



AFFORDABLE HOUSING AND HOMELESSNESS

Despite a prosperous local economy and high median incomes, thousands of Santa Clara County residents experience homelessness each year. An increasing number of people are one missed paycheck away from relocation or homelessness. From 2012-16, wages in Santa Clara County, San Mateo County and San Francisco County areas have risen an average of 2.8 percent a year, while average housing rents have risen roughly 9 percent a year. Housing production growth continues to fall far behind job growth in the County. From 2010 through 2016, employment in Silicon Valley jumped 29%, while housing inventory rose just 4%.

The lack of affordable housing is destined to have an increasingly profound impact on the County. Ironically, the County's great economic success is a cause of the exceedingly high housing costs. In January 2017, more than 7,300 individuals were living on the streets, in shelters, or in transitional housing across the county. As of January 2019, that number has increased to more than 9,700 individuals. There has been a 20% increase in the homeless population within the City of Santa Clara over this two-year period. Cities across the state have struggled to address the growing affordable housing and homelessness crisis as housing prices continue to soar.

To address the lack of affordable housing, both the County and the State have taken significant measures to provide much needed support to local jurisdictions. In November 2016, Santa Clara County residents approved Measure A, a \$950 million general obligation bond that will create new affordable rental and homeowner housing opportunities. Measure A is part of an ongoing effort to: 1) increase affordable housing opportunities for our community's most vulnerable and poorest residents; and 2) to prevent and reduce homelessness throughout Santa Clara County. Measure A builds on key policy shifts and communitywide partnerships that occurred over the last five years. In response, the City of Santa Clara is partnering with the County on multiple development projects in order to access Measure A resources and to reach some of our community's most vulnerable and poorest residents.

To address the needs of its most vulnerable residents, Santa Clara County's supportive housing system provides shelter, supportive housing, and homelessness prevention services. However, these resources are limited and the demand for affordable housing and supportive services far exceeds the system's current capacity. Santa Clara County's Community Plan to End Homelessness, created in 2015, outlines a coordinated strategy to address homelessness that is powered by collaboration. Building partnerships across County departments, local governments, the business sector, and non-profit and philanthropic partners to leverage available resources and bring in new funding streams is fundamental to expanding the reach of the supportive housing system. As the 5-year period covered by this plan comes to an end, this year will see a renewed community planning process to develop a roadmap for future work to end homelessness in 2020 and beyond.

At the State level, in 2017, then-Governor Jerry Brown signed into law a legislative housing package aimed to help alleviate the affordability crisis by streamlining housing development (AB 73, SB 35 and SB 540); increasing accountability of cities and enforcement housing goals (AB

72, AB 678, AB 879, AB 1387, AB 1515, SB 166, and SB 167); and creating and preserving more affordable housing (AB 571, AB 1505, AB 1521, SB 2, and SB 3).

In 2018, additional bills were approved by the Legislature, and signed into law by Governor Brown, aimed at increasing housing opportunities and density (AB 2372, AB 2753, AB 2797, AB 2923, and SB 1227); streamlining housing production (AB 2162, AB 2263, AB 3194, and SB 765); and amending planning processes (AB 686, AB 1771, SB 828, and SB 1333).

In 2019, Governor Gavin Newsom established a target of building 3.5 million new housing units in California over the next decade. The Governor worked with the Legislature to advance several bills aimed at boosting housing production and improving tenant protections. Among the bills that were signed into law were:

SB 330 – The Housing Crisis Act of 2019 will accelerate housing production in California by streamlining permitting and approval processes, ensuring no net loss in zoning capacity and limiting fees after projects are approved.

AB 1482 – The Tenant Protection Act of 2019 enacts a cap of 5 percent plus inflation per year on rent increases statewide for the next 10 years. The law does not apply to properties built in the last 15 years, nor does it apply to single-family home rentals (unless owned by large corporations) or to projects already under construction or under current rent control schemes.

In 2018, the City of Santa Clara acted to ensure the availability of affordable housing to moderate, low, very-low and extremely-low income households through the adoption of the Affordable Housing Ordinance and Impact Fees. The new requirements include a combination of inclusionary requirements for residential projects, and impact fees for smaller projects and nonresidential projects, to provide a steady stream of affordable housing units and revenue to fund the provision of affordable housing projects across the City.

Since the dissolution of Redevelopment Agencies, the City of Santa Clara's two main sources of funding for affordable housing are from the federal Community Development Block Grant (CDBG) and HOME Investment Partnerships Act Program (HOME) entitlement grants. The federal entitlement grants are used to promote affordable housing, rehabilitate substandard housing, build new park facilities, provide neighborhood improvements and remove barriers to the handicapped, and fund public services for low and moderate income residents. Thus, Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) continue to be significant sources of funding for the City. There were proposals to cut federal funding programs such as CDBG, HOME, and the Section 8 voucher program in 2018 and 2019, which would have greatly impeded the City's affordable housing goals. Fortunately, the U.S. Department of Housing and Urban Development budget was not cut during those periods and City staff continues to monitor federal funding for housing.

The City of Santa Clara is committed to being a leader at the local level in providing affordable housing, as well as making a fair share contribution to the overall need for housing production within Silicon Valley, and will continue to proactively take concrete steps to realize new housing production within the City. Santa Clara is also prepared to participate in broader regional efforts that are collaborative, recognize the unique characteristics of local jurisdictions, and provide opportunities for local representation. The City is concerned about potential measures imposed at the State or regional level that reduce local control, recognizing that in some instances such measures can be necessary or helpful to advance common goals across multiple jurisdictions, but also aware that such efforts may have unintended consequences, limited effectiveness, or create inequities due to a lack of accountability to localized circumstances.

Specifically, City staff has been tracking progress on SB 50 and has expressed its concerns with the potential shift in decision making represented by SB 50 from the local jurisdiction to a single mandated approach. The City of Santa Clara continues to believe that the local jurisdiction is the appropriate level to conduct land use planning that fully incorporates the involvement of local community members and an understanding of conditions unique to the community.

On January 21, 2020, the City of Santa Clara submitted a letter to Senator Scott Wiener expressing specific concerns with the legislation. Despite recent amendments to the bill, the City felt unable to evaluate whether the “local flexibility plan” was a viable alternative planning option without clearly identified criteria. On January 30, 2020, California State Senators rejected Senate Bill 50, which means that this bill will not advance in 2020. The City anticipates future efforts to enact similar legislation and will continue to monitor this issue.

Ongoing City advocacy efforts will continue to focus on encouraging the State and federal government to provide more resources (funding, legal authority, technical support, streamlining of burdensome administrative requirements associated with federal funding, etc.) to local governments to address local housing needs. At the State level, the City will encourage the State to engage in constructive dialogue with local governments to seek realistic solutions to local fiscal challenges and challenges in meeting local affordable housing goals, rather than adopting measures that reduce local control and are mainly punitive in nature. The City also monitors and supports ongoing efforts at the State level to reform the California Environmental Quality Act (CEQA) and in particular streamlining of CEQA provisions to support the production of affordable housing or to reduce the potential for unmerited CEQA litigation. At the federal level, the City will focus on increased federal funding for affordable housing and community development programs for local governments; preserving and strengthening the low-income housing tax credit (LIHTC) program and federal tax exemptions for private activity bonds (PABs); preserving federal tax exemptions for state and local taxes including state and local property, sales, and income taxes, and maintaining federal tax exemptions for mortgage interest payments on primary residences (at least). Elimination or weakening of the LIHTC and/or PAB programs and/or SALT and mortgage interest deduction could have significant negative impacts on affordable housing production, first-time home buyers, local and state governments’ fiscal health, and the stability of the California housing market.

The City will continue to monitor other legislation of potential concern, including the following bills during the 2020 legislative session:

AB 725 – Current State Law requires a city’s general plan housing element to include an inventory of land suitable for a specified amount of housing development (the City’s Regional Housing Needs Allocation or RHNA) within a planning period. AB 725 would require that at least 25% of a metropolitan jurisdiction RHNA for above moderate-income housing be allocated to sites with zoning with a maximum density of 35 units per acre. This requirement is both impractical for Santa Clara and counter to good planning principles for an urban environment, as it would require a significant amount of already developed commercial land be designated for low density residential use, contrary to the City’s increasingly urban setting and high land values. The City can provide significantly more housing capacity, consistent with market demand, by planning for higher-density residential neighborhoods. This bill could undermine housing production or force the unnecessary conversion of industrial areas to residential use.

SB 795 – This bill would create a new State funding source for affordable housing available to local jurisdictions through a voluntary, application-based process. The City supports this

legislation as it provides additional funding opportunities for new affordable housing which could assist the City in meeting its goals for developing affordable housing within Santa Clara.



COVID-19 LEGISLATION

The disease, now commonly known as COVID-19, has spread globally, resulting in the 2019–2020 Coronavirus Pandemic. The first case in the United States was announced on January 21, 2020 and Santa Clara County, specifically, has been disproportionately impacted when compared to other California regions. There has been much effort at the local, state and federal levels of government to stop the spread of the disease. Additionally, the state and federal have been working to provide economic relief to individuals, businesses, and local and state governments that have been impacted by COVID-19-related disruptions.

The City of Santa Clara declared a local state of emergency on March 11, 2020 and is closely monitoring county, state and federal orders and legislation to see how they apply to Santa Clara. City resources and personnel are working to continue to provide essential governmental functions to residents and businesses, while navigating the response necessary to contain the COVID-19 outbreak and complying with the requirements for social distancing and self-quarantining. In order to adequately protect the public health and safety in the midst of the COVID-19 outbreak, the City of Santa Clara supports continued efforts to stop the spread of COVID-19, provide direct relief funding to local jurisdictions, especially small and medium-sized cities, and the temporary suspension of certain time-specific statutory requirements.



ENERGY LEGISLATION, REGULATIONS AND ISSUES

PG&E Bankruptcy

On January 29, 2019, PG&E Corporation filed for Chapter 11 bankruptcy reorganization. California's largest utility is facing up to \$30 billion in liabilities related to wildfires and other liabilities from the San Bruno natural gas explosion. Legislation has been introduced to consider the structure of PG&E, the liability of utilities to wildfire events, as well as other measures. Amid this background, it is important for Silicon Valley Power (SVP) to be active and informed by its own agreements with PG&E Corporation and its subsidiaries, the extended impact to all other energy market participants and the independent system operator, the impact to SVP partners in power generation and distribution, the implication for how risk is assigned to an electric utility, and the framework for establishing liability and risk. To mitigate the impact from PG&E restructuring, SVP will continue to monitor the PG&E bankruptcy proceeding and associated legislation.

Wildfire Mitigation Plans

Wildfires continue to adversely impact our public health and safety, air quality, and the economy, undermining significant investments in emissions reduction. In addition, wildfires have damaged infrastructure that delivers clean energy through the grid. SVP is committed to safe and reliable operations of the grid and is implementing the Wildfire Mitigation Plan (WMP) adopted by City Council.

The increasing use of Public Safety Power Shut-offs (PSPS) as a mitigation measure in investor-owned utilities (IOUs) WMPs underscores the need for improved, and pre-planned, coordination between the IOUs and local governments. This will help ensure that transmission level PSPS events do not unnecessarily burden local communities that are dependent on IOU transmission infrastructure.

Wildfire Liability

Past interpretations of state law have asserted that electric utilities are liable for damages linked to wildfires if their equipment is involved in the fire, even if the utility was not at fault or negligent in its practices. Claims from wildfire damage has strained the insurance markets making it difficult for electric utilities to access affordable and effective insurance coverage. A utility's potential financial exposure can reach far beyond the ability of its customers to shoulder the financial burden. The City support efforts to align wildfire-related liability with fault, safeguarding public utility customers against exorbitant rate increases when their utility acts prudently.

Energy De-regulation

Since 1998 when deregulation of the utility companies began, California's energy market has been evolving. New energy related products (i.e. Transmission, Renewable Energy Credits, Carbon Credits, Resource Adequacy Capacity, Low Carbon Fuel Standard

Credits, Cap and Trade, etc.) and regulations on their use are constantly evolving at various local, state, regional and federal agencies. Staff continues to monitor regulations and participate in the development of new energy related products to mitigate ratepayer impacts.



**ENGAGEMENT WITH THE FEDERAL AVIATION ADMINISTRATION REGARDING
AIRPLANE NOISE**

The City continues to monitor air noise concerns that could impact our residents. In Santa Clara, the source of air noise comes from various activities from regional international airports, general aviation airports, and Moffett Federal Airfield. Ultimately, the Federal Aviation Administration (FAA) is primarily responsible for air traffic control, and our region continues to advocate for air noise mitigation.

In June 2017, the Cities Association of Santa Clara County (CASCC) received a Congressional request from Representatives Eshoo, Khanna and Panetta asking the CASCC to take a leadership role in forming a regional aircraft noise roundtable. The CASCC formed an Ad Hoc Committee to build the framework of forming a roundtable that works for the region. The roundtable, conceived to include the 21 local jurisdictions of Santa Clara and Santa Cruz Counties, will work together with San Francisco Airport, Minéta San José Airport, and the FAA, and address the growing concern of aircraft noise.

At the CASCC Board of Directors meeting on June 14, 2018, the Ad Hoc Committee presented their recommendations to form a Santa Clara/Santa Cruz Airport Roundtable. The Committee recommended a number of items, including a resolution for Board approval, proposed by-laws, Memorandum of Understanding (MOU) for the Roundtable, and draft resolutions for participating jurisdictions.

At the July 17, 2018 meeting, Council adopted a resolution for Santa Clara to participate in the Santa Clara/Santa Cruz Airport Community Roundtable and approved the appropriation of funds for the City's participation. While the City does not have direct authority over air space, City staff will continue to work with regional agencies and federal representatives and authorities to mitigate the effect on our residents.



HUMAN RESOURCES/PUBLIC SECTOR EMPLOYMENT

The City of Santa Clara provides a myriad of services to the community, including Police, Fire, Public Works, Electric Utility, Planning, Parks and Recreation, and Library Services. The City employs over 1,100 employees that provide these and other services to the community. These services provide opportunities and careers for all types of interests, and the City should endeavor to leverage the rewards and benefits that come with working for the City. This Legislative Advocacy Position summary focuses on several issues related to human resources.

Labor

As a public agency at the center of Silicon Valley, the City competes with other local municipalities and the private sector to attract, hire and retain a talented workforce. As a service organization, the City dedicates tremendous resources to cover the costs for employees who provide the various services to our community. The employee costs, which continue to increase, include base payroll, healthcare benefits and retirement benefits. The City should thus support any efforts to preserve local government's ability to manage its own employment issues, including, but not limited to hiring, evaluating, disciplining, and negotiating collective bargaining agreements.

Bargaining Units

The City has ten bargaining units. The City's Memorandum of Understanding (MOU) with the City of Santa Clara Employees' Association (Units 5, 7 & 8) and the Miscellaneous Unclassified Management Employees (Unit 9) expired in December 2019. The City is currently in negotiations on successor agreements with these bargaining units. In 2020, the City's MOUs with the Santa Clara City Firefighters, IAFF Local 1171 (Unit 1) and the American Federation of State, County and Municipal Employees, Local 101 (Unit 6), are set to expire and the City anticipates beginning negotiations on successor agreements in the near future. The City is appreciative of the hard work of its employees and bargaining units, thus the City should continue to pursue the best ways to address the service delivery needs of the community while being mindful of its revenues and expenditures as well as the recruitment and retention of the City's workforce.

CalPERS

The City contracts with the California Public Employees Retirement System (CalPERS) to provide healthcare benefits to its employees, as well as a defined benefit plan (pension benefits). CalPERS offers a menu of benefit provisions that are established by State statutes within the Public Employee Retirement Law. Pension costs continue to increase and place pressures on the City's budget, which in turn impacts other facets of City operations. Supporting the long-term stability of CalPERS and the ability of local governments to mitigate and manage its pension obligations is crucial. This includes opposing Federal or State unfunded mandates.

Immigration

As a reflection of the diversity of our community and workforce, the City can support efforts that create a more informed, engaged, and welcoming experience for immigrants. This can include supporting comprehensive immigration reform which can provide opportunities to achieve economic success and contribute to our community. Additionally, the City is supportive of efforts that protect children, including undocumented children, with the continuation of the Deferred Action for Childhood Arrivals (DACA) Program and the Dream Act.

Work Visas

In conjunction with efforts to support comprehensive immigration reform, the City can support an increase in work visas allowing employers to hire foreign workers for jobs that require advanced technical skills as well as support programs that stimulate the economy through job creation and capital investment by foreign investors.



LOCAL AUTHORITY OVER WIRELESS TELECOMMUNICATIONS FACILITIES AND CABLE SERVICES

Wireless Telecommunication Facilities

The wireless telecommunications industry has made efforts to limit or preempt local control over placement of wireless facilities and supporting structures in and outside the rights of way (ROW) under the premise that local agencies are inhibiting telecommunications companies from implementing their new technology. Over the past several years, actions by federal and state lawmakers and regulatory agencies have resulted in the adoption of regulations and orders controlling local authority over placement of wireless facilities, including the adoption of “shot clocks” requiring local agencies to complete review of projects within a 60 day or 90 day period for existing and new facilities respectively.

In 2009, the Federal Communications Commission (FCC) ruled that localities are presumed to have violated federal law if they fail to act on requests for placement of wireless facilities on existing structures within 90 days, or 150 days in other some cases. In 2014, the FCC issued rules implementing a law passed by Congress in 2012 (the law is referred to as Section 6409). Section 6409 requires localities to act within 60 days to approve requests for modifications of existing and previously approved wireless facilities which do not “substantially change” the physical dimensions of those facilities. The facility is “deemed approved” if the locality fails to act within this timeframe. This could for example, result in future wireless carriers adding up to three additional ground cabinets at any location where ground cabinets were previously approved, or adding a 10 foot, vertical extension to wireless facilities on or off the ROW, even if the previous facilities were subject to height limits. There are important exceptions to the general rule but it is a significant limit on local authority.

In 2015, AB 57 was passed, which provides that if a local jurisdiction fails to act on a wireless telecommunication facilities application within the 90 or 150-day timeframes established by the FCC, the carrier may send the locality a notice that the permit has been deemed approved, and the locality bears the burden of going to court to defend its failure to approve.

The FCC adopted rules in 2018 that effectively remove most federal protections against placement of small cells under the National Historic Preservation Act and the National Environmental Protection Act. In August 2018 it declared that “de jure” and “de facto” moratoria on deployment of wireline and wireless facilities “prohibit” deployment of telecommunications facilities, generally cannot be defended as reasonable right of way management, and are subject to preemption. The FCC’s examples of moratoria were not limited to laws that prohibit submission of permits pending adoption of local or state law revisions. Examples of “moratoria” include delays by municipally-owned utilities in acting on pole attachment applications; “freeze and frost” laws that prohibit trucks of certain weight from using roads during seasons when roads are most vulnerable; and overly broad suspension of permitting during emergencies, such as wildfires. Conceivably, limitations on ROW construction during peak periods of use could be challenged. The FCC is expected to act on industry requests that localities be limited to recovering incremental costs for use of the ROW; and that localities be required to lease space on publicly owned infrastructure, including street lights, at cost. The FCC is also considering shortening shot clocks further, or declaring that the failure to act within a specified period results in the application being “deemed granted.”

At the state level, in 2017, the California Legislature approved SB 649, which was ultimately vetoed by Governor Brown. If signed into law, the bill would have removed significant local authority over small cell telecommunications facilities within the public ROW. The bill would

have established a uniform permitting process for small cell wireless equipment throughout the State, and would have fixed the rates local governments could charge for placement of small cell equipment on City government owned property. Silicon Valley Power joined with other public power jurisdictions in California to strongly oppose SB 649. The City continues to oppose any attempt to preempt local authority over the placement of wireless telecommunication facilities and access to broadband services. The FCC may very well adopt orders that have many of the same effects as the legislation would have had, if not vetoed.

In 2017, the FCC created the Broadband Deployment Advisory Committee (BDAC) to advise the Commission on how to accelerate the deployment of high-speed Internet access. Working groups within the BDAC, such as Competitive Access to Broadband Infrastructure, Removing State and Local Regulatory Barriers, and Model Code for Municipalities, have provided recommendations to the FCC. However, the BDAC was controlled comprised overwhelmingly by members of the wireless industry, as most of the handful of municipal representatives resigned because the BDAC was unwilling to fairly consider municipal proposals. The recommendations that have issued by the Committee are not favorable to localities, and may provide the foundation for further actions at the federal and state level.

On the congressional side, in 2017, the Senate Commerce and House Energy & Commerce Committees held five FCC-related hearings in related to wireless infrastructure. During those hearings, some witnesses, and members of both committees, claimed utility pole attachments are a “barrier” to the ubiquitous deployment of broadband technology. At several of those hearings, the FCC Chairman recommended that, to foster widespread broadband deployment, Congress should extend FCC jurisdiction to include public power pole attachments. In response to these recommendations, Senators Thune and Schatz introduced the STREAMLINE Small Cell Deployment Act (S.3157) in June 2018. The proposed bill has many of the same provisions that are being considered by the FCC, such as limiting local governments’ authority to deny wireless service facility permits and designating timeframes for local governments to approve requests. While the bill is important, the FCC’s actions, described above, present a much more immediate threat.

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- Forced access to public and private property, and public utility easements such as electric substation infrastructure;

- Public safety issues if the city cannot determine if the small cell and associated equipment meet the safety standards for utility poles or other support structures;
- Worker safety issues due to the size and placement of the equipment on utility poles;
- Major aesthetic issues if small cell installations go unchecked. Small cells and their associated equipment can be bulky, create an inconsistent look, and substantially extend the height and size of a pole;
- Pole over-loading/failure issues if a City-owned pole does not have the capacity to serve a small cell; and
- Installation of small cells on historical landmarks.
- Compliance issues due to insufficient time allowed for all applicable City departments (Planning, Encroachment, Building, SVP, etc.) to review

Cable Facilities and Services

In September 2018 the FCC released a Second Further Notice of Proposed Rulemaking that sought to address how local franchising authorities (LFAs) can regulate incumbent cable operators and cable television services. If adopted, the proposed rules are likely to have significant impact on cable franchise fees, public, educational, and government access television (PEG) channels, and other common cable-related obligations in cable franchise agreements. The City may be impacted by these rules as our Santa Clara City Television (Comcast cable channel 15 and AT&T U-verse 99) is considered a government access channel. The channel is used to provide important information to the public, such as live and recorded airings of Council and Planning Commission meetings, City special events, programs, and public service announcements. The proposed rules will allow all cable-related, in-kind contributions, other than PEG capital costs and build out requirements, to be treated as “franchise fees” subject to the 5% franchise fee cap that a LFA may collect from a cable operator for any twelve-month period. This will have negative impacts on the City as this holding appears to allow cable operators to deduct the value of franchise requirements, such as PEG channel capacity, connections to programming origination points, and complementary cable services to schools and other public buildings, from their cable franchise fee payments. The proposed rules will also prohibit LFAs from regulating the non-cable services offered over cable systems, other than I-Nets, and prohibit LFAs from regulating the facilities and equipment used in the provision of these non-cable services. While the proposed rules are ambiguous, they can be interpreted to allow certain cable operators to construct and install facilities and equipment for non-cable services in the right-of-way without any local regulation or compensation.

These efforts continue to erode the City’s ability to effectively regulate wireless telecommunications and non-cable services facilities and take away local authority on facilities that directly affect our City’s residents. Since SVP owns and operates its own public power utility, it is even more alert to proposals that may impact its electric distribution system built on public street light and power poles. City staff will continue to advocate for local control of permitting wireless telecommunications and non-cable services facilities in the public ROW.



PUBLIC SAFETY

As a city that is consistently named one of the safest cities in the country, Santa Clara is committed to promoting a living and working environment that allows for the best quality of life. Staff is monitoring and tracking legislation to ensure that proposed legislation is aligned with the City's continued interest in public safety.

Community Safety

Crime prevention and enforcement efforts are integral to creating and maintaining a safe environment for residents and visitors.

Gun violence has become a grim reality of life in the United States. Gun-related homicides, suicides and unintentional lethal and non-lethal shootings dominate media coverage. Shootings have a devastating impact on communities – even when no one is killed. The City supports legislation that seeks to impose stricter gun violence laws and/or requires the safe storage of unattended firearms.

The City also supports legislation that toughens penalties for chronic criminals. Recent legislation has shifted responsibility for all sentences non-violent, non-serious, non-sex offenders from the State to local jurisdictions, reduced penalties for certain non-violent crimes and allowed parole consideration for nonviolent felons. Individuals that are apprehended for property crimes, among others, often recommit similar crimes after they are released after a shorter sentencing. The City supports efforts to reduce the list of who can seek early parole and re-classify some theft crimes from misdemeanors to felonies by reforming Proposition 47 (approved by voters in 2014) and Proposition 57 (approved by voters in 2016). The City also supports the expansion on the number of crimes where DNA is collected, a list that was limited when some crimes went from felonies to misdemeanors.

The City recognizes that crime prevention and enforcement efforts alone cannot foster community safety and wellness; education, intervention and prevention efforts on various public safety topics (e.g. gun violence, gang activity, alcohol and tobacco use, pedestrian, driver and bicycle safety, and driving under the influence) are equally important. The City's Police Department currently provides anti-bullying education through the D.A.R.E. program and would like to see similar efforts and measures to eliminate discrimination, bullying and harassment, and improve general safety at schools. Similarly, the Police Department develops and maintains partnerships with schools, businesses, places of worship and fellow law enforcement agencies to help reduce crime and enhance safety. Additionally, The City encourages lawmakers to continue preserving funding levels for existing public safety programs, services and equipment (e.g. Edward Byrne Memorial Justice Assistance Grant) and identifying new funding sources for law enforcement agencies to promote public safety, wellness and employee training, such as AB 680.

The City supports legislation that addresses crime trends and attempts to curb illegal activity, including but not limited to, illegal street racing and sideshow activity and thefts from automobile burglaries. The City also supports California's Zero Traffic Fatalities Task Force efforts to test speed enforcement cameras and corresponding legislation as a result of the pilot program to mitigate traffic-related injuries and deaths. Speed

enforcement cameras would snap a photo of the offending vehicle whose owner would get a ticket in the mail.

Disaster Preparedness and Response

As the State and region continues to experience an unprecedented number of natural and man-made disasters, the City recognizes the importance of a comprehensive risk management approach to emergency preparedness, fire prevention, fire suppression, and emergency medical services. The City supports community risk reduction strategies including but not limited to community education programs (e.g. CERT). The City would continue to benefit from legislation and initiatives that aim to allocate funding for staff training, interagency cooperation and enhanced equipment/technology.

The City also supports legislation that expands the implementation and testing of emergency alerts. Prior to the passage of AB 956 and AB 1079, there was limited access to unlisted and unpublished telephone numbers, which put thousands of Californians at risk of not receiving timely and critical information during an emergency. AB 956 authorizes public safety agencies to place calls through automatically dialing-announcing devices for the purposes of testing all modes of emergency telephone systems whereas previously they could only use autodialing systems to deliver actual emergency notifications. AB 1079 authorizes public safety agencies to test the systems that respond to 911 calls or communicate threats to life or property on unpublished or unlisted numbers without first obtaining the subscriber's express consent.

Fines and Forfeitures

The City has seen a gradual reduction in revenue from fines and forfeitures. The City supports measures that aim to return revenue generated from the enforcement of crimes back to the originating agency to sustain their efforts. In addition, the City supports measures that provide local agencies with financial relief (reimbursement) when the state legislature or any state agency mandates a new program or increased level of service (Proposition 4, 1979). These efforts provide the City's general fund with expense recovery.

Infrastructure and Technology

Many of the public safety efforts outlined in this document depend on reliable infrastructure and advanced technology. Improved interoperability is an important goal for public safety because it can assist first responders in any major incident. The City supports legislation that improves infrastructure and technology, which will enhance public safety professionals' ability to respond to all types of emergencies and communicate within and across jurisdictions. Examples of infrastructure and technology includes, but is not limited to, phone systems, radio interoperability, Text-to-911, wireless networks, emergency alert systems, and dedicated data communications networks and systems. Additionally, the City supports local regulation of Unmanned Aircraft Systems (UAV), including the right to authorize use of UAV systems by public safety agencies and the right to restrict or prohibit UAV use that interferes with or poses a threat to emergency operations or public safety.

Vulnerable Populations

Human trafficking takes on a variety of forms and may intersect with domestic violence in multiple ways. When an individual is trafficked by an intimate partner, family member, or other member of the household, domestic violence often also occurs. Additionally,

domestic violence at home may become a 'push factor' that causes someone to become vulnerable to trafficking. Human traffickers are also often engaged in other crimes, which increases overall crime in the City. Other vulnerable populations that require additional attention include the homeless and mentally ill. Police calls for service involving the mentally ill, including those who are homeless, are on the rise throughout the State. First responders can benefit from additional training and tools to deal with the mentally ill including having Mental Health Specialists on staff to partner with responding personnel when an individual is in crisis. In addition, the City continues to rely on domestic violence and human trafficking victim resources in emergency situations for safe and successful outcomes to be reached. In general, the City supports legislation that aims to support individuals in crisis, reduce and address homelessness, human trafficking domestic violence victims and survivors, and other vulnerable populations.



REGIONAL AND STATE-WIDE WATER SUPPLY AND CONSERVATION

The City of Santa Clara (City) operates 26 wells that tap the underground aquifers and make up about 62% of the City's potable water supply. The underground aquifers are replenished from local reservoirs by the Santa Clara Valley Water District (SCVWD) water recharge program. The remaining water is supplied by water imported from the SCVWD and the San Francisco Public Utilities Commission (SFPUC) through the Hetch-Hetchy Reservoir.

For certain approved non-potable uses, recycled water from the San Jose/Santa Clara Regional Wastewater Facility's South Bay Recycled Water (SBWR) facility is used. This highly treated water delivered through separate pipelines makes up about 16% of the water sales in the City. Recycled water offsets the use of potable sources in drought-prone California and is a reliable source for conservation of potable sources. The City continues to work closely with SBWR in order to increase recycled water supplies in order to meet existing demands within the City. Currently, SBWR is updating the Recycled Water Master Plan. Specific items of interest include:

Water Supply and Conservation

From 2012 through 2016, water supplies were strained due to the drought. Consistent with water conservation orders issued by Governor Brown, the City established its Water Shortage Contingency Plan (WSCP), as amended, to set water reduction targets ranging from 20%-30% and called upon the City's residents and businesses to save water by reducing outdoor irrigation days and times, utilizing water-efficient practices, and discouraging wasteful uses of water. Residents and businesses collectively answered the call day in and day out, achieving water savings of over 30% in a single month during the peak of the drought.

Following the 2016-2017 winter season, which brought record levels of rain and snow, Governor Brown lifted the drought state of emergency in most California counties, including Santa Clara County. Though the statewide drought emergency may be over, Governor Brown noted that the next drought could be right around the corner and that conservation must remain a way of life in California. On July 18, 2017 due to improvements in water supply conditions and Governor Brown lifting the statewide drought emergency, Santa Clara City Council adopted a Resolution discontinuing the WSCP Plan 2 while setting a City-wide goal to maintaining a voluntary 10 percent reduction in water demands compared to 2013, in order to continue progress made in water conservation and make conservation a way of life. In addition, updates to Section 1.C of the City's Water Service and Use Rules and Regulations, Water Use Restrictions and Prohibitions were approved by Council. The City's Water Use Restrictions and Prohibitions section remain in effect at all times and continue to discourage wasteful uses of water.

As of January 2020, reported by Valley Water, projected end-of-2019 groundwater storage in Santa Clara County is very healthy at approximately 355,000 acre feet, which is well within the "Normal" Water Storage Contingency Plan stage or Stage 1. Additionally, reports received by SFPUC, the current water year of FY 19/20 is that both the Hetch Hetchy watershed and local water sheds are experiencing below normal precipitation to date. On January 30, 2020, the second manual survey was conducted by the Department of Water Resources with results showing below average at 79 percent of average for this location. State reservoir levels are very healthy at above close to the historical averages.

AB 574 to expand the use of recycled water was signed into law in 2017. Existing uses of recycled water for non-potable uses has been well established. In December of 2016, the State Water Resources Control Board (SWRCB) released a study regarding direct potable reuse. Currently, there are no regulations in the United States at the federal or state level for direct potable reuse. The bill directs the SWRCB to set regulations for the use of recycled water for direct potable reuse. Santa Clara Valley Water District is interested in potable applications using wastewater resources from the San Jose/Santa Clara Regional Wastewater Facility.

On May 31, 2018, Governor Brown signed two bills, which built on ongoing efforts to “make water conservation a California way of life.” SB 606 and AB 1668 emphasize efficiency and stretching existing water supplies in our cities and on farms. Specifically, the bills call for creation of new urban efficiency standards for indoor use, outdoor use, and water lost to leaks, as well as any appropriate variances for unique local conditions. The four main goals are: use water more wisely, eliminate water waste, strengthen local drought resilience, improve agricultural water use efficiency & drought planning. Proposed regulations will also require municipalities to comply with aggregate water budgets for outdoor and indoor use. SWRCB is required to develop regulations and send to the Legislature by January 2021.

The SWRCB is scheduled to issue regulations consistent with these bills no later than June 30, 2022. The specific requirements for urban and agricultural water supplies are:

- Each agency will annually, beginning November 2023, calculate its own objective, based on the water needed in its service area for efficient indoor residential water use, outdoor residential water use, commercial, industrial and institutional (CII) irrigation with dedicated meters, and reasonable amounts of system water loss, along with consideration of other unique local uses (i.e. variances) and “bonus incentive,” or credit, for potable water reuse, using the standards adopted by SWRCB.
- Agencies must meet their water use objective. Those that don’t may be subject to enforcement by the SWRCB. Starting in 2023, SWRCB may issue informational orders to Agencies that do not meet their water use objective, and may issue conservation orders beginning in 2025.
- The indoor water use standard will be 55 gallons per capita daily (GPCD) starting January 2025; the standard will become stronger over time, decreasing to 50 GPCD in January 2030.
- The outdoor water use standard will be based on land cover, climate, and other factors determined by the Department of Water Resources (DWR) and SWRCB. SWRCB will adopt the outdoor standard by June 2022.
- The water leaks standard will be set by SWRCB pursuant to prior legislation (SB 555, 2015) by July 2020.
- In addition, the DWR and SWRCB will work collaboratively to define performance measures for CII water use by October 2021. SWRCB will adopt the CII performance measures by June 2022.
- To enhance drought planning and preparedness, Agencies will also be required to update urban water management plans that specify reliability of water supply, define the Agency’s strategy for meeting its water needs, including conducting annual “stress tests” of supply versus demand to ensure water service continuity assuming the five worst or driest years in the supplier’s historical record

City staff will continue to support and implement water conservation measures working in cooperation with BAWSCA, SFPUC, and SCVWD.

Bay-Delta Plan Update

The San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta) is a hub for the state's water supply system. SWRCB is in the process of developing and implementing updates to the Bay-Delta Plan to protect beneficial uses in the Bay-Delta watershed. The Bay-Delta Plan is being updated in two phases.

Phase I addresses flow requirements in the San Joaquin River tributaries, including the Tuolumne River, for the projection of fish and wildlife and salinity requirements in the southern Delta for the protection of agriculture. SWRCB adopted the Final Substitute Environmental Document (SED) and amendments to the Bay-Delta Plan in December 2018. The State's update to the Bay-Delta Plan requires the release of much more water for fish; specifically, 40% of the unimpaired flow on the San Joaquin River tributaries, including the Tuolumne River, from February through June of each year. This requirement will substantially reduce the amount of water available for the 1.8 million residents, 40,000 businesses, and thousands of community agencies in Alameda, San Mateo, and Santa Clara Counties.

Phase II addresses the reasonable protection of fish and wildlife beneficial uses in the Sacramento River and its tributaries, the Delta, the Mokelumne, Calaveras, and Cosumnes rivers. The proposed Phase II changes to the Bay-Delta Plan include: new inflow requirements for the Sacramento River, its tributaries, and eastside tributaries to the Delta, the Mokelumne, Calaveras and Cosumnes rivers; new and modified Delta outflow requirements; new requirements for cold water habitat; new and modified interior Delta flow requirements; recommendations for complementary ecosystem protection actions that others should take; and adaptive management, monitoring, evaluation, special study, and reporting provisions. In October 2017, the final Scientific Basis Report that identified evidence supporting potential changes to the Bay-Delta Plan was posted. SWRCB is planning to release a draft SED/Staff report for Phase II in the upcoming months. Phase II would require between 45-65% of unimpaired flows releases on the Sacramento River which could result in reduced water available to Santa Clara County. The San Francisco Public Utilities Commission (SFPUC) is the primary lead with respect to the SED regulations in coordination with the Bay Area Water Supply and Conservation Agency (BAWSCA). The City of Santa Clara is aligned with BAWSCA and SFPUC in supporting a voluntary negotiated settlement as the best way to provide an adequate and reliable supply from the Tuolumne River while providing adequate water for fish habitat. In December of 2016, Santa Clara provided a comment letter to SWRCB related to the 2016 Bay-Delta Plan Amendment and SED. The comment letter supported voluntary settlements and highlighted the need to fully analyze the environmental and economic impacts of any shortage to the SFPUC system and associated lost jobs and potential delayed development. On October 24, 2018, Mayor Gillmor sent a letter to the San Francisco Board of Supervisors asking for support of current negotiations underway and requesting to delay action on a Resolution that was urging support of SWRCB's proposed updates to the 2006 Bay-Delta Plan. The City of Santa Clara supports goals that protect habitat and valuable watershed and believes a balance between environmental preservation and protection of the water supply for its residents and businesses can be achieved.

On December 12, 2018, the SWRCB adopted the Bay-Delta Plan Phase I Update. On the same day the California Department of Water Resources and California Department of Fish and Wildlife Services presented to the SWRCB a comprehensive Bay-Delta watershed voluntary settlement agreement. The SWRCB is currently working with stakeholders on the voluntary settlement agreement. On January 10, 2018, SFPUC

joined a lawsuit with several Central Valley Irrigation Districts in order to preserve their options while negotiated settlements continue.

The negotiations continue to evolve in Sacramento, representatives of SFPUC continue to meet with State representatives and other interested parties. The Governor Newsom had set a goal of October 2019 to finalize a negotiated settlement. With substantive detail and scientific analysis with a governance structure. As of January 2020, the negotiations among parties continue to evolve with no substantive outcomes to date. In general, BAWSCA, SFPUC and SCVWD have the lead on the primary regional issues around the water supply. However, City staff attend many SWRCB and committee meetings in coordination with the aforementioned agencies in order to stay current on water resource issues and initiatives as they progress, and in order to lend support and input wherever needed by the suppliers and meet the requirements set forth by the new legislation.

All support for SFPUC issues should be coordinated with BAWSCA. In some cases, BAWSCA may have suggestions, or will coordinate efforts, for the suburban agencies to be sure to maintain a consistent and appropriate level of support, and will guide any other involvement. The issue is being addressed in all areas of our State government. Support may involve meetings, letters, public testimony, and assignment of staff so that the City can best respond as a retailer, and work with our suppliers in the interests of the City's residential and commercial water consumers.

SB 623

SB 623, "Safe and Affordable Water Act" was proposed to have taxed California residents 95 cents a month for water services to raise millions for disadvantaged communities that lack access to safe and affordable water and clean up contaminated water. The bill was opposed by the Association of California Water Agencies (ACWA) because it would increase the cost of living for Californians and turn thousands of local water agencies into tax collectors for the State. In June 2018, legislative leaders dropped the tax initiative and agreed to spend \$5 million from the general fund to address lead in drinking water at child care centers. They also plan to allocate \$23.5 million from general fund for legislative actions related to safe drinking water initiatives. City staff received updates from ACWA through BAWSCA of which Santa Clara is a member agency. City staff will continue to work with partner agencies to oppose any future drinking water taxes.

SB 200

Governor Newsom signed SB 200 into law on July 24, 2019 that created the legal structure and process for funding drinking water solutions for disadvantaged communities in California. In the 2019-20 State Budget it set forth part of the funding solution. The State Budget provides approximately \$130 million (\$100 million from the Greenhouse Gas Reduction Fund and \$30 million from the General Fund) for Fiscal Year 2019-20 for safe drinking water solutions in disadvantaged communities that do not have access to safe drinking water.

The bill was supported by ACWA as this solution did not include a water tax. City staff received updates from ACWA through BAWSCA. The City supports funding through alternative funding solutions that don't involve a statewide tax on local water bills, keeping water affordable for Santa Clara residents.

Water Supply Reliability

The City supports efforts by its wholesalers and other State and Federal agencies to deliver water to Santa Clara customers using clean energy, ensuring both water supply reliability and environmental sustainability. The City works collaboratively with organizations like BAWSCA that represent City interests to determine the best avenue for advocacy. Examples of projects worthy of City support include the relicensing of the La Grange and Don Pedro Hydroelectric projects currently in the environmental review and planning process. The flow proposals through relicensing of these projects must properly balance environmental, agricultural, municipal and industrial beneficial uses of water. The environmental review process must evaluate impacts to the Bay Area's water supply, economy and environment. These types of projects will ensure efficient water delivery while protecting source water like the Tuolumne River.



**City of
Santa Clara**
The Center of What's Possible

Legislative Advocacy Position

REGIONAL ISSUES AND COLLABORATION

While the City of Santa Clara is unique in many ways, it experiences many of the same issues that other cities in the region experience. As demonstrated in other Legislative Advocacy Positions, the City works closely with other jurisdictions to address a variety of issues that impact residents in the San Francisco Bay Area, such as affordable housing, transportation, and water conservation. The City recognizes the importance of regional collaboration and participates in regional organizations such as Santa Clara County Cities Association, Silicon Valley Economic Development Alliance, and the Santa Clara/Santa Cruz Airport Community Roundtable to not only advance the City's goals but to contribute to regional work efforts. Staff will continue to track regional issues and monitor new legislation to ensure that they benefit the region and its residents.



REGIONAL TRANSPORTATION ISSUES

In October 2018, the Metropolitan Transportation Commission (MTC) released its annual analysis of Bay Area freeway locations with the most weekday traffic congestion. The analysis found weekday congestion leveling off in 2017 after four consecutive years of worsening commute times in the Bay Area. Included in the MTC's Top 10 list of the most congested Bay Area freeways is southbound U.S. 101 from Mountain View to San Jose during the afternoon commute, which remains the third most congested freeway corridor in the Bay Area. Santa Clara residents and businesses alike, have been impacted by this, and other, traffic congestion. Businesses, in particular, have mentioned that traffic congestion in the area was one of their main concerns during retention visits.

Due to the need for a variety of transportation improvements in Santa Clara County, in November 2016 voters approved the Valley Transportation Authority's Measure B half-cent Sales Tax measure, which is projected to generate \$6.3 billion (in 2017 dollars) over a 30-year period. Measure B includes a diverse mix of transportation projects and services such as Local Streets and Roads improvements, BART Phase II, Bicycle and Pedestrian projects, Caltrain grade separations and corridor capacity improvements, highway interchange improvements, County expressway improvements, and transit operations. Sales tax collection began in April 2017 and in early 2019 funding was able to be put to use after lawsuits related to this measure were cleared by the courts. This tax measure will fund much needed transportation projects and services that are projected to improve mobility in Santa Clara County.

Additionally, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017, was signed into law by Governor Brown in 2017. The legislative package will invest \$54 billion over the next decade to fix roads, freeways and bridges in communities across California. These funds will be split equally between state and local investments and support road rehabilitation, congestion relief, trade corridor improvements, and improved transit/rail travel. SB 1 was in danger of being repealed by Proposition 6 on the November 2018 ballot but that initiative failed with 57% of voters against the Proposition.

During 2019, a new transportation funding initiative, titled FASTER Bay Area, made headlines due to the magnitude of the funding proposal, the cross-section of supporting organizations, and the initiative's focus on transit improvements. Led by SPUR, the Bay Area Council, the Silicon Valley Leadership Group and other key organizations, the intent is to raise up to \$100 billion over 40 years for transportation projects in the Bay Area, with a focus on transit improvements through a proposed one-cent sales tax. The organizations leading the effort have indicated that Seattle and Los Angeles have passed regional transit measures similar in scale in 2016. The funds generated by the proposal would be dispersed to regional transit districts, including BART and the Metropolitan Transportation Commission, among others. Strategies that will be evaluated for the measure include, but are not limited to:

- Creating transit hubs around the region and connecting major cities by rail for frequent service and travel times of no more than 60 minutes between two points in the Bay Area's inner core
- Creating a modern transportation system that integrates traditional transit, cars and active transportation with the future of automated and connected vehicles
- Connecting rail around the Bay Area by linking and expanding BART, Caltrain, ACE, SMART, Amtrak and Capitol Corridor to make a fully integrated rail network

- Modernizing and repairing our current trains and buses to be faster, cleaner, safer and more reliable
- Building more public transit options in communities that are currently underserved
- Expanding rail, bus and ferry service networks to allow commuters to get out of their cars and connect local cities to regions outside the Bay Area, such as Sacramento and the Central Valley
- Creating safe walking and biking paths to allow easier access to public transit
- Upgrading existing transit networks to reduce emissions and be more environmentally friendly
- Exploring a mandate requiring the region's employers to invest in sustainable commute options for millions of workers.

In addition to these regional efforts, local efforts are underway to promote and provide funding for alternative modes of transportation, such as the 2018 update to the City's Traffic Impact Fee program, the City's Multimodal Improvement Plan, Bicycle Master Plan Update 2018, Pedestrian Master Plan, and Creek Trail Network Expansion Master Plan. Additionally, City staff is working with other transportation agencies to support their significant regional projects, including BART Phase II (VTA), Caltrain Electrification and Caltrain Business Plan, and the High Speed Rail.

City staff will continue to monitor and advocate for legislation and projects that will alleviate traffic congestion and promote alternative modes of transportation that benefit Santa Clara residents and businesses and support the City's commitment to environmental sustainability.



SANTA CLARA FEDERAL LEGISLATIVE PRIORITIES

About Santa Clara

Located at the heart of Silicon Valley about 45 miles south of San Francisco, the City of Santa Clara truly is “The Center of What’s Possible.” Incorporated in 1852, Santa Clara covers an area of 19.3 square miles with an estimated population of 129,498. Santa Clara is home to an extraordinary array of high-tech companies, including Applied Materials, Hewlett-Packard, Intel, Nvidia, Oracle, and Ericsson. The City of Santa Clara is also home to Santa Clara University, California’s Great America Theme Park, and Levi’s® Stadium, home of the San Francisco 49ers and SB50. The City of Santa Clara operates four lines of business: municipal services, electric utilities through Silicon Valley Power, Stadium Authority, and Convention Center and Visitors Bureau

2020 Legislative Priorities

The City of Santa Clara is seeking to engage our Congressional Representatives, most importantly our 17th District representative Congressman Ro Khanna, and U.S. Senators Dianne Feinstein and Kamala Harris, to advocate and convey our City’s legislative priorities. Many decisions that are made in Washington, D.C. have direct or indirect impacts on the City’s ability to provide program and services to residents. When legislators know the City priorities, and community stories from residents and businesses related to those priorities, they are better equipped to represent our interests in Washington. Santa Clara’s 2020 Strategic Pillars include:

Promote and Enhance Economic, Housing and Transportation Development

The City is interested undertaking efforts to remake Santa Clara’s downtown and further develop other sections of the city by incorporating more restaurants, gyms and retail space. Santa Clara supports the advancement of legislation that promotes and increases economic development.

Additionally, the City’s overarching goal is an affordably housed community. To achieve this, Santa Clara will pursue federal housing resources, policies, and flexibility necessary for residents to access the broad spectrum of affordable housing needs they may require, including housing for families, persons with special needs, the elderly, people experiencing homelessness, and those at risk of homelessness; through homeownership and rental housing; with both new production and preservation.

The City would like to ensure that opportunities, such as increasing the production and preservation of affordable rental apartments, are maintained by expanding the Low Income Housing Tax Credit and improving it and tax-exempt Multifamily Housing Bonds through enactment of the Affordable Housing Credit Improvement Act (S. 1703/H.R. 3077) and the Save Affordable Housing Act (S. 1956/H.R. 3479).

Santa Clara residents and businesses have been impacted by traffic congestion. Businesses, in particular, have mentioned that traffic congestion in the area was one of their main concerns during retention visits. The City is interested in developing a smarter city that incorporates alternative methods of transit through opportunities such as the City’s Traffic Impact Fee program, the City’s Multimodal Improvement Plan, Bicycle Master Plan, Pedestrian Master Plan, and Creek Trail Network Expansion Master Plan.

Additionally, the City is working with transportation agencies to support their significant regional projects, including BART Phase II (VTA), Caltrain Electrification and Caltrain Business Plan, and the High Speed Rail. The City implores Congress to develop legislation to reauthorize Surface Transportation funding so that projects alleviating traffic congestion and promoting alternative modes of transportation can benefit Santa Clara residents and businesses and support the City's commitment to environmental sustainability.

In addition to surface transportation, the City is highly concerned about the impact of aircraft noise to communities surrounding San Jose International Airport. While the City does not have direct authority over air space, the City is interested engaging with federal representatives and authorities to mitigate the effect on our residents. The City of Santa Clara supports legislation that seeks to mitigate the impacts of aircraft noise to residential communities such as the All Participating in Process Reaching Informed Solutions for Everyone (APPRISE) (H.R.5110) Act and the Notified Officials to Inform Fully and Impel Educated Decisions (NOTIFIED) Act (H.R. 5111).

Deliver and Enhance High Quality Efficient Services and Infrastructure

As a full-service city, the City of Santa Clara supports federal legislation and funding that support and enhance the delivery of services and infrastructure. These services and infrastructure include water supply and water infrastructure, emergency services, public safety, and wireless telecommunications facilities.

The City of Santa Clara is concerned about the regional and state-wide water supply in California. The City of Santa Clara operates 26 wells that make up about 62% of the City's potable water supply, which is replenished from local reservoirs by the Santa Clara Valley Water District (SCVWD). The remaining water is supplied by water imported from the SCVWD and the San Francisco Public Utilities Commission (SFPUC) through the Hetch-Hetchy Reservoir.

For certain approved non-potable uses, recycled water from the San Jose/Santa Clara Regional Wastewater Facility's South Bay Recycled Water (SBWR) facility is used. This highly treated water delivered through separate pipelines makes up about 16% of the water sales in the City. Recycled water offsets the use of potable sources in drought-prone California and is a reliable source for conservation of potable sources. The City continues to work closely with SBWR in order to increase recycled water supplies in order to meet existing demands within the City. Thus, the City supports continued funding for programs like the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund (DWSRF), which ensure all communities have access to safe drinking water.

As the State and region continues to experience an unprecedented number of natural and man-made disasters, the City recognizes the importance of emergency preparedness, fire prevention, fire suppression, and emergency medical services. The City supports legislation such the Enhancing the Strength and Capacity of America's Primary Evacuation routes Act (H.R. 2838), which would help ensure the safety of Californians in the event of a natural disaster. Additionally, as the 2019–2020 Coronavirus Pandemic continues to unfold and place huge disruptions on residents' lives and city services, the City of Santa Clara supports continued efforts to stop the spread of COVID-19, provide direct relief funding to local jurisdictions, especially small and medium-sized cities, and the temporary suspension of certain time-specific statutory requirements so that it can continue to devote the resources necessary to protect the health and safety of Santa Clara residents.

Lastly, the City of Santa Clara is concerned about the wireless telecommunications industry's made efforts to limit or preempt local control over placement of wireless facilities and supporting structures in and outside the rights of way. Several actions by federal and state lawmakers have resulted in: adoption of regulations and orders controlling local authority over placement, including through adoption of "shot clocks" requiring local agencies to complete review of projects within a specified time period. Santa Clara urges lawmakers to protect local control by passing legislation such as the Accelerating Broadband Development by Empowering Local Communities Act (H.R. 530).

Enhance Community Sports, Recreational and Arts Assets

The City wants to make sure that Santa Clara is a city where residents can utilize and take part in the community. The City envisions a community that develops and maintains increased green spaces, dog parks, soccer parks, cricket facilities, bike trails, senior citizen centers, and multi-use libraries. Santa Clara would like lawmakers to focus funding towards improving, maintaining and encouraging people to connect with green spaces, so residents can reap the health and wellbeing rewards they provide. The City of Santa Clara supports legislation such as the Outdoors for All Act (S. 1458), which help communities around the country construct and improve parks and other outdoor recreational spaces.

Additionally, the City is supportive of the arts and urges lawmakers to support continued funding for the National Endowments of the Arts, Institute of Museum and Library Services, and the National Endowment of the Humanities.

Manage Strategically our Workforce Capacity and Resources

The City of Santa Clara believes that it is critical to invest in the success of the public workforce system. There has been a nationwide effort to implement the Workforce Innovation and Opportunity Act (WIOA), including demand-driven training, apprenticeships, and career pathways to close skills gaps for employers and help workers increase their income. The City of Santa is encouraging lawmakers to continue funding for WIOA programs. This effort will ensure a coordinated alignment with the workforce development programs and an array of partner programs, including career and technical education, higher education, adult basic education, vocational rehabilitation, and other human service programs. Ultimately this will lead to better employment and career advancement outcomes.

Promote Sustainability and Environmental Protection

The City of Santa Clara is committed to creating a sustainable city and supports efforts to protect the environment. The City is concerned about legislation and regulation changes that may have negative impacts on clean energy and energy conservation and forest management and efforts to reduce regulations on greenhouse gas emissions and offshore oil drilling. The City encourages lawmakers to advance sustainability and environmental efforts, including supporting funding for related grants.



SCHOOL MITIGATION FEES

In 1986, the Governor signed into law AB 2926 (Chapter 887/Statutes 1986) which authorized school districts to levy development fees to pay for new school facilities and established the maximum fees that can be charged to developers that are building new residential and non-residential projects. This fee is updated every two years as adjusted for inflation. Once the maximum rate is set by the State, it is the responsibility for each school district to establish its own rate.

The school fees are earmarked for improving and expanding school facilities to serve the school-age population that would be generated from new development. Land values and construction costs have dramatically increased since 1986 and the current adjusted maximum rate does not adequately mitigate the school impacts from new development.

Santa Clara is committed to the ongoing production of needed housing within the City and multiple residential projects are now in progress within the City at different stages of development, such as at Santa Clara Square, the Lawrence Station, and Tasman East Specific Plans. Other proposed residential developments include the El Camino Real Specific Plan, the Patrick Henry Specific Plan, Related Santa Clara, and the Kylli project. Together, these new developments are projected to generate over 30,000 new housing units in Santa Clara.

With increasing community concern over the ability of school districts to meet the facility needs for a growing school-age population, consideration should be given to increasing the allowable school mitigation fees. Cities and school districts are constrained by the amount set by the State, and the current rate does not adequately cover the cost for new facilities and enhancements to existing facilities. This places a formidable challenge on school districts to implement their school modernization programs while also responding to the pressures of increasing enrollment. The City would support efforts by the State Legislature and/or Allocation Board to increase the rates and/or inflation calculator to more realistically reflect current school facility costs, or consider other provisions to allow school districts to effectively mitigate the impacts of new development.



SUSTAINABILITY AND ENVIRONMENTAL LEGISLATION, REGULATIONS AND ISSUES

The City of Santa Clara is committed to creating a sustainable city for residents and businesses. Interest in sustainability and environmental issues, at both the state and federal levels, will likely result in new legislation and regulation changes that could significantly impact the City. Monitoring and advocacy efforts will be geared towards ensuring that emerging legislation and regulations align with the City's interests in providing sustainable services to its residents. This Legislative Advocacy Position summary focuses on various sustainability and environmental issues that could potentially impact our community.

California Environmental Quality Act Reform

The issue of reform of the California Environmental Quality Act (CEQA) has not been addressed comprehensively since the 2014 California legislative session. Various subsequent legislative efforts (e.g., AB 1560, AB 1515) have included elements of CEQA reform to support increased housing production or to advance other legislative priorities. The City of Santa Clara generally supports opportunities to further reform the CEQA process that support greater efficiency and transparency and alignment with objective environmental goals while protecting local land use authority.

Additionally, the City is actively working to update its transportation policies to analyze vehicle miles traveled, in lieu of level of service, in relation to transportation impacts for projects to ensure compliance with SB 743.

Clean Energy and Energy Conservation

The City, and its electric utility Silicon Valley Power (SVP), actively engages in energy policies that move residents and businesses toward a cleaner future ensuring reliable, affordable and sustainable power, with effective local accountability as a fundamental requisite. Preserving local decision-making authority ensures that the best interests of the community are taken into account, actions are tailored to local priorities, and is key to the goal of delivering reliable, affordable and sustainable power. Locally elected representatives are more responsive to the needs of our community as decisions are made through a public process, allowing customers to directly participate in the decision making.

The City will continue to engage in discussions, legislation, and policy, regarding energy related issues including renewable energy, energy efficiency and conservation, resiliency, smart grid solutions, energy storage, distributed energy and transportation electrification, among other things. The City has had an Environmental Stewardship and Renewable Portfolio Standard Policy Statement since 2008. The City advocates for goals and policies that remain technology agnostic and commercially available, and avoids policies that choose specific technologies or energy procurement mandates that can lead to increased customer costs while discouraging innovation. The City supports legislation that remove barriers to the electrification of buildings and transportation and legislation that provides regulatory streamlining of reporting and other actions that also preserves local decision-making authority.

Contaminants of Emerging Concern

In order to ensure that tap water is safe to drink, the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board (State Board) prescribe

regulations that limit the amount of certain contaminants in water provided by public water systems. The quality of drinking water is carefully regulated by the federal government. In 1974, Congress passed the Safe Drinking Water Act, requiring the USEPA to establish uniform standards for drinking water. The Safe Drinking Water Act was further amended in 1986 and 1996, adding even more stringent standards. In California, these standards are enforced by the State Water Resources Control Board Division of Drinking Water. These regulations are constantly being reviewed and revised. As new contaminants of emerging concern are found, studied and published, legislation can follow promoting or expediting new water quality regulations.

Green House Gas (GHG) Emission Reductions

Sustainability is an important goal for the City. The City monitors legislation that may have a regional and local impact on greenhouse gas emissions to advocate for effective and equitable approaches to emissions reduction especially to California Air Resources Board's (CARB) identified Disadvantaged Communities (DAC) and the Bay Area Air Quality Management District's (BAAQMD) identified Community Air Risk Evaluation (CARE) communities.

The Global Warming Solutions Act of 2006 (AB 32), requires California to reduce its GHG emissions to 1990 levels by 2020, and set the frame work for 40% reduction from 1990 GHG levels by 2030 and 80% reduction targets from 1990 GHG levels by 2050. The City supports a comprehensive approach to climate policy that optimizes GHG reductions across multiple sectors (transportation, electricity, buildings, etc.). The City advocates for the flexibility to optimize the portfolio of GHG emission reduction opportunities identified in the City's Climate Action Plan and include new renewable energy procurement, energy efficiency, demand response, smart grid solutions, energy storage, emission trading, among other actions to the portfolio. The City's Climate Action Plan is heavily reliant on Silicon Valley Power to implement and further accelerate greenhouse gas reductions. The City has initiated a comprehensive update to the City's Climate Action Plan, recently entering into a contract with a consultant to support this effort. A detailed schedule for community engagement and preparation of the comprehensive update is under preparation, but the update is anticipated to be complete in early 2021.

Lead Testing of Drinking Water in California Schools

The State Water Resource Control Board's (SWRCB) Division of Drinking Water (DDW), along with the State Department of Education, created regulations in 2017 regarding potable water lead monitoring in schools. In addition, AB 746, signed by the Governor in 2017, required all water agencies to provide testing at fixtures, such as drinking fountains and kitchen sinks, for lead in drinking water for all K-12 public, private, and preschools and child day care facilities located on public school property built before 2010. The City of Santa Clara supports this legislation that protects the health of children who might be exposed to lead and staff is working with the School Districts to complete the required testing. City staff completed required sampling (172 samples at 33 schools) by July 1, 2019. All samples, with the exception of one sample taken at John Sutter Elementary School, were well below the EPA action level of 15 ppb. The fixture was immediately taken out of service and replaced by Santa Clara School District. Resampling at the site resulted in a ND (no-detect) for lead. Sampling results from the testing were given to state and school officials and published in the City's Annual Consumer Confidence Report. Although not a requirement, the City proactively completed sampling at City libraries. All sample results were below the EPA action level of 15 ppb.

Assembly Bill 2370 requires all licensed child day care and preschool facilities located on private property in California to test for lead levels in their drinking water. AB 2370 requires licensed child day care facilities which are located in a building that was constructed before January 1, 2010, to have its drinking water tested for lead contamination levels on a specified schedule and to notify parents or legal guardians of children enrolled in the day care center of the requirement to test the drinking water and the results of the test. If a licensed child day care center is notified that it has elevated lead levels, AB 2370 requires the day care center to immediately make inoperable and cease using the affected fountains and faucets and obtain a potable source for water for children and staff. Testing for lead levels in drinking water must be conducted between January 1, 2020 and by the end of 2022. Day care facilities are responsible for the cost of testing and any subsequent repairs. The City supports legislation that protects the health of children who might be exposed to lead and staff is working with the School Districts; however, consideration should be given to ensure proper funding is made available for the required monitoring, reporting and potential remediation work.

Per- and Poly-fluoroalkyl Substances (PFASs)

Perfluorooctanesulfonic Acid (PFOS) and Perfluorooctanoic Acid (PFOA) are fluorinated organic chemicals that are part of a larger group of chemicals referred to as per- and poly-fluoroalkyl substances (PFASs). PFOS and PFOA have been extensively produced and studied in the United States. They have been used extensively in consumer products such as carpets, clothing, fabrics for furniture, paper packaging for food, and other materials (e.g., cookware) designed to be waterproof, stain-resistant or non-stick. In addition, they have been used in fire-retarding foam and various industrial processes.

In May 2016, the Environmental Protection Agency (EPA) issued a lifetime health advisory for PFOS and PFOA for drinking water, advising municipalities that they should notify their customers of the presence of levels over 70 parts per trillion in community water supplies. The EPA recommended that the notification of customers include information on the increased risk to health, especially for susceptible populations.

Assembly Bill 756 (Codified as Health and Safety Code section 116378) authorizes the SWRCB to order a public water system to monitor for PFOS and PFOA.

The City of Santa Clara has conducted four quarters of monitoring for PFOS and PFOA at wells selected by the SWRCB. All monitoring has resulted in non-detections. City staff are working closely with the Department of Drinking Water in order to comply with all regulations and requested monitoring related to PFOS and PFOA is completed.

As required by California Senate Bill 1422, the SWRCB will formally adopt a definition of microplastics in drinking water by July 1, 2020. It is unknown whether there are any human health effects from exposure to microplastics in drinking water. There is no standard definition of microplastics, however, they are generally understood to be plastic particles smaller than 5 millimeters (mm) in size. Much work remains to be done to characterize and understand the human health effects of microplastics specific to ingestion in drinking water. Recognizing the need for a better understanding of microplastics, the World Health Organization (WHO) included a study of microplastics occurrence and health effects in drinking water in their 2020-2021 budget. WHO's preliminary assessment (August 2019) is that microplastics in drinking water don't appear to pose a health risk at current levels. However, WHO acknowledged that more research is needed.

Prohibition of Oil Drilling off the California Coast

In 2017, the President's Administration announced its intent to allow additional offshore drilling around the United States, including a location in the Pacific Ocean along the

Northern California coast. Offshore drilling is widely considered to carry significant risk to the environment and to worker safety. Additionally, the resourcing of additional fossil fuels is at odds with the climate protection goals of California and Santa Clara.

In response to the administration's proposal, Governor Brown signed AB 1775 and SB 834 in September 2018 that ban new offshore drilling by prohibiting the State Lands Commission from issuing new leases for oil-related infrastructure in the state's coastal waters. It is in Santa Clara's interest to support and complement State efforts to oppose allowing additional oil drilling off the California coast.

Recycling and Solid Waste

In September 2015, the California Air Resources Board (CARB) announced its intent to ban landfill disposal of food waste and other organics by 2025 in hopes of further reducing methane emissions from landfills. SB 1383, signed into law by Governor Brown in 2016, reinforced CARB's focus on diverting organics from landfills. The bill established 2014 disposal as a baseline, then sets a state target of reducing disposal 50% by 2020 and 75% by 2025. CalRecycle began drafting regulations to implement the organics diversion provisions of SB 1383. The most recent draft regulations released in October 2019 are intensive, requiring inspection/enforcement, public education and outreach. They are also more prescriptive in terms of food recovery and color coding of bins.

However, creating the composting and anaerobic digester infrastructure needed to process the additional food waste will require overcoming significant statewide funding, siting and land use and environmental permitting challenges. A key issue is the need for a realistic, market-driven definition of "organics."

It is in the City's interest to continue to monitor the progress and implementation of these efforts as they relate to its utility functions of wastewater, water, and solid waste management and to the City's greenhouse gas reduction goals and approaches. The final regulations need to provide clear and flexible pathways to achieve compliance. In December 2019, the City Council authorized the City Manager to enter agreements with Mission Trail Waste Systems for collection and GreenWaste Recovery, Inc. for processing of solid waste. Under the new agreements, the City will be leveraging mixed waste processing of solid waste to capture organics for composting. The City should monitor and advocate for legislation and regulations that enable mixed waste processing and composting to remain viable pathways for compliance.

Sanitary Sewer Overflows (SSOs)

The City's Pretreatment Program, Fats, Oils & Grease (FOG) Inspection Program, and Operations and Maintenance of the Sanitary Sewer collections system through a rigorous inspection protocol all work to lessen the number of Sanitary Sewer Overflows (SSOs) as way to protect water quality, public health, and the overall environment. The City is supportive of legislative and regulatory efforts on both the State and Federal level that assist in the City's mission. These efforts may be in the form of source control, whereby things like FOG or wipes and rags are kept out of the sanitary system, or they may be in the form of innovative operational tools and infrastructure funding. More broadly, the City supports pollution prevention efforts that keep pollutants, such as pharmaceuticals and hazardous materials out of the sanitary sewer system. Additionally, the City supports current proposed legislation, AB 1672, Bloom that will prohibit single-use wet wipe products from being flushed down the toilet that are being labeled as flushable. Many of these products are labeled as "flushable" giving people the impression they are safe to flush, when in fact they are not. Many wastewater treatment plants, pump stations, and sanitary sewer collection systems experience operational issues as a result of wet wipes being flushed down toilets. These operational issues require costly operational repairs. These products do not break down in the sewer

collection system and clump together thus causing clogging issues in the sanitary sewer collection system and in pumps. Additionally, these wipes contribute to sanitary sewer overflows negatively impacting human health and the natural environment such as local creeks and the San Francisco Bay.

South Bay Salt Ponds Restoration Project

The salt pond conversion project, to restore the salt ponds to their natural ecosystem and provide flood protection, is ongoing. A large amount of fresh water enters the San Francisco Bay from wastewater treatment plants in South Bay cities, including Santa Clara. These inputs of freshwater are included in the hydrodynamic modeling work conducted to evaluate the impact of alternatives on such things as salinity, water quality, and water levels. Project partners, such as the California State Coastal Conservancy, the California Department of Fish and Game, the U.S. Fish and Wildlife Service, Santa Clara Valley Water District, Alameda County Flood Control and Water Conservation District, and the U.S. Army Corps of Engineers, and members of the public are collaborating to implement the first phase of the current restoration plan. The project needs to be tracked, due to its proximity and possible impact on the Regional Wastewater Facility, which Santa Clara jointly owns with the City of San Jose.

South Bay Shoreline Study

Shoreline areas along San Francisco Bay will risk damages from coastal flooding, with potential impacts to human health and safety, due to future sea level rise. The South San Francisco Bay Shoreline Project is a congressionally authorized study by the US Army Corps of Engineers, together with the Santa Clara Valley Water District and the State Coastal Conservancy, to identify and recommend flood risk management projects for Federal funding. The Corps is looking at projects that will reduce flood risk, restore some of the region's lost wetlands, and provide related benefits such as recreation and public access. This project, and other Bay Area resiliency planning efforts, should be tracked into ensure that Santa Clara's infrastructure and community assets are considered and protected as the Bay Area plans and constructs resiliency projects. Santa Clara has supported Measure AA funding for the South San Francisco Shoreline Study. The San Jose/Santa Clara Regional Wastewater Facility is a critical facility which is co-owned by the City of Santa Clara located on 2,600 acres serving 1.4 million people and Silicon Valley businesses. This facility, along with the Silicon Valley Advanced Water Purification Center, is located in the area of the study as posing significant risk to tidal flooding. Both facilities would benefit from the construction of a coastal levee and habitat restoration. Pre-construction work on the flood control levee began during the Summer of 2019.

Urban Runoff Pollution Prevention

The City supports provisions of National Pollutant Discharge Elimination System permit regulations that are attainable and reflect local conditions and circumstances. Along the same lines, new regulations and/or permit requirements that include numerical limits for municipal urban runoff discharge should be opposed as infeasible and a very expensive way to address the problem. It is in the City's continued interest to support urban runoff pollution prevention regulations, water conservation and recycling, and pollution controls that benefit the City. Policies by Regional Water Quality Boards should recognize the goals of the Clean Water Act but apply an appropriate standard based on local circumstances.

Vegetation and Forest Management

The City supports the modernization of vegetation and forest management practices for wildfire prevention and carbon sequestration. The City is supportive of biomass production for energy, forest thinning, and other activities to improve the health of forests damaged by infestation of bark beetles, plant pathogens, drought, or other hazards that exponentially increase wildfire dangers.

The City has broad interest in the impacts of forest management ranging from fire hazard to electric generation stations and transmission to the general negative impacts on watersheds and carbon sequestration. The City also recognizes that catastrophic wildfires are also a large source of GHG and black-carbon emissions and negatively offset the efforts of all agencies in reducing such emissions. The City supported and continues to support policies, funding mechanisms, and additional resources that strengthen forest management and fire prevention activities and improve emergency preparedness and response.

Wastewater Regulation

The San Jose/Santa Clara Regional Wastewater Facility (RWF) is the largest advanced wastewater treatment plant in the western United States serving a population of over 1.4 million people and over 17,000 businesses across eight cities and the County. The RWF is also the largest discharger to the San Francisco Bay. The RWF is regulated by the National Pollutant Discharge Elimination System (NPDES) permit under the Clean Water Act administered by San Francisco Bay Regional Water Quality Control Board. The RWF has been successful in meeting the discharge requirements through capital improvements and source control programs. New regulations are focused on Contaminants of Emerging Concern, Toxicity, and Nutrient Reduction.

There are a number of wastewater regulations under consideration or in the implementation phase that warrants monitoring including: the reissued San Francisco Bay Nutrient Watershed Permit that became effective in July 2019; more stringent regulations related to contaminants of emerging concerns; a draft State Toxicity Plan was released in October 2018 and could be adopted by Summer 2020; and Senate Bill 1383, which calls for a 75% reduction in the amount of organic material (biosolids) that can be diverted to landfills from the RWF.

The RWF is also dealing with a number of air quality regulations that will be monitored closely that include: Bay Area Air Quality Management District's (BAAQMD) Rule 11-18, that is intended to assess and reduce human health risks associated with toxic air contaminant emissions from facilities in the Bay Area; the Greenhouse Gas Emissions cap and trade program that was authorized by AB 32 in 2006 and extended through 2030 with adoption of SB 32 in 2017; Greenhouse Gas Emissions – BAAQMD Methane Rules, through treatment plant processes in the digesters at the plant, Rule 13-1 is intended to require facilities to find and eliminate large leaks. A draft of the rule was released in September 2018, although no hearing date has been scheduled yet.

Water Sustainability

The City's Water & Sewer Utilities Department continues its commitment to the sustainability of water resources in Santa Clara. Through the rate setting process, the utilities ensure the funding of operations, capital improvement, and necessary reserves to ensure a fiscally and operationally sustainable infrastructure model. The Department's education and outreach functions, under Council direction, help to promote the vision of Conservation as a California Way of Life to prepare for the next drought even in years of average or above average precipitation. Through study, advocacy, and collaborative efforts with regional partners such as BAWSCA, Valley Water and the City of San Jose,

the City works to maintain the reliability of the water supply to support current customers and to allow for expected growth in the near future and beyond.