



ACA COMTE: 11-9-06
ITEM: f.

Memorandum

TO: ALL CHILDREN ACHIEVE
COMMITTEE

FROM: Deanna J. Santana
Betsy Shotwell

**SUBJECT: REVIEW OF LEGISLATIVE
GUIDING PRINCIPLES**

DATE: November 2, 2006

Approved

Date

RECOMMENDATION

Review and discussion of the draft 2007 Legislative Guiding Principles with focus on the Neighborhood Services City Service Area.

OUTCOME

Input from the All Children Achieve Committee (ACA) will be incorporated into the 2007 Legislative Guiding Principles and after additional committees review in November, the document will be forwarded to the Rules Committee and the City Council for adoption in early 2007. The Legislative Guiding Principles represent a new framework for organizing the City's legislative interests.

BACKGROUND

The ACA Committee work plan for June-December 2006 included the scheduling of relevant draft 2007 Legislative Priorities for review and comment. This addition reflects the City Manager's recommendation in June to improve the intergovernmental relations function by allowing for a more thorough discussion of legislative priorities by Council Committees to advance City policies.

Over the past months, the City Manager's Office has been identifying process changes that result in improved legislative support for the City Council and the proposed two-step process allows for the City to establish a distinction between legislative principles and action items. Details on the two-step process are as follows:

Step 1: City Service Areas (CSAs) developed legislative priorities and/or principles that have been consolidated into the City's Legislative Guiding Principles. This attached document will serve as the City's legislative values statement and will provide a framework for formulating City-sponsored legislation and directing the City's support, opposition, or co-sponsoring of state

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and federal legislation. The entire draft document is attached for the Committee's review, but relevant principles have been extracted and are summarized in the Analysis section of this report.

The significance of developing citywide legislative guiding principles is that the City will have clearly articulated values with respect to legislative activities. In the past, CSAs developed independent priorities and those priorities were consolidated into one document. While the process yielded CSA priorities, the priorities did not roll up to a Citywide statement of legislative interests and/or priorities and there was no clear connection between all of the CSAs priorities. The draft Guiding Principles begin to address this concern and categorize the City's legislative interests into broader, citywide themes that CSAs' interest can fall under. The result is a document that minimizes conflicts between CSA legislative interests and a true City statement of legislative values.

Step 2: Concurrent to the development of 2007 Legislative Guiding Principles, staff has also been developing priorities for 2007. Following the outcome of the November 7 Statewide General Election, CSAs will be drafting a set of 2007 Legislative Priorities consisting of perhaps a dozen actionable issues of high priority for the City. The 2007 Legislative Guiding Principles and Priorities will be forwarded to the Rules Committee and the City Council for adoption in early 2007.

The establishment of Legislative Priorities will result in actionable items that are clearly defined and measurable, with performance outcomes reported to Council. The result of this effort is to produce quantifiable progress in the City's legislative performance and to establish clear areas where performance can be evaluated and/or adjusted.

As an example, Proposition 83 on the November 2006 ballot concerning sex offenders and sexually violent predators, proposes to broaden the definition of certain sex offenses, provide longer penalties for specified sex offenses and limits registered sex offenders from living within 2,000 feet of any park or school. In addition, it would require Global Positioning System (GPS) monitoring of individuals who are convicted of a felony sex offense (requiring registration) while they are on parole and for the remainder of their lives. Proposition 83, if passed, would enhance penalties for violent and habitual sex offenders. Preliminary examples of actionable items would include:

- Police Department's performance to identify and resolve budgetary and personnel impacts should Proposition 83 pass.
- City's ability to manage implementation of a "broadened definition of certain sex offenders" with respect to processing registered sex offenders, identifying appropriate housing locations, and any other impacts resulting from the passage of this proposition.
- City's work with the League of California Cities to seek funding to address additional ongoing staff and one-time and on-going equipment costs.

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ANALYSIS

The mission statement for the ACA Committee is to strengthen the role of city government in improving student achievement so that every child in San Jose can have the opportunity to succeed. To assist the City in improving and enhancing the quality of urban life for our youngest residents, the Neighborhood Services CSA aligns to the ACA Committee's mission and the following guiding principles have been included in the 2007 Legislative Guiding Principles to advance these interests:

- Increase State and federal funding for child care efforts, expanding and maintaining the City's system of trails and recreational facilities, and library construction and services.
- Continue to promote education attainment and literacy and learning programs.
- Ensure San Jose continues to get its fair share of CDBG funding. Fully fund the CDBG Program and the HUD Section 108 Program
- Fund affordable housing (Low Income Housing Tax Credits, Mortgage Revenue Bonds, HOME Investment Partnership, HOPWA) including the creation of affordable housing trust funds at the federal, State and local levels.
- End chronic homelessness in 10 years.

PUBLIC OUTREACH

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 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)**
- Criteria 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)**

By providing this document to the All Children Achieve Committee in November, prior to review by the Rules Committee and adoption by the City Council in 2007, this document will be posted on the City's website with the All Children Achieve Committee meeting agenda and interested public will have additional time to review the 2007 Legislative Guiding Principles as proposed by the CSA's.

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COORDINATION

This memo was coordinated with the City Service Areas, City Attorney's Office, the City's Legislative Representative in Sacramento, and federal lobbyist in Washington, D.C. The proposed approach for strengthening the City's legislative activities has been developed with a significant contribution from Leslye Krutko, Director of Housing.

POLICY ALIGNMENT

The 2007 Legislative Guiding Principles will further the City's legislative policy goals and form the foundation of the City's efforts to work with our federal and State partners on issues of concern and interest to the City.

COST IMPLICATIONS

Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

Not a project.

DEANNA J. SANTANA
Deputy City Manager

BETSY SHOTWELL
Director, Intergovernmental Relations

Attachment (1): Draft 2007 Legislative Guiding Principles

**For more information contact: Betsy Shotwell, Director of Intergovernmental Relations at
(408) 535-8270.**

City of San Jose 2007 Legislative Guiding Principles



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 945,000 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. San José is the Safest Big City in America, with the best public safety record of any metropolitan area in the country. The City is proud of the cultural and ethnic diversity of its population and workforce and the rich cultural identity of its many neighborhoods. The City is one of the top cleanest cities in the United States and was voted America’s most livable city. City residents speak more than 52 different languages. San Jose 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 an outgrowth of City government’s ability to make informed public policy decisions and influence the direction in which the City is headed at a regional, state, and national level. Over the past years, the City of San José has experienced a tremendous amount of growth and prosperity. This has been presented with 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. 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
- Ensure Region’s Competitiveness/Protect City Revenue Base
- Protect/Increase Local Funding/No Unfunded Mandates
- Pursue 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



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 Jose 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. Streamline the CEQA process, particularly for infill housing and high-density housing near public transportation or corridors.
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 the disabled.
4. Protect the rights of cities to manage local integrated waste management facilities, programs, and materials.
5. Promote legislation and policies that increase local control of utility infrastructure.
6. 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.
7. Promote regulatory processes that encourage collaboration and provide incentives for sustainable development.

ENSURE REGION'S COMPETITIVENESS/ PROTECT CITY REVENUE BASE

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

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.

2. Give more flexibility to Workforce Investment Boards and enable WIBs to target services according to local needs.
3. Oppose policies that undermine San Jose's competitiveness and the City's revenue base, or that adversely impact San Jose-based businesses.
4. Fuel innovation and employment, and result in the development of new products, technology, and services (i.e., bioscience incubators, solar technology, and alternative fuel technology).
5. Improve the method of assessment, collection and allocation of local revenues, and oppose efforts that threaten the sources and flexibility of existing revenues.
6. Support the implementation of the San Jose International Airport Terminal Area Improvement Program, a \$1.5 billion capital development program to improve airport facilities in two phases.

PROTECT/INCREASE LOCAL FUNDING/ NO UNFUNDED MANDATES

Legislation and policies that reduce any negative impacts to City services, revenues or costs resulting from state and federal legislation or budgets are high priorities.

The City supports efforts, legislation and policies that:

1. Provide funding to offset local costs of managing environmental programs.
2. Support the cost of public safety overtime associated with federal actions and mandates, including changes in alert color codes.
3. Provide state funding and efforts that strengthen the monitoring of sex offenders.
4. Ensure sufficient funding for security efforts, including funding for staffing, facilities, training and equipment.
5. Support innovative state and federal transportation funding mechanisms that focus on aviation issues such as greater flexibility in airport Passenger Facility

Charges and surface transportation needs such as vehicle license surcharges, indexing of gas tax, and approval of local transportation and infrastructure funding measures by less than a 2/3 majority and infrastructure funding measures by less than a 2/3 majority.

6. Protect local government revenues by maintaining local authority over the collection of fees and generation of revenues.
7. Support user pays policies for recycling and disposal of hazardous materials.

PURSUE FEDERAL AND STATE FUNDING FOR KEY EFFORTS

The City supports legislation that increases federal and State funding for efforts that:

1. Fund affordable housing (Low Income Housing Tax Credits, Mortgage Revenue Bonds, HOME Investment Partnership, HOPWA), including the creation of affordable housing trust funds at the federal, State and local levels.
2. End chronic homelessness in 10 years.
3. Fully fund the CDBG Program and the HUD Section 108 Program, and ensure that the City gets its fair share.
4. Support workforce training, job creation, and research and development efforts.
5. Fund traditional infrastructure repair and replacement in redevelopment areas (e.g., flood control, storm damage, retention basins, water systems, sanitary sewers, and recycled water systems).
6. Preserve and pursue California's and San Jose's share of federal and state transportation funding, for planning and implementation of state and regional transportation and traffic congestion relief projects.
7. Enable the development and protection of transportation funding for the maintenance and operations of local streets and roads.
8. Provide transportation investment to preserve existing facilities, support multi-modal travel and enhance community livability.

The City supports legislation and policies that

PRESERVE REDEVELOPMENT AS A TOOL FOR CITY REVITALIZATION

maintain the local autonomy of the Redevelopment Agency and supports efforts to protect the Agency's flexibility to use redevelopment funds, while opposing efforts to limit or divert the use of redevelopment funds (including 20% funds).

1. Oppose efforts to limit the reasonable use of eminent domain in the implementation of the City's redevelopment and neighborhood revitalization efforts.
2. Oppose efforts to reduce the powers of redevelopment agencies to continue efforts to reduce blight and improve our neighborhoods.

The City values a sustainable quality of life in

PROMOTE LIVABILITY/ SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL PROTECTION

an urban environment, including: child care, aging and youth services, libraries, urban parks and open space, recreation facilities, environment and 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; and, promote sustainable energy policies.

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

1. Protects the environment and emphasize conservation and renewable energy sources.
2. Support implementation of the 2005 United Nations Accords 21 Actions.
3. Promotes water efficient practices and ensure a clean, affordable water supply.
4. Increases State and federal funding for child care efforts, expanding and maintaining the City's system of trails and

recreational facilities, and library construction and services.

5. Streamlines the delivery of local transportation projects and that allow for the approval of local transportation and infrastructure funding measures by less than a two-thirds majority of voters.
6. Promotes the successful delivery of transportation projects that include delivery and environmental streamlining.
7. Promotes research, development, production, and purchase of alternative fuel and hybrid vehicles as well as the conservation and preservation of natural resources.
8. Enables the Airport to be a good neighbor by limiting excessive noise and reducing negative environmental impacts.
9. Maintains the effectiveness of housing and community development efforts, including the administration of the City's Housing Authority. Support efforts to make the City Housing Authority a Moving to Work jurisdiction.
10. Continues to promote education attainment and literacy and learning programs.
11. Ensure that public utility companies prioritize and efficiently deliver utility under grounding projects.
12. Promotes research into effectiveness of green building and economic incentives for builders who build sustainable and green buildings.
13. Promotes policies that provide a more sustainable and cost-effective delivery of workers' compensation benefits for injured City employees.
14. Promotes funding for long-term habitat restoration efforts.
15. Provides ongoing funding for child care, aging services and youth services; and, ensures that the City gets its fair share.
16. Ensure that public utility companies prioritize and efficiently deliver utility undergrouding projects.
17. Provide for funding for development and replacement of utility infrastructure such as water, waste water, recycled water levees, and flood control.

18. Promote sustainable development, improved environmental and conservation standards.
19. Promote regulatory processes that encourage collaboration and provide incentives for sustainable development.

The City supports legislation and policies that

SUPPORT EFFORTS TO KEEP SAN JOSE SAFE

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 Jose receives a proportionate share of funding for public safety/security initiatives.
4. Provide ongoing support for proposals related to interoperability of communications systems for Police and Fire.
5. Promote user pays policies as they relate to costs associated with handling, recycling and disposal of hazardous materials.
6. Promote transportation safety and security for all modes including traffic calming within neighborhoods, safe routes to school for children, and increase in local authority to set effective traffic control practices on local streets.