



City of San José 2012 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 [958,789](#) 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 [39](#) different languages.

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. 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, and regional 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.

- **Pursue or Retain 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 [and Create New Financing Tools for Local Government to Support Economic Development and Build Affordable Housing](#)**

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).

- **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 [maintenance and rehabilitation](#) of aging infrastructure and [build](#) system capacity expansion to support smart growth principles.

Under these Guiding Principles the City's Legislative Activities for 2012 Include:

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.
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.
10. [Promote federal legislation that simplifies the administration and management of tax-exempt debt including the calculation and tracking of private activity. \(Finance\)](#)
11. [Support continuation of the City of San Jose's Housing Authority Moving to Work designation and ensure that the program meets local housing needs. \(Housing\)](#)
12. [Protect the City's Inclusionary Housing Ordinance from challenges so as to integrate housing with a range of incomes throughout San Jose. \(Housing\)](#)
13. [Promote and protect local control and decision making related to the City's fiscal stability and health \(CMO\)](#)

And opposes legislation that:

14. Reduces the authority and/or ability of local government to determine how best to effectively operate local programs, services and activities.
15. Bypasses agency regulatory rulemaking processes to impose national public safety staffing standards and/or response times on airports.
16. [Impedes or reduces the ability of local government to make and implement decisions regarding administrative and financial matters reflective of local interests and priorities. \(CMO\)](#)

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. Incentivizes at the State and Federal levels the creation of manufacturing companies.
11. Supports efforts to attract and retain businesses and create jobs through the Enterprise Zone Program, and oppose efforts that would eliminate or limit the program's effectiveness. (OED)

And opposes legislation that:

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

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Protect and Increase Local Funding: No Unfunded Mandates

Oppose legislation, policies, or budgets that would have negative impacts on City services, revenues or costs. 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 provide administrative funding to offset the local costs. (Housing)
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 State and Federal aviation legislation, policies, funding 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; Ensuring federal capital and operating programs are funded by stable and predictable revenue streams. \(Airport\)](#)
9. 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 airports.
10. Pursue and support legislative efforts that curb and/or control the escalating cost of employer provided healthcare and encourages competition.
11. Support and reimburse through grants, the cost of any state-mandated seismic retrofits of single residential or multi-family building structures [and mobilehomes](#) determined as vulnerable or unsafe by local, state, or federal government-sanctioned structural [engineers.](#) [\(Housing\)](#)

Pursue or Retain 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. [Create, protect and maximize San Jose's funding from federal programs that promote the creation of affordable housing, and fund community development. \(Housing\)](#)
2. [Support legislation and programs that help home-owners at-risk of undergoing foreclosures, and that give more resources to local governments to provide foreclosure assistance and to restore the livability of communities hurt by foreclosures. \(Housing\)](#)
3. [Support legislation that achieves consistency between federal and State affordability requirements to maintain the financial feasibility of affordable rental developments. \(Housing\)](#)
4. [Increase California's conforming loan limits and FHA multifamily loan limits. \(Housing\)](#)
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 and repair of a balanced park trail, and recreation system to serve the residents of San Jose and to seek federal and state funding for the build out of the City's Green Vision Goal #10 of 100 miles of interconnected trail systems (PRNS)
10. Provide funding for library construction activities and enhanced library services.
11. Enable the construction of high quality child care centers and improve the professional development and training of early childhood educators.
12. Support Transportation Reauthorization efforts that include flexibility for local agencies, efforts that: Maintain the current transportation system, metropolitan mobility/urban priority, highway safety, transportation infrastructure, bicycle funding, security, streamlining project delivery, MPO Reform, and investments in rail. (DOT)
13. 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)
14. 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.
15. Support efforts that promote BART, automated airport transit access, roadway/interchange improvements, bikeways, pedestrian enhancements and emerging technologies (DOT), along with the necessary funding sources.
16. Restore Federal Justice Assistance Grant (JAG) funding to assist with purchase of necessary equipment to perform law enforcement functions.

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Preserve Redevelopment and Create New Financing Tools for Local Governments to support Economic Development and Build Affordable Housing

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.

The City supports legislation and policies that provides for financing sources in addition to Redevelopment funds to assist in: the continued revitalization of downtown, and neighborhood business districts; establishing incentives for businesses to create new jobs; the creation of new affordable housing; and building infrastructure projects in low and moderate income neighborhoods. (RDA)

1. Preserve the Redevelopment Agency, its funds, and the powerful economic tool of redevelopment to benefit San Jose's downtown, neighborhoods and industrial areas. (RDA/Housing)
2. Preserve the Low and Moderate-Income Housing Funds (or 20% Housing Set-Aside) that support the creation of vitally-needed affordable housing. (Housing)

3. [Support increased flexibility in redevelopment law that allows a regional approach to the delivery of affordable housing resources to our residents. \(Housing\)](#)
4. [Support efforts to stimulate economic development activities that fund the investment projects that help both the local and State economy by producing a net positive economic gain of creating and retaining jobs, attracting and retaining businesses, and attracting private investment into blighted neighborhoods. \(Housing\)](#)

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 [and policies](#) that promote livability, sustainable development, and environmental protection [and specifically](#) 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, [water recycling and reuse, pollution \(ESD\) 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 [network](#) of trail [systems \(PRNS\)](#) 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. [Supports the implementation of revised poverty formula into federal housing and social service funding formulas, which provides a more accurate account of the City's high cost of living and the ability of families to meet their basic needs. \(Housing\)](#)
8. [Promote Housing Element reform and addresses regional planning and land-use issues of concern to San Jose. \(Housing\)](#)
9. [Addresses infrastructure regulation and funding for improvements in mobilehome parks that serve low-income households and increases the States oversight and funding for these issues. \(Housing\)](#)
10. [Provides funding to facilitate the development of affordable/mixed-income residential development in transit corridors at transit stations. \(Housing\)](#)
11. [Provides funding for retrofitting of weatherization for multifamily housing, single-family housing, mobilehomes and commercial development. \(Housing/ESD\)](#)

12. Serves San Jose's homeless populations by enabling the City to implement the Housing First model, supports the goals of Destination: Home, and advocates for more tenant-based and project-based Section 8 vouchers to house this vulnerable population. (Housing)
13. Supports funding to address homeless encampment issues along local creeks. (Housing)
14. Supports Source Reduction and increased recycling and composting in order to achieve Zero Waste.
15. Supports new legislative or regulatory initiatives to develop environmental regulations and standards that consider cross-media transfer of pollutants from one compartment to another and cross media impacts (e.g. shifting impacts from water to soil or air.)(ESD)
16. Facilitates efforts that provide greater flexibility for installing renewable energy projects (e.g. solar PPA's) on municipal and community sites, including financing mechanisms, tax and/or private activity exemptions and environmental streamlining. (ESD)
17. Supports efforts that provide greater flexibility for the successful delivery of transportation projects including innovative project management tools, as well as environmental streamlining.
18. Provides funding for transportation, trail systems, parks, libraries (PRNS/Library) and other infrastructure that supports infill and higher density housing and employment, as well as Transit-Oriented Development (TOD).
19. 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.
20. Provides funding for the preservation of open space and the acquisition of parkland in park deficient and low-income communities and adjusts for the high cost of living in the Bay Area. (PRNS)
21. Facilitates collaboration between cities and schools to increase community use of facilities.
22. Promotes access to affordable health care for seniors and youth.
23. 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.
24. Maintains a city's ability to manage the location of growth, such as Urban Growth Boundaries and other techniques.
25. Provides funding for sports, aquatics and other recreational facilities and programs and seeks 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: Furtheres the development of a vibrant arts and cultural sector; Promotes visual and performing arts education and fosters lifelong arts and cultural learning in the arts; Fosters high quality art design in urban planning; Promotes the creative industries, including creative entrepreneurs and the commercial creative sector; 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. Support multimodal travel including public transit, biking, and walking; enhance community livability; and promote sustainable compact development.
31. 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.
32. [Provides financial and/or tax incentives to the public and private sector that supports the development installation and use of renewable energy, particularly solar energy.\(CMO\)](#)

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 [and emergency management](#) efforts to enable the City, as a local first responder, to effectively respond to all forms of emergencies [and disasters.](#) (OES)
3. Provide ongoing support for proposals related to interoperability of voice/data communications systems for Police and Fire.
4. Increase prevention and intervention based recreation services that deter gang involvement and involve youth in positive alternatives.
5. [Seek federal and state funding to help with public safety throughout the parks, trail systems and recreation system through the use of Park Rangers.](#) (PRNS)
6. Promote transportation safety and security for all modes including traffic calming within neighborhoods, safe routes to school for children, and increased local authority to set effective traffic control practices and 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 [fundamental to a swift and full recovery as well as sustaining public confidence during a time of crisis.](#) (OES)
11. Urge federal Drug Enforcement, and the Food and Drug Administrations to remove marijuana from Schedule 1 of the Controlled Substances Act of 1970.

Promote Investment in Infrastructure Maintenance and Rehabilitation

The City supports legislation and policies that promote investing in the [maintenance and rehabilitation of aging infrastructure](#) [and build](#) 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.
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, [repair and operations of local streets, trail systems and roads.](#) [\(PRNS/DOT\)](#)
6. Provide funding for improvements and restoration of aging infrastructure in the [existing parks, urban open spaces, and other recreational facilities.](#)
7. Reduce the legal barriers to the establishment of assessment districts to allow for greater flexibility with the creation of districts for maintenance and infrastructure opportunities.
8. [Support creation of a federal Infrastructure Bank and broader eligible uses for State Infrastructure Financing Districts to finance local infrastructure projects, including transportation, water, energy, affordable housing, and other uses. \(CMO\)](#)
9. [Invest in the maintenance and infrastructure upgrades to the Airport, building facilities \(e.g. libraries, public safety\), and technology, including communications. \(CMO\)](#)