

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Lee Wilcox

**SUBJECT: COUNCIL POLICY  
PRIORITY NOMINATIONS**

**DATE:** February 15, 2019

Approved

*D. D. S. L.*

Date

*2/15/19*

## INFORMATION

The purpose of this memo is to provide the City Council with a list of policy priority nominations submitted for the March 5, 2019 Policy Setting Session. All nominations are attached to this memorandum.

### Nominated Items

1. Universal Development Fee (Mayor Liccardo)
2. Childcare & Early Education (Mayor Liccardo)
3. Reducing Gun Violence (Mayor Liccardo)
4. Public Safety (Vice Mayor Jones)
5. Illegal Dumping Education Campaign & Surveillance (Councilmember Jimenez)
6. Blight Squad (Councilmember Jimenez)
7. Storage Lockers for the Houseless (Councilmember Jimenez)
8. Traffic Calming (Councilmember Jimenez)
9. Privately-owned public open space (PoPos) (Councilmember Diep)
10. General Plan and Zoning Alignment (Councilmember Diep)
11. Sidewalk Gaps (Councilmember Diep)
12. ADU Manual and ADU Plan Set Book (Councilmember Carrasco)
13. Strengthening Code Enforcement on Empty Residential Properties with Blight (Councilmember Davis)
14. Gas Powered Leaf Blowers (Councilmember Davis)
15. Downtown Wayfinding (Councilmember Davis)
16. Diversion (Councilmember Esparza)
17. Multi-Departmental/Disciplinary Quality of Life Task Force (Councilmember Esparza)
18. Temp Municipal Recreational Vehicle and Trailer Specific Storage Facility (Councilmember Esparza)
19. Family Friendly City (Councilmember Arenas)
20. ADU's: Reduce Permit Costs & Streamline the Process (Councilmember Foley)
21. Re-evaluate Title 20 Cannabis Policy (Councilmember Foley)
22. Explore & Compare CEQA Policies Across Municipalities (Councilmember Foley)

February 15, 2019

**Subject: Council Policy Priority Nominations**

Page 2

- 23. Reduce or Eliminate Parking Minimums Near Transit (Councilmember Foley)
- 24. Climate Smart San Jose Plan (Councilmember Khamis)
- 25. Walls: Streamline Repair Process; Address Planning Issues (Councilmember Khamis)

Priority Setting Session

The Council Priority Setting Session is scheduled for March 5, 2019 during the regularly scheduled City Council Meeting. The Administration will submit a comprehensive memorandum to the Council on Monday, February 25<sup>th</sup> that will include Council Nominated Ideas, Yellow Lighted items, as well as recommendations from the Administration to the Council to approve and remove all completed items from the list. Please note that the Administration is currently reviewing all nominated items and may recommend some nominations be taken through a different process, such as being greenlighted because they coincide with current department workplans, or be taken through the budget process rather than the priority setting session. Additionally, if an item has distinct policy components, the Administration may separate the items.

/s/  
LEE WILCOX  
Chief of Staff  
Office of the City Manager

For questions, please contact Lee Wilcox, City Manager's Office Chief of Staff, at (408) 535-4873.

Attachment



# Council Policy Prioritization: Policy Nomination Form

Council Member Mayor Sam Liccardo

District Mayor

Date 2/8/19

Council Member Lead Staff Jerad Ferguson

Lead Staff Ext. x54814

Policy Subject Universal Development Fee

CSA Area Community & Economic Development

## Policy Problem Statement

Residential development is subject to a myriad of impact fees and taxes that span over several city departments. Each fee is calculated differently, can have multiple onsite options to avoid, or reduce the fee, and can vary depending on the region of the City. Applicants must inquire with multiple departments and staff to fully estimate the fees for their project and this “bureaucratic pinball” creates unnecessary delay, confusion, and barriers to construction.

Additionally, since each fee exists in a silo, the total fee burden for builders is often masked, making it difficult for customers and staff to assess how changes to the project might affect fees and overall project funding viability.

## Policy Proposal

Create a universal development fee and structure that contains all current development tax and impacts fees. Developers and the public will have a transparent view into how those fees are calculated, and potential projects can easily estimate what their fees will be for a specific property and project. A universal development fee is not intended to reduce fees on development, but make fees easier to understand and estimate. A unified fee could easily be revisited annually based on an objective, third-party feasibility analysis, rather than the piecemeal, irregular basis we undertake today. As a result of this analysis, fee ratios could be adjusted between categories to reflect the city’s current goals, and be responsive to current market conditions.

An additional possibility may also be to create a single point of contact within the organization that builders can go to obtain fee estimates from all the various departments.

## Additional Information (Background)

Some examples of the current fees assessed on residential development include: Parks fees, inclusionary housing fees, urban village amenities. Each of these is assessed and calculated by a different method and by a different city department. Parks fees are calculated by the Parks, Recreation, and Neighborhood Services Department, based on a category of development, number of bedrooms, and what area of the city the project is located. The inclusionary housing fee is calculated by the Housing Department and assessed based on the number of units where unit is defined in a separate code section from the zoning code. The Urban Village Amenity Program is calculated by Planning, Building and Code Enforcement and based on the overall value of the project.

San Jose is not unique among other cities in California. A study conducted by the Turner Center for Housing Innovation at UC Berkeley analyzed development fees<sup>1</sup> in seven cities across California and found that; a) Development fees are extremely difficult to estimate; and b) Development fees are usually set without oversight or coordination between city departments, and the type and size of impact fees levied vary widely from city to city. It also noted that unpredictable development fees often delay and derail projects.

<sup>1</sup> [http://turnercenter.berkeley.edu/uploads/Development\\_Fees\\_Report\\_Final\\_2.pdf](http://turnercenter.berkeley.edu/uploads/Development_Fees_Report_Final_2.pdf)

# Council Policy Prioritization: Policy Nomination Form

Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

**Creation of a universal development fee for residential projects to increase simplicity and transparency for the public and developers.**

Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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# Council Policy Prioritization: Policy Nomination Form

Council Member Mayor Liccardo District Mayor Date 2 / 8 / 2019  
Council Member Lead Staff Ingrid Holguin Lead Staff Ext. x54861  
Policy Subject Childcare & Early Education Department Mayor

## Policy Problem Statement (What problem is being addressed?)

For families with children, accessible and affordable child care is one of the most significant factors in their ability to secure and maintain stable work. Today, the City has nearly 17K fewer child care slots than what is needed by families with infants, toddlers, and preschoolers. Fourteen areas (zip codes), particularly in the East Side, are designated as child care deserts, meaning that in each one, more than 300 children need child care, but none is available. Meanwhile, there are vacant retail spaces and City facilities that can potentially be used to meet this demand.

Two of the main challenges driving the deficit in child care services are:

1. insufficient facilities
2. shortages in a trained workforce

According to a recent Mercury New article, “You think Bay Area housing is expensive? Child care costs are rising, too,” high prices and long waiting lines are all too real for our parents. The average cost of child care for a child’s first five years is about \$18,500 annually in Santa Clara County—just about the cost of one year at San José State University. While among the most expensive places in the country for child care, San José’s high median income makes the high cost affordable for some—even so, the shortage remains a barrier. The lowest income households in the City (bottom 40%) that bring home an average of \$46K per year face a different reality given the City’s high housing costs. As indicated in the article, “Working-class parents must often piece together a patchwork quilt of child care options that includes family, friends and neighbors. Even if they can afford a licensed child care provider, that facility can’t always watch their children if they work nights or weekends.”

(<https://www.mercurynews.com/2019/02/03/you-think-bay-area-housing-is-expensive-child-care-costs-are-rising-too/>)

Recognizing the importance of access to quality child care as well as educational facilities and services, the Envision San José General Plan already identifies the need to “promote the operation of high-quality educational facilities throughout San José as a vital element to advance the City’s Vision and goals.” Child care is included in the land use plans that look toward economic development and job growth, yet there has been no implementation plan.

On May 7, 2018, City Council adopted the Education and Digital Literacy (EDL) Strategy and directed Library staff to establish quality standards for all City-funded, sponsored or endorsed education programs. The EDL Strategy is led by the Library and implemented in collaboration with PRNS and work2future. Access to child care and quality early education programs is key to this strategy because its priority outcome is kinder-readiness for all San José children. Today, over 70% of San José’s 27K preschoolers are not ready to learn when they enter kindergarten (2018 Santa Clara School Readiness Assessment, Data Summary: City of San Jose by Applied Survey Research). Kinder-readiness is highly predictive of 3rd grade academic success, more so than any demographic factor such as household income.

Students who are kinder-ready are 4 to 5 times more likely to pass 3rd grade standardized English literacy and mathematics tests—itsself a powerful predictor of academic and life success. Cities also benefit: participation in quality early learning programs correlates with improved graduation rates, reduced reliance on public assistance and reductions in arrests for violent crime and incarceration rates.

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Questions: Gloria Schmanek 408.535.8104



# Council Policy Prioritization: Policy Nomination Form

## Policy Proposal (What policy change is needed to solve the problem?)

Pursue and prioritize new polices or policy modifications to incentivize new child care facilities

1. Evaluate using underutilized City facilities, including through the City’s reuse program, as space for licensed child care purposes
2. Find ways to encourage new development to include space for child care purposes including exploring the following:
  - a. Promote child care in ground-floor retail space of new mixed-use, especially in affordable housing projects that have historically had a harder time filling their required commercial space
  - b. Provide Urban Village Amenity credit for those projects in Urban Villages that provide new space for child care purposes
  - c. Offer private recreation credit to reduce parks fee obligations with space dedicated for child care purposes
3. Direct staff to evaluate the following:
  - a. Assess currently available underutilized facilities that could be used for child care purposes
  - b. Review and update business development materials that promote child care centers
  - c. Review current City process for permitting new child care facilities for any process improvements

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

1. Annual increase of 1,000 childcare slots
2. Increase in the number of facilities suitable for and accessed by quality licensed and license-exempt child care providers
3. Improve access and affordability to child care and early education services
4. Improve kindergarten-readiness

## Budget Implications (if known)

City funding required	Yes or No	Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.)
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 Questions: Gloria Schmanek 408.535.8104



# Council Policy Prioritization: Policy Nomination Form

Council Member Liccardo District Mayor Date 02 / 07 / 2019  
Council Member Lead Staff Chris Ratana/ Paul Pereira Lead Staff Ext. 5-4829  
Policy Subject Reducing Gun Violence Department CAO/ SJPD

## Policy Problem Statement (What problem is being addressed?)

Several studies demonstrate that increased access to and ubiquity of guns appears strongly correlated with more gun violence. We have not updated City Ordinances regulating the sale of guns since 1980. All guns—including black market firearms—ultimately come into a community through a retail store. Focusing efforts to modernize our current ordinances will help reduce the number of straw purchases, better regulate operations of gun shops within our jurisdiction, and respond to contemporary circumstances.

## Policy Proposal (What policy change is needed to solve the problem?)

1. Modernize Municipal Code Section 10.32.030—requiring a license for sale, transfer, or advertisement of concealable firearms—to include the regulation of sale of all firearms, ammunition, and within the city (including guns manufactured through 3D-printing technologies, if not adopted by the legislature in this session);
2. Revise Chapter 10.32, to include among the requirements of all licensees of vendor permits regarding video- and audio-recording of firearm and ammunition transfers;
3. Prohibit the sale of any firearms and ammunition within or from a residence.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Reduction of gun violence, through better regulation of “straw purchasing” and other illicit means of acquiring firearms. Updating our four-decade-old gun sales transaction ordinances aligns with the Major Cities Chiefs of Police Policy Statement, the Mayor’ Gang Prevention Task Force Strategic Work Plan 2019-2020 Goal #1, and the East San José Peace Project Gun Safety & Violence Prevention Workgroup.

## Budget Implications (if known)

City funding required Yes or No \_\_\_\_\_ Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_ Unlikely to require unique funding. \_\_\_\_\_

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Questions: Gloria Schmanek 408.535.8104



# Council Policy Prioritization: Policy Nomination Form

Council Member Vice Mayor Chappie Jones

District 1 Date 02/08/2019

Council Member Lead Staff David Gomez

Lead Staff Ext. 54912

Policy Subject Public Safety

CSA Area \_\_\_\_\_

### Policy Problem Statement

With increasing population growth there has not been equivalent fire services increases throughout San Jose. New development and population growth puts increased pressure on limited fire resources.

### Policy Proposal

Explore options for 1) including a percentage fee to be included in every new development allocated for fire services, and 2) increasing fire safety measures/resources in new development.

### Additional Information (Background)

A modest fee on new developments can allow San Jose Fire Department to proportionately increase their resources with an increase in service demand. In addition to structure fire response, San Jose residents depend on SJFD for emergencies related to wildland fires, natural disasters, medical, hazmat, traffic collisions and more. Currently the state of the SJFD is in dire need of extra resources. (see continued below)

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

By addressing these demands during development of new projects, San José can proactively equip Fire to ensure the safety of San José residents. The outcome will increase resources directed to the addition of new fire stations, improvement of existing stations, equipment, staffing, and on-going training. Overall this allocation to Fire will improve response times and services to ensure San José residents safety.

### Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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## Council Policy Prioritization: Policy Nomination Form

### Additional Space (if needed)

According to the 2018 and 2015 Fire Department CSA, over a three year period, SJFD call volume grew by 19% but daily staffing levels for emergency response only increased by 4%.

With the lack of funding for on-going training, new equipment, basic station maintenance and staffing, current personnel are hard-put to maintain standard levels of professional service. Santa Clara County requires Fire Department response to emergency medical incidents within 8-minutes for Priority 1 incidents. Within that 8-minute response, a travel time of 4-minutes has been set as a Council adopted goal to help meet the County mandated response time. A 4-minute travel time goal is also referenced in the San Jose Envision 2040 General Plan (Goal ES- 3.1.2 under Police and Fire Protection). The national benchmark recommendation is also 4-minutes (NFPA 1710) for travel time. According to the 2016 Citygate Organizational Review, only 69% of the City's public streets are within 4 minutes of an open fire station, and their travel coverage during commute hours is negatively impacted by 62% (p 76-77 Chapter 2).

Travel congestion continues to have a negative impact on response times in at least 21 existing fire station service areas. The report, conducted in 2016, also identified "four to six" service gaps where the 4-minute travel time coverage should strongly be considered for permanent new stations as soon as the economics permit. Consequentially, the report recommends "identifying funding and timing to add four to six of the most critically missing fire stations" within those identified service gaps.

One recommendation within the report directs the Department to work closely with the County EMS Agency and stakeholders to design multi-tier systems of different capabilities and required response times to stop sending emergency units to low acuity incidents. With the increase in population comes an increase of calls, both priority and less critical. The County of Santa Clara requires the SJFD to respond to all 911 calls. Less critical calls, like being unable to sleep, having the flu, running out of medications etc., continue to take away resources when other more critical incidents arise which can result in worse outcomes – lives lost, injuries worsened, and increased property damage. Sending these resources to non-critical incidents at a rate increasing from 6-8% a year is unsustainable unless the City is able to significantly expand the fire department.

Until the County EMS Agency and the City Fire Department reach a new agreement that will allow the City Fire Department to prioritize its responses, a fee is necessary to increase SJFD resources to meet the increasing population and service demand, provide equitable emergency response services to all communities, and maintain a professional level of customer service through on-going training and modern equipment/apparatus.





# Council Policy Prioritization: Policy Nomination Form

Council Member Sergio Jimenez

District 2 Date 02/07/2019

Council Member Lead Staff Vanessa Sandoval

Lead Staff Ext. 54925

Policy Subject Illegal Dumping Education Campaign & Surveillance

CSA Area Environmental

## Policy Problem Statement

Some residents do not know how to report illegal dumping, those who do are frustrated when MySanJose app says case "closed" but litter remains, most have no idea which City department is responding to illegal dumping. When residents are uninformed about the resources available to dispose of unwanted items & negative safety & health impacts of illegal dumping, many find it easier to leave items on our streets.

## Policy Proposal

I propose we launch vast education campaigns/public service announcements to inform residents about: illegal dumping & the tremendous cost it has on our City/neighborhoods/quality of life, how to report it, City protocols/processes related to clearing illegal dumping, & Free Junk Pickup program. I also suggest installing City cameras at dumping hot spots as a deterrent.

## Additional Information (Background)

One of the most prominent & recurring issues my Council Office hears about from residents is how trash from illegal dumping has intensified & plagued our community over recent years. I agree with them that conditions are unacceptable. With my recommended proposals, the City can take further, more significant steps to educate the public & influence our society's behavior in regards to illegal dumping.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

I have faith that through City Departments' collaborative & vast education campaigns/public service announcements to inform residents about many aspects surrounding illegal dumping, the amount of illegal dumping will decrease in the near future & we will have greater public participation to effectively curb illegal dumping.

## Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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## Council Policy Prioritization: Policy Nomination Form

### Additional Space (if needed)

We as a City must lead efforts in changing the culture around illegal dumping.

Some steps the City is currently taking to curb illegal dumping, along with evidence of the unfortunate reality that these steps aren't enough to make a positive impact on our City at the moment:

- the City promotes easy access to the MySanJose app / website to report illegal dumping, BUT some residents don't know that MySanJose exists, some residents are not able to use a computer/smart phone, & many residents who do report on the app are frustrated when the app responds to their submission and says their case is "closed" but the illegal dumping remains exactly on the street.
- the City and my Council Office provide the Free Junk Pick Up program, monthly Neighborhood Litter Pick Up days, Neighborhood Dumpster Days, Downtown Streets Team in District 2, BUT litter remains on our streets because 1. Even with hundreds of volunteers and staff, we do not have the manpower to clear illegal dumping 2. Many piles of trash are deemed unsafe for volunteers to pick up and dispose of. 3. A number of people find it culturally acceptable to leave their trash on the street. This is what we must change.

Reasons why the City should launch vast education campaigns, led by the Environmental Services Department & Department of Transportation, to change the culture & society's behavior around illegal dumping:

- many people are uninformed about the negative safety & health impacts illegal dumping has on our City/resources/neighborhoods/quality of life, and some people currently find it easier to leave or add trash to our streets
- not all residents understand City protocols/processes related to clearing illegal dumping

We can change this through:

- public education and pressure
- additional City staff on the team that deploys to pick up / respond to illegal dumping so that trash is cleared from our streets more effectively and efficiently
- surveillance cameras at dumping hot spots to hold as many people accountable as we can

The City and Residents can successfully address illegal dumping and beautify San Jose using these combined methods.

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# Council Policy Prioritization: Policy Nomination Form

Council Member Sergio Jimenez

District 2 Date 02/08/2019

Council Member Lead Staff Maribel Villarreal

Lead Staff Ext. 54923

Policy Subject Blight Squad

CSA Area Environmental Services

## Policy Problem Statement

For far too long, our inability to efficiently and quickly address the simple yet intractable issue of illegal dumping and litter has eroded the trust and confidence the residents have in their city. In every corner of San Jose within every district, are locations in desperate need of attention. Not a day goes by that council offices do not receive complaints about dumping & blight. Residents demand action.

## Policy Proposal

Direct staff to develop and fund a pilot project to create a "Blight Squad" whose sole focus is to quickly identify and systematically remove illegal dumping and litter in hot spots across the City in coordination with council offices.

## Additional Information (Background)

Modeled after the Parks and Rec. Capital "Strike Team" comprised of 7 employees whose sole job is to identify, prioritize, and complete important projects that otherwise lack the attention, "Blight Squad" would identify, prioritize, and execute clean-ups of areas not fully or quickly addressed by the City's Anti-Litter efforts or by community clean-ups.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

The quick elimination of blight will elevate civic pride both in residents and businesses, promote a healthy community, and most importantly will restore trust and instill confidence in our residents that we are "brilliant at the small things"!

## Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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## Council Policy Prioritization: Policy Nomination Form

Additional Space (if needed)

An idea to staff the blight the squad is to hire the contractors that provide support to our community dumpster days and other beautification projects.

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# Council Policy Prioritization: Policy Nomination Form

Council Member Sergio Jimenez

District 2 Date 02/07/2019

Council Member Lead Staff Helen Chapman

Lead Staff Ext. 54926

Policy Subject Storage Lockers for the Houseless

CSA Area Housing, Neighborhood Services

## Policy Problem Statement

Houseless individuals living in encampments or shelters do not have a permanent place to store their personal belongings. Belongings can be swept up during abatements, lost or are carried with them in shopping carts. Houseless individuals would prefer a storage locker rather than a shopping cart to store valuable items such as personal documents, blankets, and warm clothing.

## Policy Proposal

We propose to locate storage lockers at community centers, libraries and other accessible locations for houseless residents to use for personal storage. Outreach workers and advocates could approach those in need and offer them a locker. This would provide a more permanent solution rather than using a shopping cart to place belongings especially important documents, clothing and bedding.

## Additional Information (Background)

Just recently we proposed a policy update to the Abandoned Shopping Cart Ordinance. Feedback from homeless advocates suggested that alternatives such as storage solutions for houseless individuals be evaluated. Lockers would help keep items off our streets, protect valuables and other belongings from loss and theft, provide some stability for our most vulnerable residents.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Working with our homeless outreach team and PRNS we can find ways to accommodate the immediate needs of vulnerable residents. We all know finding permanent housing is the best solution but that will take months if not years. We need to find interim solutions that move us forward and provide some dignity for those that are unhoused.

## Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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## Council Policy Prioritization: Policy Nomination Form

### Additional Space (if needed)

Creating a manageable program that is effective and easy to regulate will be incumbent upon collaboration with houseless individuals, advocates, City departments and non-profits. This will definitely take innovation and thinking out of the box to implement and manage but it is the kind of resource we need to provide if we want to solve our housing crisis. Lockers can be an incentive to connect individuals to needed services and they might also reduce the increasing cost to the City caused by abatements. An individual can safely store their identity documents, a warm blanket, shoes and clothing items. I am confident that in Silicon Valley, the land of innovation and technology we as a City can create a temporary storage locker program that serves our houseless residents, reduces blights and creates stability.





# Council Policy Prioritization: Policy Nomination Form

Council Member Sergio Jimenez

District 2 Date 02/08/2019

Council Member Lead Staff Lucas Ramirez

Lead Staff Ext. 54922

Policy Subject Traffic Calming

CSA Area Transportation

## Policy Problem Statement

Residents frequently contact Council District offices to express concerns about excessive speeding, reckless driving, and other traffic safety hazards. Existing City policy establishes high thresholds for roadways to qualify for traffic calming measures. Traffic enforcement provides temporary relief, but staffing is insufficient to satisfactorily address citywide concerns about traffic safety.

## Policy Proposal

Update Council Policy 5-6, Traffic Calming Policy For Residential Neighborhoods, to provide greater opportunities for streets and intersections to qualify for appropriate traffic calming measures, particularly in areas near parks, schools, libraries, and community centers.

## Additional Information (Background)

Council Policy 5-6 provides the procedure and threshold criteria for the evaluation of eligible roadways. The Policy was last revised in June 2008. Given the adoption of the 2040 General Plan and efforts to achieve the City's ambitious mode share goals (increasing travel by walking and biking), review of the Policy to better conform with the City's goals is appropriate and timely.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Updating Council Policy 5-6 will provide greater opportunities for traffic calming measures in areas with higher concentrations of young and elderly pedestrians and bicycle riders, enhancing the safety of all users of the public right of way.

## Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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## Council Policy Prioritization: Policy Nomination Form

Additional Space (if needed)

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# Council Policy Prioritization: Policy Nomination Form

Council Member Lan Diep

District 4 Date 02/08/2019

Council Member Lead Staff Stephen Ngo

Lead Staff Ext. 54938

Policy Subject Privately-owned public open space (PoPos)

CSA Area Parks

### Policy Problem Statement

The City presently requires developers to dedicate land for parks so that we can meet our goal of three acres of parkland per 1,000 residents. There are presently no clear policies around privately-owned public open space, where the developer commits to provide space for public use but retains ownership and long-term maintenance obligations of the space.

### Policy Proposal

Develop a set of guidelines and proposed ordinance changes to address gaps in our rules regarding creation of parks. Explore methods to take advantage of a developer's ability rapidly respond to real estate opportunities and market conditions in underserved park-deficient areas, which may include modifying the 0.5 acre parkland dedication requirement when part of a large park acquisition plan.

### Additional Information (Background)

See below

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Developers will have more certainty about park fee credits; PBCE will be aware of PRNS guidelines as they give feedback to a developer. Institutional memory about credits and POPOS design will be transmitted more easily. Another tool will be available for parkland acquisition in park-deficient areas and urban villages where parcels may be small.

### Budget Implications (if known)

City funding required 1.25 FTE Planners in PRNS & PCBE

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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### Additional Space (if needed)

The PDO (SJMC Section 19.38.305) PIO (SJMC Section 14.25.320) are both primarily land dedication ordinances that allow the City to require dedication of land for future parks from developers. The intent is to offset the impact to park facilities that would result from increased population to the city. As you see in the ordinance, our goal is to provide three acres of parkland per 1,000 city residents. So, in simple terms, if a proposed development will result in a new population to the city of 1,000 people, that development would be asked to provide three acres of land for park purposes. (the population if a development is projected based on the type of housing unit and census data). The three acres can be translated into a dollar value using current land values in the area near the development.

In reality, developers can meet the obligation by providing land, building park improvements, paying in-lieu fees or some combination thereof. Also, if a development includes recreation amenities within the development (e.g., picnic tables, playgrounds etc.) there is opportunity to receive credit and reduce the park fee required. If the d

1. The 0.5 acre minimum can be a challenge for off-site dedications. For example, for one recent project the developer owned \$6M +/- in in-lieu fees in an area of the city that is “park poor” – meaning that most residents do not live within a ½ mile or 10-minute walk of a park. The developer expressed willingness to acquire off-site land for park dedication in an effort to reduce the deficit, but most property in the area is ¼ to 1/3 of an acre in size, suggesting that the developer would need to acquire two to three contiguous parcels to meet the 0.5 acre dedication requirements. In addition, the developer would buy the property at market rate, whereas park fees are often below current market rate. If the developer is going to pursue off-site acquisition we would want to be able to provide parkland credit for the full amount they paid for the project. The question of minimum park size sets forward a philosophical discussion about pocket parks. Are they beneficial? are there some areas of the city where we cannot accept pocket parks and others where we promote them based on existing development patterns?

2. There are no clear, written guidelines on what qualifies for private recreation credit. As a result the development community is left feeling great uncertainty as they enter the development process. Written guidelines and clear standards would help communicate PRNS’s expectations to the development community.

3. With no guidelines for POPOS the same uncertainty exists, resulting in marked inconsistency in the public benefit that the amenity provides. The development of POPOS is a crossover PBCE and PRNS issue since they are often approved during the entitlement process, but PRNS has vested interest in setting the standards for recreational and public space amenities.



# Council Policy Prioritization: Policy Nomination Form

Council Member Lan Diep

District 4 Date 02/08/2019

Council Member Lead Staff Thulien Dang

Lead Staff Ext. 54941

Policy Subject General Plan and Zoning Alignment

CSA Area PCBE

### Policy Problem Statement

The City has a general plan that lays out the idealized version of San José. However, the present zoning designation of parcels across our city does not conform with the general plan. Landowners at times must apply for conforming rezonings and ask permission to do what is already allowed under the General Plan. This is costly and time-consuming.

### Policy Proposal

Direct staff to examine parcels of land that have different designated uses under the General Plan and current zoning, prioritize the order in which parcels should be aligned, and begin unilaterally rezoning land to conform with the General Plan. As part of this process, new zoning designations may be identified.

### Additional Information (Background)

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

A shorter timeline to get things built in San José, less financial burden on developers, less work for PCBE in the long run.

### Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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### Additional Space (if needed)

The General Plan sets out a vision of an idealized San José. It maps out where and how we want our future growth to occur, designating urban villages, employment-growth areas, residential neighborhoods, and protected green space. Yet that idealized vision of San José conflicts with how our land is zoned at present. While it is natural for there to be dissonance between the present and future version of San José, in practice this difference in General Plan and zoning designations falsely advertises to potential developers what may be done on a parcel of land in San José, and increases the time and cost of development by burdening developers with the responsibility of applying to rezone a parcel of land to conform with the General Plan before they can build something that is desired under the General Plan.

During our previous Priority Setting process, the Council had the option of prioritizing this important work, but declined to do so. But recent study sessions on the cost of development have brought renewed urgency to doing whatever is in the Council's power to spark additional development to address our ever-growing housing crisis. Aligning our zoning designation to our general plan is something we can do, and we must act now.

This proposal would grant Planning Staff the resources to facilitate housing and commercial development by identifying properties designated in the General Plan for such uses but are not zoned as such, and unilaterally rezone these properties to a conforming zoning designation.

Staff estimates that there are a total of 2,921 parcels designated with a Residential Neighborhood, Mixed Use Neighborhood, Transit Residential, or Urban Residential land use designation in the General Plan that do not have a conforming residential zoning district.

This important work, done in tandem with efforts underway in the Office of Economic Development to amend our City's zoning codes, would facilitate higher density housing, reduce the need for Planned Development Zonings, and allow rezoning applications to go directly to the City Council. In the long run, it should make development easier and less confusing to do in San José.



# Council Policy Prioritization: Policy Nomination Form

Council Member Lan Diep

District 4 Date 02/08/2019

Council Member Lead Staff Jeff Janssen

Lead Staff Ext. 54936

Policy Subject Sidewalk gaps

CSA Area Transportation

### Policy Problem Statement

Throughout the city, there are gaps in our sidewalk network, for instance as when we annex county land that is undeveloped. These gaps may pose a hazard in some neighborhoods where children need connecting sidewalks to get to school. However, the city does not have an updated inventory of these gaps.

### Policy Proposal

Direct staff to 1) do an inventory of our sidewalks network to identify gaps; 2) identify gaps that should be a priority for the city to build out (near schools or where seniors and minors walk often); and 3) identify funding sources to help fund completion of our sidewalk network.

### Additional Information (Background)

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Safer neighborhoods and streets, bolstering our Vision Zero goal.

### Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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# Council Policy Prioritization: Policy Nomination Form

Council Member Magdalena Carrasco District 5 Date 2 / 4 / 2019

Council Member Lead Staff Frances Herbert Lead Staff Ext. 54948

Policy Subject ADU Department Housing /Planning

## Policy Problem Statement (What problem is being addressed?)

We have a significant housing stock deficit. The City of San José has updated our policies to streamline the development of Accessory Dwelling Units (ADU's) and reduced costs to incentivize the development of ADU's. The cost of an ADU remains cost prohibitive for many homeowners. We have an ambitious new housing goal of 25,000 by 2022 which includes 200 new ADU's per year.

## Policy Proposal (What policy change is needed to solve the problem?)

The City of Santa Cruz wanted to make the construction of ADUs feasible, so they created an ADU Manual and ADU Plan Sets Book, which has model ADU layouts and design concepts created by local architects. If homeowners choose a plan from the book, they can receive a permit for ADU construction more quickly. I would encourage our local Planning Department to work with our construction firms that are specializing in ADU's to develop a plan book that works to facilitate the development of ADU's.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Streamlined permits for ADU's would result in decreased timelines for homeowners and could incentivize additional construction allowing us to meet our annual 200-unit goal.

## Budget Implications (if known)

City funding required Yes or No Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

Return form to [CMOAgendaServices@sanjoseca.gov](mailto:CMOAgendaServices@sanjoseca.gov)  
 Questions: Gloria Schmanek 408.535.8104





# Council Policy Prioritization: Policy Nomination Form

Council Member Dev Davis

District 6 Date 02/08/2019

Council Member Lead Staff Mary Anne Groen

Lead Staff Ext. 5-4952

Policy Subject Strengthening Code Enforcement on empty residential properties with blight

CSA Area PBCE

## Policy Problem Statement

Code Enforcement's ability to address empty residential properties around the city is very limited and has contributed to extended periods of time where blighted empty properties have affected neighborhoods.

## Policy Proposal

Give Code Enforcement more "teeth" to begin fining and taking a property owner to court when an empty residential property is blighted and affecting a neighborhood.

## Additional Information (Background)

Some blighted empty properties in San Jose have been that way for many years and nothing that Code Enforcement can do moves the needle on rectifying the problem for neighborhoods who have to endure the blight and affect on their property values.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

With stronger enforcement, we expect blighted empty residential properties in San Jose to be reduced and neighborhoods can start experiencing relief.

## Budget Implications (if known)

City funding required unknown

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) unknown

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# Council Policy Prioritization: Policy Nomination Form

Council Member Dev Davis

District 6 Date 02/08/2019

Council Member Lead Staff Mary Anne Groen

Lead Staff Ext. 5-4952

Policy Subject Gas Powered Leaf Blowers

CSA Area \_\_\_\_\_

## Policy Problem Statement

Use of gas powered leaf blowers emit contaminants into our air comparable to large automobiles and cause significant noise pollution in neighborhoods.

## Policy Proposal

Recommend that a proposed Commercial Leaf Blower Ordinance be placed on the next Priority Setting Session with the following consideration:  
1) Amendment of current municipal code to regulate the use of leaf blowers with a consideration of a limitation on the use of gas powered leaf blowers for commercial

## Additional Information (Background)

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Lowering our emissions of unhealthy contaminants into our environment.

## Budget Implications (if known)

City funding required unknown

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) unknown

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# Council Policy Prioritization: Policy Nomination Form

Council Member Councilmember Dev Davis

District District 6 Date 02/08/2019

Council Member Lead Staff Philip Fernandez

Lead Staff Ext. 408 535 4954

Policy Subject Interactive Wayfinding Signage

CSA Area Economic Development

### Policy Problem Statement

Wayfinding in San Jose, especially within Downtown, is not a clear or intuitive process and current systems in place do not effectively direct residents, tourists, or service seekers to their desired locations.

### Policy Proposal

Recommend that an Interactive Wayfinding Signage Pilot Program be explored during the next Priority Setting Session to determine if a partnership can be formed to improve wayfinding, navigation, and service delivery in Downtown San Jose and other pedestrian dense areas.

### Additional Information (Background)

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Increasing the ease of wayfinding in dense or difficult to navigate areas and increasing pedestrian usage of businesses, services, and parks.

### Budget Implications (if known)

City funding required unknown

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) unknown

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# Council Policy Prioritization: Policy Nomination Form

Council Member Maya Esparza

District 7 Date 02/08/2019

Council Member Lead Staff Andres Quintero

Lead Staff Ext. 54985

Policy Subject Diversion

CSA Area Community and Economic Development

## Policy Problem Statement

With over 4,300 people homeless on any given night in San Jose, there is a clear need to get people off the streets quickly. Diversion is a nationally-recognized, emerging service intervention that prevents homelessness for people seeking shelter by helping them identify immediate alternate housing arrangements and, if necessary, connecting them with services to help them return to permanent housing.

## Policy Proposal

Working with the Housing Department and the County Office of Supportive Housing, develop a pilot diversion program to serve at least 100 San Jose families who would have otherwise entered the shelter system. This pilot should leverage existing networks, such as the homelessness prevention system, and seek to create multiple access points with standardized assessment tools, reporting metrics, and a shared database.

## Additional Information (Background)

Diversion would add a new service intervention to the local supportive housing system. The main difference between diversion and other permanent housing-focused interventions centers on the point at which intervention occurs. Prevention targets people at imminent risk of homelessness, diversion targets people as they are applying for entry into shelter, and rapid re-housing targets people who are already homeless.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Diversion programs help families obtain temporary housing outside of the homeless system while connecting them to the services and resources they need to secure stable permanent housing. A successful diversion program should improve the ability of a homeless system to target shelter resources effectively, perform well on HEARTH Act measures, and help families avoid a traumatic and stressful homeless episode.

## Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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# Council Policy Prioritization: Policy Nomination Form

Council Member Maya Esparza

District 7 Date 02/08/2019

Council Member Lead Staff Andres Quintero

Lead Staff Ext. 54985

Policy Subject Multi-Departmental/Disciplinary Quality of Life Task Force

CSA Area multiple CSA's

## Policy Problem Statement

Quality of life (QoL) issues, e.g. illegal dumping, encampments, abandoned vehicles etc..., have proliferated and unfortunately become common. Staff has regularly identified the primary issue surrounding various hot spots, areas that cannot be promptly abated, as primarily revolving around interdepartmental and jurisdictional coordination. As a result, staff and the community are (Continued)

## Policy Proposal

Establish a Multi-Departmental/Disciplinary Quality of Life (QoL) Task Force to address hot spots. Hot spots throughout the city are characterized as areas where complaints are routinely taking an inordinate amount of time to address. The task force will be comprised of representatives from relevant city departments that shall include ESD, PBCE, PRNS, SJP, DOT, Housing, CAO and would be . (Continued)

## Additional Information (Background)

I want to thank staff for the work they are doing as they address these quality of life issues, under current staffing and budget constraints. ESD, through the Removing and Preventing Illegal Dumping (RAPID) team, in last fiscal year, addressed over 14,000 illegal dumping sites. Their work accounted for 10 percent of illegal dumped mattresses that were submitted to the state program (Continued)

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

As a result of the proposed organizational change, those QoL issues in hot spots e.g. illegal dumping, encampments, graffiti etc..., should be addressed on a more timely basis. We should be able to eliminate those interdepartmental and cross-jurisdictional silos that lead to a delay in response because responsibility and purview cannot easily be determined.

## Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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### Additional Space (if needed)

Problem Statement: frustrated while jurisdiction or departmental purview is determined and the problem is addressed.

Policy Proposal: coordinated by CMO. The task force would seek participation, formal or informal, from surrounding jurisdictions e.g. County of Santa Clara, Santa Clara Valley Water District etc... The task force will be empowered to develop cross-jurisdictional MOU's, in order to carryout its work.

Staffing and resources have been identified as a concurrent problem as well. Through this proposal, I seek to establish a three year pilot program that includes the above mentioned organizational model and use of one time funds over a three year period. The pilot nature of this proposal will mitigate any issues around ongoing costs, and the length of the program would provide sufficient data to determine if it would be prudent to establish this model on a permanent basis. The one-time funds would be identified by the departments to bring on board support staff that would address the disruption in staffing caused by the implementation of the Multi-Departmental/Disciplinary QoL Task Force.

Additional Background: The RAPID team responded, on average, to calls for services within 5.4 days. Hot spots for illegal dumping, targeted by the Multi-Departmental/Disciplinary QoL Task Force, would be those areas where calls for service are routinely taking more than 5.4 days to address. The same model and benchmarks can be used for other QoL issues where abatement is being stymied, due to interdepartmental/jurisdictional issues.





# Council Policy Prioritization: Policy Nomination Form

Council Member Maya Esparza

District 7 Date 02/08/2019

Council Member Lead Staff Andres Quintero

Lead Staff Ext. 54985

Policy Subject Temp Municipal Recreational Vehicle and Trailer Specific Storage Facility

CSA Area Public Safety

### Policy Problem Statement

The use of recreational vehicles (RV's) and trailers is proliferating. The large number of RV's and trailers on our city streets, leads to a higher number of abandoned RV's and trailers in addition to RV's where illegal activity is occurring. We therefore, are facing a problem relative to the high number of junk RV's and Trailers. (Continued)

### Policy Proposal

Establish an emergency Temporary Municipal Recreational Vehicle and Trailer Specific Storage Facility. The facility would only be used to provide overflow space to the contractors who would otherwise have to refuse a call for service. The yard would operate only while staff develops and implements a longterm solution to the RV and Trailer problem. As part of this proposal, staff would be authorized (Continued)

### Additional Information (Background)

As identified by staff in the audit of towing services, towing these large RV's and Trailers was resulting in a loss to the towing contractors. The steps taken by staff in the adjustment of the compensation structure has, in part, served to address the monetary hit that the contractors were facing. However, the refusal of calls for service for RV's and Trailers remains, due in large part to space (Continued)

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

The introduction of a temporary Municipal Recreational Vehicle and Trailer Specific Storage Facility should result in less or no refusals of calls for service by our towing contractors. We should then expect to find less abandoned RV's throughout the city.

### Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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## Council Policy Prioritization: Policy Nomination Form

### Additional Space (if needed)

**Policy Problem Statement:** At present, the large size of the RV's and trailers and space constraints in tow yards are leading some towing contractors to refuse to respond to the calls for service by city staff, citing lack of space in their yard.

**Policy Proposal:** to look for City land or identify land owned by other jurisdictions, within San Jose, that the City could rent or lease on a temporary basis.

**Additional Background:** issues. I want to acknowledge staff's diligence in working towards a long-term solution. While those efforts are underway, we should provide some support to them with a stopgap measure like the temporary municipal RV and Trailer yard.

These abandoned RV's and Trailers are unsightly and more importantly are a health and safety concern. One such trailer was abandoned in my district, it was ultimately determined that it was being used to manufacture drugs, all within feet of an elementary school.



# Council Policy Prioritization: Policy Nomination Form

Council Member Sylvia Arenas District 8 Date 2 / 8 / 2019  
Council Member Lead Staff Nancy Le & Patrick McGarrity Lead Staff Ext. 408-535-4908  
Policy Subject Family Friendly City Department City Manager's Office Powered by People enterprise - Diversity and gender equity

## Policy Problem Statement (What problem is being addressed?)

San Jose has recognized that there is housing crisis but we rarely address how we will support families while we increase our housing stock. The reality is that families are at the center of this crisis, dealing with low wage jobs, a high cost of living, cramped living arrangements and the need of a two-income household. In order to achieve home ownership, we have seen San Jose families move 1-3 hours away and then commute to work. Each of us have seen this exodus of San Jose families in our personal lives, as community leaders, in the low student enrollment throughout our schools, in our city's survey results, and in news coverage with headlines like "Life after the Bay Area: Fleeing residents feel heartbreak, joy"

The City Auditor's Annual Report on City Services FY 2017-2018 Resident Survey revealed a decrease in overall quality of life in San Jose and only 41% of residents considers San Jose as a good place to raise children. Nearly three in four respondents reported that they think it is very important for San Jose to focus on sense of community in the next two years and approximately 80% of San Jose residents rated the availability of affordable child care/preschool as poor/fair. San Jose families are essential to the fabric of our community and it is time for a city-wide and department-wide response to this crisis.

That's why I will be bringing forward to the Rules Committee a recommendation to change the name and clarify the scope of work for the "Age Friendly City Initiative" to the "Age and Family Friendly City Initiative". Along with that name change, the memo will include a package of existing efforts, legislative referrals, and this priority setting request. Each of these efforts should become elements of a plan to address the crisis we see in San Jose families. It's critical that we address this crisis with a coordinated effort. The proposal is modeled after the Family Friendly Initiatives implemented in other cities that have also seen a loss of families due to high cost of living such, as City of San Francisco and other large Bay Area cities.

San Jose families include the families of City of San Jose City employees. And our employees are as highly exposed to the crisis in our city. We are an employer, in addition to a government. The effect of this crisis is already negatively impacting recruitment and retention in our workforce. Our city facilities need to be friendly for parents and families – whether employees or the public. Addressing this will require a new priority setting item, as there is currently not an effort underway.

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Questions: Gloria Schmanek 408.535.8104

## Policy Proposal (What policy change is needed to solve the problem?)

Many employees struggle with an impossible choice between the well-being of their family and their financial security. I urge the expansion to Age and Family Friendly City Initiatives as a critical component to addressing gender and social inequality in San Jose. Age and Family Friendly City Initiatives will allow for more effective retention of employees and improve quality of life for San Jose families by implementing the following:

### ***Facilities***

Review City Hall and all other City owned facilities, and implement standards for all facilities open to the public to 1) provide at least one diaper-changing table in all restrooms to encourage civic engagement and participation of San Jose families of all ages, and 2) ensure a safe space in City Hall and City owned facilities for newborn mothers who require private breastfeeding and lactation areas to include ventilation, electrical, lighting, and a sink with hot water, especially venues meant for families with small children.

### ***Child Care***

Pilot existing programs offered through the City's PRNS and Library Departments including San Jose Recreational Preschool, Kinderprep classes and Recreation of City Kids (R.O.C.K) program at or near City Hall for City employees for regular cost or a sliding fee scale. Childcare is a top expense and obligation for parents. Offering on site kinderprep classes or ROCK program will provide relief for City of San Jose employees and incentivize employee recruitment and retention. This pilot should incorporate the updated standards that are currently moving from planning to implementation as part of the Quality Standards for Early Education Programming.

We also must raise the quality of the early learning environment for exempt home childcare providers. Often families turn to offering home based childcare in an effort to stay at home with their own children and not have to work outside of the home. We know that it is essential to expose children to early learning as early as possible in order for children to achieve their highest potential. The Library's Education and Digital Strategy is the initiative that would be best suited to offer technical assistance and professional development opportunities to home child care providers.

### ***Paid Family Leave***

Review and bring back measures to clarify and expand Long-term Disability (LTD) insurance to provide at least six weeks of Paid Family Leave at 100% of salary, for the birth, adoption, foster placement of a child, or child-parent bonding regardless of the gender, marital status, or sexual orientation of the parent. Additionally, we must redouble our efforts to implement the flexible schedule and telecommuting policies that the city has adopted but not yet fully implemented.

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# Council Policy Prioritization: Policy Nomination Form

Additionally, I'll be bringing forward the following non-priority setting items which would be key components of the Age and Family Friendly City Initiative:

- 1) 3 items currently already agenized to NSE work plan 1) **Quality Standards for Early Education Programming**, 2) **City-Wide Expanded Learning Programs**, and 3) **Demand for Affordable Housing for Families with Children**
- 2) MBA requests to provide council budgetary information that can help address these issues
- 3) Requests to the City Manager's Office of Intergovernmental Relations to bring forward to Council a package of legislative efforts and priorities to support the Age and Family Friendly Initiative in Sacramento and DC. Legislative actions that draw from Governor Newsom's efforts to expand Paid Parental Leave and Universal Childcare should be included as Priority Level 1.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

While the larger Age and Family Friendly Initiative should create a robust dialogue and real solutions for San Jose families – the priority setting item would accomplish four distinct things:

- 1) Ensure that city government is accessible for families. A City Hall without changing tables isn't a City Hall that welcomes families.
- 2) Ensure that our employees and their families can thrive in San Jose.
- 3) Help the city recruit and retain a strong local workforce that can perform at the highest level.
- 4) Allow the city to provide credible leadership on the issue with other employers and governments.

## Budget Implications (if known)

City funding required Yes or No

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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Questions: Gloria Schmanek 408.535.8104



# Council Policy Prioritization: Policy Nomination Form

Council Member Pam Foley

District 9 Date 02/08 / 2019

Council Member Lead Staff Scott Hughes

Lead Staff Ext. 54972

Policy Subject ADU's: Reduce Permit Costs & Streamline the Process

Department PBCE

## Policy Problem Statement (What problem is being addressed?)

Our region is in the midst of a severe housing crisis. This exacerbates economic inequality, depreciates our business competitiveness, reduces social mobility, and decreases everyone's quality of life. Previous San José land-use decisions made in the mid-20<sup>th</sup> century to develop large tracks of low-density, single-family housing developments have helped create today's ultra-unaffordable housing market. Accessory Dwelling Units (ADUs) are one tool we can use to increase density in these suburban areas, but the cost to-produce an ADU is still too high, and the efficiency by which the City of San José approves ADUs, is still too slow.

## Policy Proposal (What policy change is needed to solve the problem?)

Create an Accessory Dwelling "Unit" or *team* (AD-U) within Planning Building & Code Enforcement (PBCE). The "Unit" is to focus on facilitating the construction of more ADUs more rapidly by streamlining the permitting process, reducing permitting costs, and creating a consistent, seamless approval and development process. While we must double-down on adding density to our Downtown core, defined Urban Village areas, and more density near transit stations, suburban areas of San José must tackle the housing crisis too, and the City of San José must make it easier to do so by decreasing the cost of ADUs, and approving ADUs more efficiently.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

We expect an increase in the housing stock and therefore density in San José's suburban neighborhoods.

## Budget Implications (if known)

City funding required Yes or No

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.)

Return form to [CMOAgendaServices@sanjoseca.gov](mailto:CMOAgendaServices@sanjoseca.gov)

Questions: Gloria Schmanek 408.535.8104





# Council Policy Prioritization: Policy Nomination Form

Council Member Pam Foley District 9 Date 02/08 / 2019

Council Member Lead Staff Scott Hughes Lead Staff Ext. 54972

Policy Subject Re-evaluate Title 20 Cannabis Policy Department PBCE & CMO

### Policy Problem Statement (What problem is being addressed?)

Due to current regulations, the City of San José only allows for 16 cannabis collectives to locate in highly-restricted areas. This minimizes San José’s revenue potential, creates an over-saturation of cannabis businesses in small pockets of the City, and therefore an inequitable distribution throughout the entire City.

### Policy Proposal (What policy change is needed to solve the problem?)

Evaluate Title 20 as it pertains to the cannabis industry, and the feasibility of increasing the amount of available cannabis licenses to allow qualifying dispensary operators to expand or for entrepreneurs to open new businesses.

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

We expect an increase in tax revenues, the potential for a more equitable distribution of cannabis dispensaries, and a more vibrant cannabis industry throughout the City of San José.

### Budget Implications (if known)

City funding required Yes or No Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_



# Council Policy Prioritization: Policy Nomination Form

Council Member Pam Foley District 9 Date 02/08 / 2019

Council Member Lead Staff Scott Hughes Lead Staff Ext. 54972

Policy Subject Explore & Compare CEQA Policies Across Municipalities Department Housing

### Policy Problem Statement (What problem is being addressed?)

Although the California Environmental Quality Act (CEQA) is a statewide law, neighboring cities such as Campbell and Santa Clara, are building more because of how they interpret CEQA. Evaluate whether the City of San José can adjust our interpretation of CEQA, which could result in an increase of the construction of both residential and commercial/retail space?

### Policy Proposal (What policy change is needed to solve the problem?)

Explore and compare policies and procedures around CEQA to other municipalities, and return to City Council with recommendation(s).

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

With a change in our interpretation of CEQA, the City of San José could supplement our inventory of both residential and commercial space; increasing our tax base, and potentially adding more affordable housing.

### Budget Implications (if known)

City funding required Yes or No Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_



# Council Policy Prioritization: Policy Nomination Form

Council Member Pam Foley District 9 Date 02/08 / 2019

Council Member Lead Staff Scott Hughes Lead Staff Ext. 54972

Policy Subject Reduce or Eliminate Parking Minimums Near Transit Department Transportation

## Policy Problem Statement (What problem is being addressed?)

The cost to build a unit of housing is increasing for a variety of reasons (tariffs, labor costs, interest rates, etc.). This is only intensifying the housing crisis. Adding parking spaces can add thousands of dollars to what are already high construction costs. Parking spaces also contribute to traffic, and with it, pollution, and congestion, and designate our scarce land for cars instead of land for people. The City of San José currently allows for developers to obtain parking minimum requirement exemptions, however, abolishing parking minimums may make it more cost effective and time efficient to build additional units.

## Policy Proposal (What policy change is needed to solve the problem?)

Explore the ability for parking minimums to be significantly reduced or abolished completely one-quarter mile and one-half mile radius around transit stations. This policy would not prevent developers from producing parking spaces, but instead, would provide developers more room to be creative, and to determine for themselves the market demand for parking.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

With parking requirements reduced or abolished near transit stations, we expect to see a decreased cost to develop more units, and more true, transit-oriented development.

## Budget Implications (if known)

City funding required Yes or No Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

Return form to [CMOAgendaServices@sanjoseca.gov](mailto:CMOAgendaServices@sanjoseca.gov)  
Questions: Gloria Schmanek 408.535.8104



# Council Policy Prioritization: Policy Nomination Form

Council Member Johnny Khamis

District 10 Date 02/07/2019

Council Member Lead Staff Shivani Basnet

Lead Staff Ext. x54982

Policy Subject Climate Smart San Jose Plan

CSA Area ESD

## Policy Problem Statement

San José Clean Energy aims to provide 95 percent carbon-free power with goals outlined in the Climate Smart plan to provide 100 percent renewable power to customers by 2050. To help us meet our goals, I recommend implementing a City-administered buy-back program for individuals and small businesses to exchange their gasoline-powered, carbon-emitting lawn equipment for clean, electric-powered equipment.

## Policy Proposal

Direct the City Manager to have the Environmental Services Department (ESD):

- 1) Seek funding opportunities via grants from the State’s Cap-and-Trade program or other programs to create a program with incentives for individuals and small businesses to exchange their gas-powered lawn equipment with electric-powered law equipment.
- 2) Using the funding identified, initiate & implement the buy-back program

## Additional Information (Background)

Electric lawn equipment generates zero exhaust emissions, compared with gas engines, which release carbon monoxide, carbon dioxide, nitrogen oxides, and unburned hydrocarbons into the atmosphere. Electric equipment is also quieter than gas-powered equipment, creates less noise pollution, and it’s also safer.

## Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Adding this initiative can have positive and significant effects on our City’s air quality and create further clean power demands that can be fulfilled by SJCE, with minimal impact on the City’s finances if we are successful in finding external grant funding for implementation of the buy-back program.

## Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

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## Council Policy Prioritization: Policy Nomination Form

Additional Space (if needed)

The State's 2018-2019 Cap & Trade budget spending plan includes \$1.4 billion in discretionary investments in climate adaptation, research, wildfire prevention, and several other programs. Other elements in the Cap & Trade funding plan target \$468 million for low-carbon transportation, including \$175 million for clean vehicle rebates. The City must take advantage of these funds, or others, on our path to become California's most sustainable, Climate Smart city.

Return form to [CMOAgendaServices@sanjoseca.gov](mailto:CMOAgendaServices@sanjoseca.gov)





# Council Policy Prioritization: Policy Nomination Form

Council Member Johnny Khamis

District CD 10 Date 02/08/2019

Council Member Lead Staff Michele Dexter

Lead Staff Ext. x54978 535-4978

Policy Subject Walls: Streamline repair process; address planning issues; develop vegetati

CSA Area Neighborhood Services

### Policy Problem Statement

All throughout our City, streets are lined with concrete walls. These walls are primarily made from poured concrete, reinforced with rebar. The lifespan of reinforced concrete is 50-100 years, if well maintained. Most were built 40-50 years ago, have not been well maintained, and have been damaged by inappropriately planted vegetation. Damaged and falling walls are a safety concern.

### Policy Proposal

1. Develop a clear and streamlined process for residents to determine what the requirements, options, and steps are for repairing or replacing their concrete perimeter or sound walls.
2. Evaluate design standards for walls and City-owned land in future development
3. Review and modify policy for planting vegetation in City-owned land that is immediately adjacent to privately owned walls and/or other private property.

### Additional Information (Background)

SEE ATTACHED

### Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Homeowners will easily determine steps to repair/replace damaged walls; Developers will use materials that are not burdensome to future generations; Staff will plant more appropriate vegetation; City and residents will work together to solve current and future problems.

### Budget Implications (if known)

City funding required \_\_\_\_\_

Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) \_\_\_\_\_

Return form to [CMOAgendaServices@sanjoseca.gov](mailto:CMOAgendaServices@sanjoseca.gov)

## Streamlined Wall Replacement Process

### BACKGROUND

All throughout our City, housing developments have been built with concrete walls surrounding them. These walls serve various purposes, such as protection from sound or speeding cars. These walls are primarily made from poured concrete, reinforced with steel rebar, and most were built in the 1960's or 1970's.

Take a drive down many of our major streets and it won't be long before you realize these walls are beginning to deteriorate. Wear such as that displayed in the photos below is common:



In the center photo, above, you can see the concrete panel on the left has fully separated from the steel connecting post. This is not uncommon and it is becoming more and more common to see entire panels missing. In some cases, residents have replaced the damaged panels with plywood. There are several examples of this around the City, but here is one example:



Then there are situations where residents are trying to prevent their walls from falling completely:



In the past we have heard many stories from homeowners about a program 20 years ago where “the City” planted climbing vines in the City-owned land next to private walls. The vines grew, then the recession hit and 5 years later “the City” went back out and removed all the vines to cut expenses. The vines, and their removal, caused damage to the surface of the walls.

We also see situations where the City planted trees in the City-owned dirt between the walls and the sidewalks. Over time, those trees have grown and have damaged, or completely destroyed, the homeowner’s walls:



The homeowner below has lost all of their wall panels due to trees planted by the City many years ago and now has no way to prevent strangers from walking through his yard into the surrounding neighborhood, causing tension with his neighbors. Several new trees were recently planted along this same wall.





This next photo shows a section of wall that was recently replaced. Several panels fell down one day and the homeowner contacted Code Enforcement to see what to do. They had trouble with the recommended contractor and it took over a year for this wall to get replaced. The process was frustrating and the delays added significant additional costs to the project. A permit was required due to the need for a retaining wall. The homeowner now has one wall, instead of multiple panels, and it is built of retaining wall blocks instead of reinforced concrete.



And this photo shows a section of wall where the homeowner didn't need a permit, and was allowed to simply replace the damaged panel with cinderblocks, reinforced with steel rods. Replacement time was about three weeks.



### ANALYSIS

The lifespan of reinforced concrete is 50-100 years. However, that is with the expectation that the concrete will be maintained well and minor issues will be repaired before they become major. The walls in San José have not been well maintained over the past 40-50 years. This is due, in part, to the perception by most homeowners that the City is either responsible for all the walls in the City, or, at a minimum, for the street-facing side of the walls. There are various historical actions and situations that have contributed to this perception, however, the position of the City is that all but a very few walls are owned by the homeowners whose property they abut. What can be done to reduce the time between when damage begins and when it is inspected and repaired?

The costs to replace poured, reinforced concrete walls ranges from approximately \$8,000 to \$10,000 per panel. The cinderblock panel, or section, pictured above cost about \$5,000 to \$6,000, a significant savings, especially for those homeowners who have multiple panels to replace. The wall pictured that was made of retaining wall blocks cost approximately \$150,000. Most homeowners might try to avoid the high cost option if they can avoid it, especially if their insurance coverage does not assist with the cost of wall replacement.

The two examples above of repaired walls highlight the fact that each situation is different. Residents are unsure what their options are and have many questions. Some we have heard include:

- Do I have to replace the panels with the same materials? If not, what are my options?
- The property plans are confusing - how do I tell if the wall is on my property or on City property?
- Do I need a permit?
- Can I do the work myself or must I hire a contractor?

A clearly laid out, step-by-step process for homeowners to follow would be very helpful. This problem is only going to increase over time as the walls continue to age. In addition, reviewing our City policy on planting large trees in narrow dirt strips that abut privately owned walls will minimize the negative impacts our urban forest has on our homeowners.

In addition, it may be possible to reduce or eliminate this problem in the future by evaluating our design standards for new developments. Can the City-owned land be eliminated or utilized in a way that will not damage the walls? Must walls be built with concrete or can wood or other materials be used that are less costly? How can PBCE, DOT, and PW, work together to modify our processes and policies to address the current problems and prevent future ones?