy (PACE):</b> Advocate for the Federal Housing Finance Agency to lift its opposition to the PACE program to finance energy efficiency and renewable energy improvements to the benefit of homeowners and small businesses. The PACE program has proved to be a successful resource for homeowners and for municipalities that want to reduce their energy consumption. The disruption caused by Fannie Mae and Freddie Mac's recent actions may have serious financial implications for participating local governments and homeowners and small businesses.</p>	Federal	X	Places a large financial burden on levee owners in California.	The SCVWD has recently solicited assistance from U.S. Senators Boxer and Feinstein to help "cease implementation of current vegetation policy and processes and instead facilitate resolution of conflicts created at multiple levels by the Corps' actions."	David Tucker/ESD in coordination with the SCVWD
<p><b>SECURE HOUSING FUNDS</b></p>	Federal	X	This legislation would make improvements to the two programs that are beneficial to the City of San Jose, and may make funding available for services and rental assistance that is key to individual success.	Uncertainty surrounding the PACE program needs to be resolved. If the Federal Housing Finance Agency continues to resist revising their published guidelines that would allow PACE financing programs to continue while ensuring that both taxpayer and private mortgage investments are protected, then Federal legislation needs to be introduced to preserve the program.	Mary Tucker/ESD
<p><b>Support Reforms to the Section 202 and 811 Program to help San Jose's seniors and the disabled—</b> Congress is considering legislation (S. 118 and HR. 1675) that would reform two important federal housing programs. The City of San Jose has used these programs over the years to help finance the development of new units for seniors and the disabled. S. 118 would expand opportunities for seniors to age in place through the use of rental subsidies, and would provide health care and social services. HR. 1675 would provide additional construction and rental assistance funding and would authorize a demonstration program on community integration for people with disabilities.</p>	Federal	X	This legislation would make improvements to the two programs that are beneficial to the City of San Jose, and may make funding available for services and rental assistance that is key to individual success.	CSJ Request: Follow these bills and make comments as necessary	Leslye Corsiglia/Kristen Clements-Housing
<p><b>Support Efforts to Protect the Moving to Work Program—</b>San Jose and Santa Clara are two of the Housing Authorities that have been designated as Moving to Work jurisdictions, a designation that provides more flexibility and local decision making authority. There are two efforts being considered in Congress that would make changes to Housing Authority programs and have the potential to take away some of these flexibilities:</p> <ol style="list-style-type: none"> <li>1. SEVRA— Known as the Section Eight Voucher Reform Act, SEVRA seeks to reform the voucher renewal funding process through major changes to existing law.</li> <li>2. PETRA—Known as the Preservation, Enhancement, and Transformation of Rental Assistance Act, PETRA authorizes and implements the Administration's proposed Transforming Rental Assistance (TRA) initiative.</li> </ol>	Federal			Protect the San Jose/Santa Clara MTW designation from any restrictions on current flexibility, or any efforts to eliminate MTW as a program.	Leslye Corsiglia-Housing

<p><b>Follow and Comment on Changes to the Community Reinvestment Act</b>—Changes are being proposed to the Community Reinvestment Act, which requires lending institutions to invest funds in the community for activities that include affordable housing.</p> <p><b>Follow and Comment on Tax Credit Reform Initiatives</b>—Several pieces of legislation are winding their way through Congress right now that would make changes to the Low Income Housing Tax Credit Program</p>	Federal			Ensure that any changes made to the CRA are beneficial to the City.	Leslye Corsiglia/ Housing
<p><b>Secure Federal Funds to Help with Foreclosures</b>—The foreclosure crisis continues to be a significant problem for San Jose residents, especially in certain neighborhoods. The City has successfully received funding from the Neighborhood Stabilization Program. However, additional funds are needed, particularly to provide counseling and support to families and individuals facing foreclosure.</p>	Federal	X	This could result in millions of dollars in revenue to help families that are going through the foreclosure process.	<p>Support legislation and other efforts to increase funding to local governments or other agencies that are providing foreclosure assistance, including, but not limited to:</p> <ol style="list-style-type: none"> <li>1) Helping protect homeowners and tenants from evictions;</li> <li>2) Maintaining bank-owned or blighted properties through local funding for code enforcement efforts;</li> <li>3) Keeping homebuyers in their homes through temporary mortgage payment assistance or funding for re-financing;</li> <li>5) Providing temporary mortgage payments assistance to households experiencing job loss or reduction in pay.</li> </ol> <p><b>Consequences/Results:</b> By not mitigating the results of the foreclosure crisis, more families will lose their homes, home values will continue to devalue, neighborhoods will be impacted, and tenants will be displaced.</p>	Leslye Corsiglia/ James Stagi-Housing
<p><b>Secure Federal Funding for Affordable Housing</b> – In order to meet anticipated population increases, the City has a need to develop an estimated 5,000 units of housing a year, 2,000 of which need to be affordable to lower income households. Additionally, the City is working to house its homeless population, which numbers about 4,500 according to the most recent census count. For the homeless, both construction funds and supportive service funds are needed. Limited local funds are available for these purposes. Federal funding is needed to help address this problem.</p>	Federal	X	Millions of dollars are needed to help the City address the housing needs of lower income people.	<p><b>CSJ Request:</b></p> <ol style="list-style-type: none"> <li>1. Ensure that the Administration and Congress prioritizes funding for affordable housing.</li> <li>2. Be actively involved in the formula design for the distribution of funds through the National Housing Trust Fund (NHTF). Also, ensure that any NHTF program has a</li> </ol>	Leslye Corsiglia / Jessica Scheiner - Housing

<p><b>Changing the federal poverty line to a standard that recognizes high-cost areas</b> - Eligibility for many assistance programs, including federal entitlement funding, is at least partially based on Federal Poverty Levels. The federal poverty line was originally created in 1964 and was adopted in order to develop a national standard to measure how much it (minimally) costs to cover the cost of food. The Federal Poverty Level does not adequately represent the cost of living for today's working parents, who must pay for food, child care, housing, transportation, and health care.</p> <p>The current federal poverty level for the nation is about \$19,000 per year for a family of four. According to figures released by the Census Bureau in 2010, using this number, the poverty rate in Santa Clara County is about 9.1%. However, \$19,000 is 18% of the median income in Santa Clara County, which is insufficient to pay for just basic needs like housing, food, childcare, healthcare, and transportation.</p> <p>Because the federal government gives more weight to poverty line and less to true need, high-cost areas like San José and residents throughout California lose out on vital services.</p>	Federal				<p>Unknown, but would likely result in thousands of more families in San Jose qualifying for aid and receiving more federal funding.</p>	<p>dedicated source of financing.</p> <p>3. Follow the federal HEARTH Program to ensure that it works for San José.</p> <p><b>Consequences/Results:</b> Without additional permanent, dedicated source of funds for affordable housing, it will not be possible to keep pace with the demand for affordable housing in the future or protect our most vulnerable populations.</p>	<p>Leslye Corsiglia / Jessica Schreiner - Housing</p>
<p><b>Community Development Block Grant (CDBG)</b> - The CDBG program has been a vital tool in cities' toolboxes for improving lower-income communities. Last year, the City of San José received approximately \$10 million in CDBG funding from the federal government. While the needs for housing, infrastructure and services have grown dramatically, over the last ten years, federal funding to the City of San José for the CDBG program has dropped by nearly 25%. Federal aid for low-income families has seen a sharp decline over the last several years.</p>	Federal	X	X	X	<p>San Jose receives about \$10 million per year for CDBG. If the program is significantly reduced or the formula allocation is altered by Congress, San José's low-income residents will be adversely impacted.</p>	<p><b>CSJ Requests:</b></p> <ol style="list-style-type: none"> <li>1. Advocate and support legislation that reforms the federal funding formulas, which rely too much on poverty indices as determiners of "need."</li> <li>2. Support advocacy efforts that promote a supplemental poverty measure, which provides a more accurate account of the ability of families to meet basic needs.</li> <li>3. Build coalitions of support with the County, the areas' nonprofits (including United Way), and other high-cost jurisdictions that have an interest and concern about this issue.</li> </ol> <p><b>Consequences/Results:</b> By changing the poverty standard San Jose and its residents would receive more federal dollars to assist with many direct assistance programs.</p>	<p>Leslye Corsiglia / Jessica Schreiner - Housing</p>

<p><b>Destination: Home, Permanent Housing Study – Destination:</b> Home, a public-private partnership created to end homelessness in Santa Clara County, seeks to quantify high impact public services used by homeless and chronically homeless members of our community with solutions to reduce costs through systems change.</p> <p>A federal appropriation is requested for a cost evaluation and outcomes study on permanent housing strategies in Santa Clara County, which will provide cost rationale and recommendations to assist the chronic homeless population to successfully find and maintain permanent housing along with quantifiable cost saving measures associated with traditional methods of managing homelessness via emergency shelters, hospital emergency rooms, and jails. The evaluation will analyze the effectiveness of current initiatives, quantify cost savings of Housing First programs, recommend insights on improving and enhancing permanent housing initiatives, and disseminate evaluation and recommendations to other parties in Santa Clara County and beyond.</p> <p>The results of the cost evaluation and outcomes study will allow</p> <p><b>Destination:</b> Home to determine the most cost effective ways to implement permanent housing strategies in our community. The overall goal is to help the chronic homeless population successfully find and maintain permanent housing while reducing costs of traditional methods of managing homelessness via shelters, emergency rooms, and jails.</p> <p><b>Educare – Equipment/Programmatic</b> Educare is a national model that provides high-quality, birth-to-five early learning centers to prepare underserved children for success in school and life. San José has been selected as one of only a few sites throughout the country to build an Educare facility (and 1 of only 2 sites in California). Through a partnership with the Franklin McKinley School District, Santa Clara County Office of Education, First 5 of Santa Clara County, the City of San José, the Packard Foundation and the Silicon Valley Leadership Group, plans are underway to open a 34,000 sq. foot Educare facility in the Santee neighborhood in January 2013.</p> <p>By providing state of the art early childhood facilities, Educare recognizes that learning begins at birth and strives to address the</p>	Federal				<p>3. Oppose federal entitlement formula changes that will disadvantage San Jose and other high-cost regions in the Bay Area.</p> <p><b>Consequences/Results:</b> Significant reductions to, or elimination of CDBG would adversely impact low income residents of San Jose.</p> <p><b>CSJ Request:</b> FY 2012 Appropriations request for \$275,000</p> <p><b>Consequences/Results:</b> Data will be available to demonstrate the cost savings achieved by housing the homeless. This will help local governments, particularly the County, make decisions to reallocate resources, and will be of interest to private funders who can use their resources toward a more effective end.</p>	Leslye Corsiglia-Housing
	Federal		X	\$275,000		Leslye Corsiglia-Housing
	Federal		X	\$300,000	<p><b>CSJ Request:</b> FY 2012 Appropriations request for \$300,000</p> <p><b>Consequences/Results:</b> Significant funding is needed to build this new center. A major capital campaign is underway by the Silicon Valley Leadership Group. This federal allocation will provide a portion of the funding by financing the purchase of equipment, including technology and learning tools.</p>	Leslye Corsiglia-Housing

achievement gap in underserved neighborhoods that often leaves them unprepared when they begin kindergarten. San José's Educare facility will include classrooms and a Family Resource Center.	Federal			X	\$200,000	<p><b>CSJ Request:</b> FY 2012 Appropriations request for \$200,000</p> <p><b>Consequences/Results:</b> See above. This funding would provide a portion of the funding needed for the development of the Center.</p>	Leslye Corsiglia- Housing
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**FUNDED EDUCATION AND LITERACY PROGRAMS**

<p><b>Teach Smart: Workforce Development for Early Educators</b> – This project will enable the development and delivery of a vocational ESL program specifically for early childhood educators. California has a series of permit levels for early educators that require completion of degree-applicable coursework. At the lower permitting levels, employees have a certain amount of time in which they must complete the requirements for the next level or forfeit their job. A great number of employees in these entry-level positions cannot complete the required courses because of limited English language and literacy skills. Through <i>Teach Smart</i> 180 early educators will receive ESL and basic literacy instruction embedded in early childhood development topics to better prepare them to meet the permitting requirements. The project will also enable 20 low-income parents to receive the training needed to enter the workforce as substitute teacher assistants. Increasing the education of the educators also increases the quality of the early education programs offered to young children in our community.</p>	Federal		X	<p>Amount Considered for Federal Request Full Project: \$283,908 / \$106,406 match Scaled Project: \$241,658 / \$101,668 scaled</p>	<p><b>CSJ Request:</b> FY2012 Appropriations request between \$241,658 and \$283,908.</p> <p><b>Consequence/Results:</b> By participating in this vocational ESL program, 180 early childhood educators will increase their ability to sustain and advance their employment, 20 low-income parents will receive the skills needed to become employed as substitute teacher assistants, and young children will receive quality early education programs. The curriculum developed through this project can be used to support additional early educators in the future and can be replicated locally and statewide</p>	Jane Light/Kary Bloom- Library
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**WORKFORCE DEVELOPMENT**

<p><b>Securing and Enhancing Employment through Online Support Services</b> – This collaboration between work2future and the Library Department reflects the national initiative for local public libraries and the workforce development system to collaborate to improve the quality and quantity of employment and training services to job seekers. This project will expand online services and resources for</p>	Federal		X	<p>Amount Considered for Federal Request Full Project: \$250,000/ \$180,000 match</p>	<p><b>CSJ Request:</b> FY2012 Appropriations request: \$250,000</p> <p><b>Consequences/Results:</b> The expansion of online services and</p>	Jane Light/Chris Donnelly- Library
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<p>job seekers; increasing the number of clients that can be served, enabling customers to more independently meet their needs, and allowing staff to focus on high level customer support. These online services will be available to clients wherever they have an internet accessible computer. Regardless of whether the content is the library's or work2future's, customers will enjoy a seamless interface. Through the use of this technology, work2future will increase the number of services to its customers by 20%. Library customers will also see increased services and resources.</p>	<p><b>Green Jobs Training Program</b> – Funding is needed to help meet the additional skills training and retraining needs of adults and dislocated workers as well as incumbent training to help individuals retain jobs and small businesses. The City of San Jose is the largest city in the Local Workforce Investment Area (LWIA) served by work2future. Among the City's Green Vision 10 goals is the creation of 25,000 Clean Tech Jobs by 2022. work2future will leverage a variety of projects and programs at the local, state and federal levels to lay the groundwork and provide incentives for growing the local energy efficiency upgrade market. These include grant-supported projects to pilot energy efficiency upgrades in both residential and commercial properties in designated low-income neighborhoods in San Jose, and to market aggressively energy efficiency residential upgrades throughout Santa Clara County.</p>	Federal				X	<p>resources for area job seekers will increase the number of customers served, expand the content available to job seekers, and enable staff to focus on individualized support.</p>	<p>Kim Walesh/Jeff Ruster- OED</p>
<b>SUPPORT PARKS AND RECREATION OPPORTUNITIES</b>								
<p><b>Project Wellness</b> - The City of San Jose Parks Recreation and Neighborhood services is requesting \$750,000 to be allocated over 3 years to provide recreational and fitness related opportunities to youth and families in the City to reduce obesity and promote wellness in low-income communities within the City. The Santa Clara County Health Profile Report stated that more than half of adults and a quarter of middle and high school students in the County are either overweight or obese. If granted, funds will be used to provide fitness passes, exercise classes, other health related classes such as yoga, and karate and promote the use of trails and parks for recreation</p>	Federal			X	Up to \$750,000 over three (3) years	<p><b>CSJ Request: FY 2011</b>          Appropriations request for up to \$750,000 (over three-years).  <u>Consequences/Results:</u> City will be able to provide fitness passes, recreational activities and classes to reduce obesity and promote wellness to youth and families residing in low income areas.</p>	<p>Angel Rios-PRNS</p>	

LEGISLATIVE PRIORITY	TYPE	A. Revenue Enhancement B. Public Policy Change C. Appropriation Request			POTENTIAL FISCAL IMPACT	SCHEDULE / MILESTONES	LEAD STAFF / DEPT
		A	B	C			
<b>MAXIMIZE TRANSPORTATION FUNDING</b>							
<p><b>Proposition 1B</b> – In November 2006, California voters approved Proposition 1B, the \$19.9 billion bond measure for transportation system improvements. \$234 million in funding has been allocated to projects in San Jose including: I-880 HOV in North San Jose (\$95M); Route 101 Improvements near Tully Road (\$52M); Santa Clara/Alum Rock Bus Rapid Transit (\$45M); San Jose Local Streets and Roads (\$30M); San Jose Traffic Light Synchronization (\$15M); and Blossom Hill/Monterey Highway Pedestrian Overcrossing (\$6.8M).</p>	State	X			\$234 million has been allocated for projects in San Jose	City policy priority action is to assure timely use of already allocated funds.	Hans Larsen- DOT
<p><b>Relinquishment of State Routes 82 and 130</b> – The state of California owns State Route 82 (The Alameda/Monterey Highway) and State Route 130 (Alum Rock) within the City of San Jose. In order to facilitate transportation improvements and economic development located along these facilities, the City is supportive of having Caltrans relinquish these roads to San Jose.</p>	State		X		Caltrans funding should be provided to improve facilities and deliver them to the City in a "state of good repair."	City sponsored legislation, AB 1670 (Beall), has been approved by the Legislature and signed by the Governor. The next steps to complete the State process include an agreement with Caltrans and approval by the California Transportation Commission (CTC).	Hans Larsen- DOT
<p><b>Transportation Funding</b> – The generation and the protection of transportation funds is necessary to provide a safe, efficient, and well maintained transportation system. The continued decrease in the value of the Gas Tax has put pressure on transportation organizations to find ways to increase transportation funding and to preserve these vital funds.</p>	State	X				City policy priority action is to support legislation and activities that: <ul style="list-style-type: none"> <li>– Support the creation of a "Rebuild California: infrastructure investment program.</li> <li>– Allow for the passage of revenue generation opportunities with a less than two-thirds majority vote.</li> <li>– Preserve special local sales tax programs.</li> <li>– Allow for the generation of revenues through user fees, assessments and vehicle license surcharges.</li> <li>– Support pilot programs that support the use of technology to generate revenues.</li> </ul>	Hans Larsen- DOT

LEGISLATIVE PRIORITY	TYPE	Revenue Enhancement Public Policy Change Appropriation Request			POTENTIAL FISCAL IMPACT	SCHEDULE / MILESTONES	LEAD STAFF / DEPT
		A	B	C			
<b>MAXIMIZE TRANSPORTATION FUNDING</b>							
High-Speed Rail – The California High Speed Rail Authority has developed a \$40 billion project to implement a 220 mph "bullet train" system in California providing connections between the Bay Area, the Central Valley, and Southern California. The system includes a Downtown San Jose stop at the Diridon Transit Center.	State/ Federal	X	X		State and federal funds are required to move the project forward.	<p><b>CSJ Request/Results:</b> City policy priority action is to:</p> <ul style="list-style-type: none"> <li>- Support State investment in system development (Prop 1A, approved by the voters November 4, 2008 is a \$9.95 billion State funding measure)</li> <li>- Support Federal and private investment for high speed rail</li> <li>- Encourage initial system construction in the San Francisco - San Jose-Fresno- Los Angeles corridor</li> <li>- Support financing mechanisms for expansion of Diridon Transit Center</li> </ul>	Hans Larsen- DOT
BART To Silicon Valley - The Santa Clara Valley Transportation Authority (VTA) is developing the project to extend BART service to Silicon Valley, with station stops located in Milpitas, San José and Santa Clara. The project cost of \$6.1 billion (in escalated dollars) is 88% funded by State and local sources. The project has received a Record of Decision and design is 65% complete. State environmental clearance is complete (CEQA) and Federal environmental clearance is in progress (NEPA). The schedule goal for project extension to Berryessa is 2018.	State/ Federal	X		X	\$900 million is needed in Federal funds for BART project construction and \$160 million of State money remains to be allocated	<p><b>CSJ Request/Results:</b> City policy priority action is to:</p> <ul style="list-style-type: none"> <li>- Seek Federal funding share of \$900 million for project construction (through New Starts process)</li> <li>- Continue to draw down State TCRP funds.</li> </ul>	Hans Larsen- DOT

<p><b>Green Technologies</b> – The surface transportation system is a large user of energy. More than 40 percent of greenhouse gas emissions, in Santa Clara County, come from cars, trucks, buses, and other vehicles. On October 30, 2007, the San Jose City Council adopted the Green Vision, a fifteen-year plan to transform San José into a sustainable community. As part of the Green Vision, San José is dedicated to Green Mobility. The Department of Transportation will pursue Green Mobility projects and improvements to the environment through the use of existing and future technologies that are environmentally friendly and sustainable.</p>	State/ Federal	X	X	X	<p><b>CSJ Request/Results:</b> City policy priority action is to:</p> <ul style="list-style-type: none"> <li>Advocate for policies that foster new technologies that are consistent with the City's Green Vision and are environmentally friendly and could potentially lower the City's operating and maintenance costs.</li> <li>Seek funding for demonstration projects such as: cooling stations, low-energy lighting, plug-in vehicle charging stations, and other innovative transportation projects.</li> </ul>	Hans Larson- DOT
<p><b>VTA Partnership</b> – The Santa Clara Valley Transportation Authority (VTA) is the Congestion Management Agency (CMA) as well as the Transit Agency for Santa Clara County. In its role as both the CMA and Transit Agency, VTA is responsible for the development/funding of transit and roadway projects that are of a high priority to the City of San Jose. These projects include:</p> <ul style="list-style-type: none"> <li>BART to Silicon Valley</li> <li>Bus Rapid Transit and Light Rail extensions, including Capitol LRT</li> <li>Highway Express Lanes</li> <li>Freeway Improvements, including interchange improvements at 280/880/Stevens Creek/Winchester, 101/Capitol/Yerba Buena, and 101/Mabury</li> <li>Local Road Improvements, including Autumn Parkway, pavement maintenance and operational improvements</li> </ul>	State/ Federal	X	X	X	<p><b>CSJ Request/Results:</b> City policy priority action is to:</p> <ul style="list-style-type: none"> <li>Support policies that support the development of key projects in Santa Clara County.</li> <li>Support VTA's efforts to seek state and federal funding for VTA projects of high priority to the City.</li> </ul>	Hans Larsen- DOT
<p><b>Local Infrastructure Funding</b> - The City of San Jose's pavement network of streets is at a critical stage of its life cycle. Unless additional on-going funding is secured in the next few years, the pavement network will continue to decline and the City's current \$250 million backlog of deferred maintenance will increase to \$850 million to \$1 billion by 2020.</p>	State/ Federal	X	X	X	<p><b>CSJ Request/Results:</b> City policy priority action is to:</p> <ul style="list-style-type: none"> <li>Support actions and policies that provide direct funding for key transportation infrastructure, including local streets and roads</li> <li>Support a larger investment for pavement maintenance</li> </ul>	Hans Larsen- DOT

									<ul style="list-style-type: none"> <li>Support "Rebuild America" programs and pilot mileage tax as a new equitable "user fee".</li> <li>Support a statewide infrastructure investment program to promote near-term economic stimulus.</li> </ul>	
<b>ADVANCE ENVIRONMENTAL INITIATIVES</b>										
									<p>Support Funding for energy efficiency, carbon reduction, and other activities that support implementation of the City's Green Vision-</p> <p>Support legislation that is consistent with the City's current and new Environmental policies and practices and provides funding to further these policies and practices.</p>	<p>Sate/ Federal</p>
								X		Unknown
									<p><b>CSJ Request:</b> Federal and State legislation that is consistent with the City's Green Vision strategy and provides funding to promote these policies and practices.</p> <p><b>Consequences/Results:</b> Help address pursuing the Green Vision goals to transform San Jose into an environmentally sustainable community.</p>	<p>John Stuffebean- Environmental Services</p>