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## MEMO

**To:** Mayor Libby Schaaf  
Council President Larry Reid and Members of the City Council

**From:** Townsend Public Affairs, Inc.

**Date:** December 14, 2017

**Subject:** REVISED: Summary of 2017 State and Federal Legislative efforts and 2018 State and Federal Legislative Agenda

**SUMMARY**

Townsend Public Affairs, Inc. (TPA) has prepared this report for the City of Oakland following the end of the 2017 legislative year. This report provides a summary of our efforts to date for the advocacy objectives of the City which includes the passage of two of the City's top legislative priorities into law and success with many other legislative efforts. Attached to this report is a matrix of the specific legislation on which the City has taken a position, the status of the legislation, and our efforts.

TPA has participated in meetings with City leadership and, based on those meetings, prepared a recommended 2018 State and Federal Legislative agenda for adoption. This includes the framework for legislative proposals for the 2018 legislative year, with both specific City-sponsored legislative proposals and legislative and funding priorities for monitoring, as well as recommended actions.

**Summary of 2017 State Legislative Highlights**

TPA worked with the elected City leadership and Administration to develop, advocate, and secure several major City initiatives through various means, including: legislation, the drafting of administrative guidelines, and working directly with our elected leaders in Sacramento. Please note the following state legislative highlights:

**Oakland specific legislation to help address homelessness signed into law**

Oakland, like many communities in California, has seen an increase in the homeless population. Support is needed for the construction and rehabilitation of permanent supportive housing and shelters for homeless individuals. Tools are needed to provide secure housing in a timely manner.

- Assembly Bill 932 (Ting) was introduced this year to address issues of homelessness in the Bay Area and was signed into law by the Governor. This pilot program gives a small handful of cities the authority to suspend planning and zoning standards, procedures, or laws in order to build shelters more expeditiously for the duration of the shelter crisis. TPA worked closely with the Mayor's office, and the Office of Assembly Member Ting, to amend



the bill to include Oakland. Once the bill was amended, TPA worked closely with the author's office to brief committee members, testify in support of the bill, explain the City's needs to committee staff, and then work with the Governor's Office to address any concerns.

Oakland specific legislation to reduce sexual exploitation signed into law

The City has long been a leader in efforts to reduce sexual exploitation by focusing on both enforcement and providing services to victims. For the last several years, the City has worked to get additional enforcement tools to reduce sexual exploitation by allowing police officers to hold vehicles on a first offense for solicitation. Past efforts had been unsuccessful, but because this was high priority for several members of the City Council, we continued to our effort in 2017.

- Assembly Bill 1206 (Bocanegra) was introduced this year to provide tools to select cities to combat sexual exploitation and was signed into law by the Governor. This two-year pilot program gives Oakland, Los Angeles and Sacramento the authority to tow vehicles used in the commission, or attempted commission, of specified offenses related to prostitution. TPA worked closely with multiple City Council offices, the Oakland Police Department, City staff, and the office of Assembly Member Bocanegra to amend the bill to include Oakland. Once the bill was amended to include Oakland, TPA worked with the Mayor's Office and the City Council Offices to build a large local coalition, draft letters of support, brief legislative offices, meet with committee staff, testify in support of the bill in hearings, meet with the Governor's Office to express the need for this legislation, highlight what had been done in the past, explain why Oakland needed this additional power, and provide data to demonstrate the extent of the problem. This has been a City priority for the last few years and it succeeded as a result of great team effort.

Affordable Housing legislation

Another of TPA's top priorities was to identify, support and advance legislative proposals supporting and encouraging affordable and workforce housing. TPA was a very active member of multiple efforts and coalitions to help advance landmark housing legislation approved this year, which included:

- **SB 2 (Atkins)** Establishes the Building Homes and Jobs Act (Act) and imposes a \$75 fee on real estate transaction documents, excluding commercial and residential real-estate sales, to provide a permanent source of funding for affordable housing. Half of the funds collected in the first year to be spent towards persons experiencing homelessness and the remaining half to be made available to localities to update planning document and zoning ordinances. In year two and beyond, 70% of the funds shall be distributed directly to locals and 30% shall go to the state.
- **SB 3 (Beall)** Authorizes \$3 billion in general obligation bonds for existing affordable housing programs, including multi-family rental and homeownership. This bill will be put before the voters on the November 2018 ballot.
- **SB 35 (Weiner)** Creates a streamlined, ministerial approval process for in-fill development in localities that have failed to meet their regional housing needs assessment. Localities that fail to meet their moderate-income unit construction must have a 10% inclusionary requirement, and localities that fail to meet their lower-income unit construction must have a 50% inclusionary requirement.
- **SB 166 (Skinner)** Requires local jurisdictions to ensure they are adequately addressing unmet housing needs throughout the housing element planning period. For example, if a



city were to zone residential, but then build commercial in that zone, this bill would require the city then identify additional sites to accommodate its residential housing needs.

- **SB 167 (Skinner)** Increases the burden on local jurisdictions when denying an affordable housing project, would impose fines for a violation of the Housing Accountability Act (the Act), expand judicial remedies for violations of the Act, and permits attorney's fees for organizations that bring a successful lawsuit.
- **SB 540 (Roth)** Allows local jurisdictions to create WHOZ (similar to a specific plan), which must contain a specified amount of affordable housing, with an inclusionary requirement. The establishment of the WHOZ would require an initial environmental review process, however no project level environmental review will be required for the subsequent 5 years.
- **AB 72 (Santiago and Chiu)** Gives the Department of Housing and Community Development (HCD) authority to find a housing element out of compliance if a city's action or failure to take action, including down-zoning sites, is inconsistent with state housing element law. The bill would also give HCD authority to refer a violation of existing state housing laws to the Attorney General for action.
- **AB 73 (Chiu)** Incentivizes local governments to zone at high densities around transit and complete environmental review in advance on those sites. The state would provide an incentive payment once zoning and environmental review is complete and a second payment once building permits are issued for housing units on the sites. Sites in the zoned area would not be subject to additional CEQA review.
- **AB 1505 (Bloom and Chiu)** Authorizes the legislative body of a city or county to establish inclusionary housing requirements as a condition of the development of residential rental units. This legislation will restore an important tool that cities can use to increase the supply of affordable housing units.

TPA worked closely with the Mayor, her office, the City Council, their staff, the City's Housing staff, and others to help move these bills forward. Our efforts included, but were not limited to, drafting support letters, testifying in support at committee meetings, meeting directly with legislative offices to express Oakland's support and to explain why these bills are needed, working directly with the Mayor to make targeted phone calls to Legislators to secure their support, working with affordable housing advocates to speak with targeted offices, and meeting with the Governor's Office to address any concerns.

#### Transportation Funding

TPA has been active on the City's behalf the past few years to support and push a transportation infrastructure funding package. There have been many different transportation proposals during the last few legislative sessions, but none were able to garner the two-thirds support needed for passage.

This session there was an aggressive, coordinated approach to pass an infrastructure funding package; TPA was part of that coalition. At the beginning of the legislative session, companion bills AB 1 and SB 1 were introduced to provide a funding mechanism and investments in state and local roads. Eventually SB 1 emerged as the vehicle for the transportation proposal, which increased several taxes and fees to raise approximately \$5.1 billion in new transportation annual revenues and adjust for inflation every three years. This bill proposed that the new funding be used toward deferred maintenance on state highways and local streets and roads, improve the state's trade corridors, and transit. TPA's efforts included drafting and submitting support letters at beginning of the year, working with a large coalition to express support by testifying in



committees and meeting with targeted offices, and currently TPA is helping the City on the process to secure these funds.

- SB 595 (Beall) is another piece of legislation that creates a new funding source to address the traffic and congestion, also known as Regional Measures 3. This bill increases the toll on state-owned bridges in the Bay Area. TPA was very active on this bill. While the City does not receive direct funding from the Measure, however the major transit agencies that serve Oakland residents do, such as BART, AC Transit and the Transbay Transit Center.

#### Park Bond

There were two bills this session that sought to place a statewide park bond before voters at the November 2018 General Election. The bills were AB 18 (Garcia) and SB 5 (De Leon), both of which TPA was actively engaged on the City's behalf and submitted amendments to better position Oakland specific projects. Our efforts included securing support from other organizations, testifying in committee, drafting and securing letters of support, meeting with committee staffers, and other efforts. SB 5 was signed into law and we have briefed the City on the numerous pots of funding that will benefit Oakland.

#### Sanctuary State legislation.

When the President put forward his Executive Orders and the accompanying Department of Homeland Security memoranda that outlined an aggressive deportation strategy, Senate President Pro Tem De Leon put forward SB 54 which limits the involvement of state and local law enforcement agencies in federal immigration enforcement. After considerable negotiations with public safety stakeholders and the Governor's Office, the Pro Tem was able to develop language that was supported by the Governor, and the measure was signed into law. TPA drafted and delivered our support letter, provided testimony in committee, and met with legislators and their staff to express strong support, which mirrors Oakland's local policy.

#### Cannabis Regulations and Legislation

In 2015, the Legislature approved a package of bills to create a medicinal cannabis framework at the State level. In 2016, the voters approved Proposition 64 for adult use of cannabis. There was a period of uncertainty as to how the new state regulations would comport with one another and the potential impact on Oakland's regulated and established cannabis industry.

This year there was a significant legislative effort to codify the new adult-use framework and make it compatible with the statewide framework already in place for medical use, while ensuring that the framework reflected the needs of local government, law enforcement and the industry. TPA served as an instrumental member of a statewide coalition that supported the views of both local government. Our efforts included drafting and delivering multiple support letters to the Governor and his Administration, meeting with the Assembly and Senate Budget Offices, multiple legislators to express support and address questions, participating in a very active coalition, testifying in committee hearings, and other efforts.

#### Opposition to Senate Bill 649 (Hueso) Small Cell Towers

This bill proposed to make numerous changes to the permitting and leasing process of small cell wireless facilities that were very detrimental to Oakland and many other cities in the state.

TPA was very active in opposing this bill throughout the entire legislative session. We worked with the offices of the mayors of the 11 largest CA cities and other coalitions to indicate why it was harmful to Oakland. TPA discussed this bill with our legislative delegation, offices in the



Senate and the Assembly, testified in opposition in committees, and had multiple meetings with the Governor's office on this bill. Ultimately, the Governor vetoed the measure.

Additional legislative efforts

- The protection of affordable housing units was another priority for the City. With Bay Area rents soaring, residential hotels are considered a unique and important source of affordable housing in Oakland and the region. When a residential hotel owner invokes the Ellis Act, it is not just two or three units that are being removed from the housing market.

TPA was successful in securing an author, Assembly Member Bonta, to author AB 423 to protect single room occupancy hotels in Oakland. We worked closely with Assembly Member Bonta's Office, the Mayor's Office, and Council Member Gibson McElhane's office to build a large coalition supporting this bill. AB 423 was successful through two committees; however, the bill was held on the Assembly Floor. Our efforts included helping build the coalition, drafting support letters, meeting with Assembly offices, drafting speaking points and helping prepare Council Member Gibson McElhane to testify in support of the bill.

- Another City priority was to secure additional tools to reduce "sideshow related activities," as Oakland and other East Bay cities are negatively impacted by "sideshows." Oakland needed additional tools to support Oakland Police Department's efforts to reduce these illegal and extremely dangerous gatherings. The goal of this legislation was to better use technology and video evidence to impound the vehicles of perpetrators.

TPA was successful in securing an author, Senator Cathleen Galgiani, and recruited the California Police Chiefs Association to co-sponsor the bill. The bill moved successfully out of two senate committees without any opposition; however, the bill was amended without consultation and was put on hold for the year. This was a very labor and time intensive effort as TPA met with every Senate office, their staff, three committee staff members, and third-party organizations to support this effort.

- Another Oakland priority was mandatory lead exposure testing for children. Lead exposure is especially detrimental to children age six and under and can cause significant health effects in young children, including behavior and learning issues, lower IQ, hyperactivity, slowed physical growth, hearing problems and anemia. Blood testing is the only way to definitively determine whether a child has been exposed to lead. Lead poisoning is 100% preventable, but significant exposure can go unnoticed without blood lead level testing. The City supported AB 247 (Garcia), which proposed to establish a Statewide Lead Advisory Taskforce to review and provide recommendations regarding policies and procedures to reduce lead poisoning in the state. Unfortunately, this bill was vetoed by the Governor.

Additional State Items:

TPA was very active on multiple efforts on the City's behalf which included our efforts on the following:

- The tragic Ghost Ship fire required follow up and support from TPA, specifically interactions with the Governor's Office and other elected officials. In addition, there was



an informational hearing called by Senator McGuire, a few weeks after the fire, to discuss the need for changes to the health and safety code and other possible regulatory modifications. TPA supported staff from the City Administrator's Office on the panel and worked with Senator McGuire's office leading up to the hearing. After the hearing, a working group was created to continue to explore these issues and TPA served as the City's representative.

TPA provided monthly updates to the City Council's Finance Committee on the State Budget, starting in January when the Governor released his initial FY 2017-18 proposal. We analyzed the Governor's budget and its potential impacts to the City. Once the Governor submitted the May Revise, TPA provided the City more in depth analysis and updates through the June 13<sup>th</sup> adoption of the final budget. In addition, and at the request of the Finance Committee, TPA provided monthly written reports on the State Budget and new funding opportunities, such as the extension of the Cap and Trade program, seismic funding program, RM3, and CalVRIP among others. The updates recommendations regarding eligible types of projects and how to make Oakland's projects more competitive.

- TPA ensures that City staff are updated on state legislation, matters relating to the State's Administration and funding opportunities written weekly updates that include our efforts on the City's behalf, status of our priority legislation, and time-sensitive matters.

#### Sacramento Advocacy Trips

- TPA strategically planned and facilitated multiple Sacramento advocacy trips for the Mayor, Vice Mayor Campbell Washington and Council Member McElhane. TPA constructed the various itineraries that included meetings with the Office of Governor Brown, Senator Skinner, Assembly Member Bonta, Assembly Member Thurmond, and other Senators and Assembly Members on topics including public safety, affordable housing, and transportation funding. TPA also conducted follow-up action after the meetings.

#### **Summary of 2017 Federal Highlights**

TPA worked with elected City leadership, members of Congress, and the Administration to develop, advocate, and secure several major City initiatives through legislation, grants, and working with the City's federal delegation in Congress and Congressional leadership. Please note the following federal legislative efforts and highlights:

#### New Administration

- After the unexpected results of the presidential election, TPA kept City staff informed about each new administration appointment, policy pledge, and the fluid political landscape in Washington. Doing so allowed Oakland to consider steps to protect its citizens ahead of Inauguration Day. TPA also conducted critical analysis of the procedural steps the Trump Administration would need to take in order to execute its campaign pledges, as well as the obstacles that the new Administration would be likely to face. This information allowed Oakland to plan appropriately for next steps, engage on issues according to their importance and with coalitions which were rapidly forming to resist harmful policy changes.

#### Federal Appropriations Overview

- TPA provided monthly budget and appropriations analysis to prepare the City Council Finance and Management Committee for the current and forthcoming federal fiscal year.



The memos detailed the full scope of the federal appropriations and budget process from January 2017 through the end of Fiscal Year 2018, and when appropriate, included tables outlining possible allocations by subject area and a timeline of events relevant to the City's advocacy purposes. TPA also followed up with City staff to answer additional questions on the federal process. TPA will continue to update the Finance Committee and City staff as Congress attempts to pass delayed full-year funding for Fiscal Year 2018 and negotiate Fiscal Year 2019 funding in regular order.

- TPA conducted a full-scale analysis of the President's Budget Report upon its short-form publication in February and long-form publication in May, which involved identifying and comparing line items across the federal government to annualized amounts from Fiscal Year 2017. TPA drafted, facilitated, and delivered letters from Oakland to Oakland's congressional representatives taking official positions on proposed budget levels for Fiscal Year 2018, which provided elected officials a reference point for the remainder of the Fiscal and Calendar year.
- TPA conducted a follow-up analysis mid-year on the proposed funding levels in the House appropriations bills, based on the likelihood that the House bills would be combined into an omnibus funding bill that the Senate would pass. This allowed TPA and Oakland to identify a path forward for critical funding streams and course-correct in the wake of the more dramatic cuts proposed in the President's Budget Proposal.

#### Housing

- As the City of Oakland's main priority, TPA ensured that the City was up-to-date on housing issues at the federal level. TPA identify the proposed elimination of funding for the Community Development Block Grant (CDBG) program in the President's Budget proposal and immediately drafted, facilitated, and delivered a letter from Oakland advocating for the continuation of funding for the CDBG program at the fiscal year 2017 level. Furthermore, TPA has continued to advocate for CDBG in all advocacy meetings throughout the year.
- Homelessness is a continuing and pressing issue for the City. As part of Mayor Schaaf's Washington DC advocacy trip, TPA scheduled, facilitated, and drafted preparation materials for a meeting with HUD's Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, the Director of the Office Of Special Needs Assistance, and the Director of the Office of Affordable Housing, four of the primary members of the administration working on homelessness at the federal level. Furthermore, TPA scheduled, facilitated, and drafted preparation materials for a meeting with the Director and Regional Director of the U.S. Interagency Council on Homelessness in order to coordinate efforts to combat homelessness across regions.
- TPA helped identify provisions in the House tax reform bill that would inhibit the use of the 4% Low Income Housing Tax Credit through a backdoor, by eliminating the tax-exempt status for Private Activity Bonds. TPA also helped Oakland immediately draft a letter to advocate for the removal of this provision banning Private Activity Bonds from the House tax reform package, and advocate for the Senate tax reform bill to not include the provision at all. Concurrently, TPA immediately began reaching out to congressional staff in order



to alert them to the importance of these items. Upon the Senate tax reform bill's release, the provision to remove the tax exemption of Private Activity Bonds was not included.

### Sex Trafficking

- TPA helps the City of Oakland track legislation regarding sex trafficking and advocate for its passage. This included full analyses of a draft bill from Senator Grassley and S. 1693, Stop Enabling Sex Trafficking Act, as well as an analysis of their paths forward, supporters, content, policy changes, and potential roadblocks to success. TPA continues to track the bill through in the Senate and advocate for its final passage on behalf of the City of Oakland.

### Immigration

- In September, the Trump administration announced it would phase out the Deferred Action for Childhood Arrivals program, or DACA, in six months' time, eventually ending in March 2018. TPA provided Oakland time-sensitive information on the announcement, the implications, the procedural steps and how the rollback of protections will eventually take place. In the weeks that followed, TPA provided Oakland with strategic advice, correspondence, and connections to national immigration groups.

Furthermore, TPA organized, facilitated, and drafted preparation materials for a meeting with the Urban Institute to specifically discuss best practices for local governments to assist DACA recipients, their families, and other groups of immigrants at risk due to changes in federal policies.

Additionally, TPA conducted a full-scale analysis of four pieces of legislation currently active in Congress that would extend protections for DACA recipients and create a new path to citizenship, thereby expanding on the protections that doc up previously provided. This analysis is a useful tool as cities and advocates for Dreamers begin to plan for a hard battle to affix one of these legislative strategies to a major, must-pass funding bill before the end of the year.

- During the campaign, then-candidate Trump announced that he would defund Sanctuary Cities. After the election, new questions arose as to whether or how he might have the unilateral power to make good on this promise. TPA conducted full-scale analysis of federal procedures and processes that might allow President Trump to defund Sanctuary Cities without the help of Congress, as well as and the legislative obstacles and constitutional barriers that would prevent him from doing so. TPA's analysis was immediate and continued through each Administration action meant to prevent the federal government from providing funds to Sanctuary Cities, including restrictions on Byrne-JAG formula grants and the preference in competitive COPS Hiring grants. TPA also monitored ICE Declined Detainer Outcome Reports for listings of Oakland or Alameda County.
- TPA researched and conducted analysis of federal immigration policies, such as the proposed travel ban restrictions and subsequent revisions and border enforcement executive orders, which allowed Oakland to be responsive to a changing federal landscape on the local level.

### Cannabis





- TPA informed staff of the inclusion of provisions concerning federal funds and medical cannabis use in a presidential signing statement and the efforts of members of Congress to push the Trump Administration towards clarity on policy.
- TPA also remained in close contact with Congressman Rohrabacher's staff on the topic of the so-called "Farr-Rohrabacher provision" that safeguards medical cannabis use from federal enforcement, but must be included annually in funding bills, giving Oakland a solid basis for new and continued local actions regarding cannabis use insofar as it interacts with federal enforcement.

### Analysis of Federal Legislation

- The federal legislative process differs significantly from the state, especially in terms of the lack of mandatory timelines for advancing legislation, meaning bills can be on hold longer or not move for long periods of time. Throughout the federal session, TPA sent the City briefings on many pieces of legislation, including the following items:
  - Pretrial Bail Legislation: TPA drafted, coordinated, and facilitated a letter on Oakland's behalf on S. 1593, the Pretrial Integrity and Safety Act, which would return some equity to the current bail system that disproportionately affects people of color. To accompany the letter, TPA enacted a legislative advocacy push for the bill, identified a path forward, and continued to provide updates.
  - Brownfields: TPA analyzed bills that would change policy concerning brownfields programs, monitored EPA actions on brownfields rules and regulations, collected and disseminated information about brownfield funding to Oakland staff, and identified brownfield program proposed funding levels in the President's Budget Proposal and subsequent funding bills in Congress.
  - SALT: Prior to the introduction of tax reform legislation, and upon the House's introduction of their version of the tax reform bill, TPA conducted an analysis for Oakland priorities and identified the removal of a key deduction, the State and Local Tax (SALT) deduction, that would affect Oakland residents, and sent updates to Oakland notifying them of the proposal. The tax reform debate is still ongoing, but TPA continues to be in close contact with lawmakers and stakeholders on the impacts of multiple provisions in the bill.
  - Firearms Legislation: In response to tragic national events involving semi-automatic weapons, TPA conducted a full legislative summary of gun legislation in Congress. This allowed Oakland to weigh in on the pertinent and pressing health and safety crisis by responding to the most current proposals in the House and Senate.

### Washington DC advocacy trip

- In conjunction with the Bloomberg Government panel titled "The Future of Multifamily Housing: Building Access and Affordability" and an event on the Global Women's Leadership Initiative sponsored by the Wilson Institute's Women in Public Service Project, TPA strategically planned and facilitated a Washington D.C. advocacy trip for Mayor Schaaf.



TPA provided support by setting up comprehensive meetings, drafting background materials, and providing follow up on matters discussed. A sampling of some of the meetings include a meeting with the U.S. Department of Housing and Urban Development (HUD), specifically the Assistant Secretary and Principal Deputy Assistant Secretary for Community Planning and Development who oversee the HUD homelessness programs; a meeting with the U.S. Interagency Council on Homelessness director and regional director; a meeting with the Director of the Senate Commerce, Science, and Transportation Committee that will partially oversee the future infrastructure reform package; and a meeting with the Urban Institute researchers and government affairs staff to identify best practices to assist immigrants and refugees in local communities.



## **City of Oakland Legislative Priorities for 2018**

This report reflects the City of Oakland's legislative agenda for 2018, but it will be necessary to remain nimble and responsive as we move through the state and federal legislative year, as the only certainty seems to be uncertainty. We will be working closely with our legislative delegations at the federal and state levels, as well as with the Governor's Office, as we move forward.

In this report, TPA has included input from the Office of the Mayor, City Council, and City Administration. This report is compiled into three sections:

1. City of Oakland Specific State Legislative Priorities;
2. Federal and State Legislative Priorities for Monitoring and Recommended Action;
3. Funding Opportunities and Requests.

### **City of Oakland Specific State Legislative Priorities**

If the City Council is supportive of the proposals listed below, TPA will continue to research what can be accomplished through legislation, regulations, or direct advocacy with State/Federal agencies and other organizations.

- **Homelessness and Affordable Housing** - From our meetings with the Council Members, the Mayor's Office, and City staff the top priority for all is to obtain additional support to address the growing number of unsheltered homeless people in Oakland. Housing is the solution to homelessness, so any legislation to increase production and preservation of affordable housing is a priority. Other suggestions include securing support for: navigation centers, transitional and permanent supportive housing, on-site supportive services, case management, mental and behavioral health services, better service coordination and partnership from Caltrans especially in interim leasing and blight removal on Caltrans properties, and relief from zoning requirements for permanent supportive housing projects. It is also clear that there needs to be a regional effort among neighboring cities and counties to pool efforts and resources.
- **Tenant protections and efforts to avoid tenant displacement** - Some possible solutions could include Costa Hawkins reform, additional protections for tenants, better tools and resources to avoid displacement of tenants, and expansion of efforts to encourage infill development.
- **Early childhood education and completion of college, associate degree or vocational training** – Support efforts that expand and enhance HeadStart programs, encourage the State to adopt specific attainment goals related to college completion, provide resources and support for broader access to and support through college, such as funding AB 19 in the next State budget, and champion a comprehensive state data system important for research and analysis purposes, as well as, moving the State toward setting targets for system accountability.
- **Immigrant Protections** - Federal advocacy that supports immigrants' rights, pathways to citizenship for undocumented immigrants, including DACA-eligible youth, and expansion of immigrant protections, such as the right to due process and counsel in immigration proceedings.
- **Reduction of "sideshow activities"** - Support better use of technology and video evidence to impound participants' vehicles and reintroduce last year's legislation.



- **Cannabis regulation advocacy** - The City has been highlighted as a leader in comprehensive, medicinal cannabis regulations. As adult-use cannabis regulations continue to evolve, Oakland will need to continue advocacy at the state level to ensure that the City's innovative Equity Program is not pre-empted and lobby for expansions, such as allowing special events.

**Federal and State Legislative Priorities and Themes for Monitoring and Recommended Action**

The following legislative priorities have been identified by the Mayor, Councilmembers, and City staff. If legislation is introduced that impacts any of the priority areas, staff will be asked to analyze and evaluate the need for City Council action.

The Mayor and/or City Council may choose to take a position on a piece of legislation, continue to monitor without a position, or determine if any further response is required. TPA maintains a constantly updated matrix of state bills for the City of Oakland, providing additional analysis and information to inform the development of a position by the City. TPA does the same for federal legislation. TPA will monitor legislative activity in the following areas:

Homelessness

- Measures relating to fighting displacement of tenants and residents, efforts to enhance the Ellis Act or reform Costa Hawkins
- Enhance transitional and permanent supportive housing opportunities
- Pursue better coordination and procurement of real estate from Caltrans as well as work for accountability from Caltrans related to on/off ramps and blighted property issues
- Create a state-funded emergency rent and utility assistance program for those at-risk of becoming homeless
- Funding for local, regional and state homelessness programs
- Oppose bills that reduce or eliminate CDBG and HOME and other sources of funding that help provide housing and services
- Oppose repeal of the Affordable Care Act or any bills that would reduce the availability of health care, mental health or behavioral services

Planning, Housing and Land Use

- Support legislation that advances the creation or funding of affordable housing projects
- Reintroduce legislation to give the City of Oakland the authority to exempt residential hotels from the Ellis Act
- Enhance efforts to increase low and moderate-income housing, including ensuring that the Cap and Trade funding guidelines meet the City's needs and goals
- Pursue updates to the State building code, if necessary to address non-conforming uses without causing displacement
- Reasonable reform to CEQA to streamline development and housing opportunities
- Support efforts to create a state-funded housing subsidy program similar to the federal Section 8 program and additional items as they arise



- Amend the California Civil Code to allow Public Housing Authorities to acquire and own market rate housing. This is precluded in parts of the Health and Safety Code for California
- A state-wide “Moving to Work” designation for all Public Housing Authorities in CA.
- Support efforts for increased local revenues via commercial property ownership by closing Prop 13 loopholes.
- Oppose bills that threaten the use of the Low-Income Housing Tax Credit (LIHTC) or other tax financing, which assists in the construction of new affordable housing. This includes proposals that threaten the tax-exempt status of private activity bonds, which are a prerequisite for the use of the 4% LIHTC credit

#### Early Childhood Education and High School, College, Associate Degree or Vocational Completion

- Measures that aid to reduce truancy, absenteeism and school drop-out rates
- After-school programs, universal early childhood education,
- Cradle to Career strategies such as the Oakland Promise and other college, associate degree or vocational certification completion efforts
- Efforts that establish statewide goals and accountability for high school and college graduation rates and increase access to higher education

#### Immigrant Protections

- Congressional efforts that would make the Deferred Action for Childhood Arrivals (DACA) program permanent, including a pathway to citizenship
- Measures that support for access to counsel and due process for unaccompanied minors and undocumented immigrants

#### Economic Development

- Measures providing for new tax increment financing opportunities
- Efforts to encourage the development and expansion of career technical education programs that align with quality job opportunities in local manufacturing, light industrial, bioscience, and other priority industry sectors.
- Proposals to bolster opportunities for entrepreneurs and small businesses to create new jobs that prioritize access to local talent
- Increase support for workers’ cooperatives
- Build upon Oakland’s leadership in promoting equity as a factor that should be considered in statewide regulation of medicinal and adult-use cannabis businesses.
- Support for asset development and financial empowerment programs, including financial education and credit repair, and additional items as they arise.
- Oppose measures that threaten the existence of or limit the use of the Earned Income Tax Credit, including the recent change proposed in the tax reform bill, which would modify reporting self-employment income, require additional information from employers, and allow the IRS more power to review applications



- Oppose federal tax reform measures that decrease or eliminate the state and local tax exemption (SALT), low income housing tax credit or private activity bonds.
- Oppose proposals that cut Supplemental Nutrition Assistance Program (SNAP) spending, including the Fiscal Year 2018 President's Budget Proposal recommendation to cut SNAP by \$150 billion over ten years by imposing restrictions on use and modifying the allocation process
- Oppose federal appropriations plans that would impose across-the-board budget cuts to the federal budget, thereby imposing cuts to vital safety net programs that help low-income working families, children, seniors, students, and people with disabilities

#### Infrastructure

- Measures affecting funding for roads, transit, "last mile" projects and goods movement
- Support for inclusion of affordable housing and transit oriented development as a part of any increase in infrastructure funds or future federal infrastructure reform package
- Advance or support legislation that increases funding for storm drain upgrades
- Defend Senate Bill 1 and secure passage of RM3
- Support legislation that advances disaster preparedness and response
- Oppose measures that seek to prevent or uniformly cap fees that local jurisdictions may negotiate with respect to lease of public property
- Work on the guidelines for the park bond once approved by voters, work on the guidelines for the housing bond once approved by voters, work on reinstating the Nature Education Facility grant program, and additional items as they arise

#### Environment, Energy and Sustainability

- Measures pertaining to clean energy and waste reduction
- Measures that provide new tools to address illegal dumping
- Measures that would support creating and sustaining of proactive "Healthy Homes" inspection and reduction of lead exposure
- Measures that support programs that allows cities and counties to buy and/or generate electricity for residents and businesses within their areas
- Measures that support innovation and a client-centered approach to improve the delivery of public services
- Measures that support regional planning for climate change strategy

#### Youth

- Measures that support employment and career development opportunities for youth, including workforce development and entrepreneurship programs
- Oppose cuts to Child Nutrition Programs such as the Community Eligibility Provision (CEP) that allow schools and districts with a high concentration of poverty to serve universally free meals
- Measures that support safe houses for sexually exploited youth



- Measures that support trauma intervention and advancement of trauma-informed care, holistic strategies that support vulnerable children and families with economic security, health care and wrap-around services

#### Public Safety

- Measures that reduce and more strictly control access to guns, ammunition, and gun devices that alter the performance of a weapon
- Federal measures that would limit states' abilities to regulate firearms within its borders
- Support access to high quality re-entry and rehabilitation programs in all state and federal prisons
- Measures that provide support to victims of trafficking for sex or labor.
- Policies for body camera usage and data storage
- Support bail reform measures that base bail on risk, not financial means of the accused
- Support efforts to address trauma of youth from gun violence

#### Constitutional Modifications

- Measures which would impact local governments, such as lowering the voter threshold to 55% for various bond issuances and local taxes

#### Stakeholder Priorities

- Measures that are of importance to our regional partners and lend opportunities to work together. Regional partners include, but are not limited to, the Oakland Unified School District, Port of Oakland, Alameda County, Metropolitan Transportation Commission, Oakland's transit agencies, other California cities, employers and key sectors

#### Miscellaneous

- Any other measure or budget action which could potential impact the operations of, or services provided by, the City, and support to make local government whole from previous budget reductions

### **Funding Opportunities and Requests**

TPA will continue our proactive efforts to immediately notify the City once various funding opportunities are announced. In addition to the specific funding opportunities listed below, we will keep the City informed of any potential funding opportunities throughout the year. City staff will work with the Mayor and City Council to prioritize projects submitted to the state for funding and TPA will advocate for those approved projects as appropriate. As new funding opportunities arise, TPA will make sure to inform the city and consult in the development of the optimal strategy to maximize funding for the City.

#### Homelessness

- Funding for additional homeless services such as the wrap around services necessary for a second transitional housing site similar to the Henry J. Robinson Center.
- Support for more mental health and behavioral health services in Alameda County.



### Planning, Housing and Land Use

- Support for increasing affordable housing inventory including transit oriented affordable housing (TOAH)
- Residential septic system upgrades
- Continuum of Care (specifically capital funding)
- Support for anti-displacement measures such as eviction defense and tenant education programs
- Support for an Emergency Housing Assistance Fund for those at-risk of homelessness
- Support for soft-story seismic retrofits
- Efforts to preserve the historic character of Chinatown

### Education

- Early Childhood Education, including state matching funds for jurisdictions which pass self-help funding measures and support for universal pre-school and T-K
- State funding for urban schools

### Immigrant Protections

- Universal representation in deportation proceedings
- Legal services for those seeking asylum, refugee and other forms of protected status
- Access to counsel for all unaccompanied minors

### Economic Development

- Façade improvement, business assistance, and support for neighborhood commercial areas including but not limited to the area surrounding the BRT project
- Career Technical Education programs in fields such as construction, information technology, manufacturing, healthcare, transportation/logistics, and other growing industry sectors
- Funding for job training, placement, retention, and related services aligned to the needs of Oakland residents

### Public safety

- Re-entry and anti-recidivism programs to support rehabilitation of ex-offenders (Proposition 47 funds)
- Support for the Fire Assessment District and other urban forestry efforts
- Ongoing support for the Cease Fire program
- Supporting the City's CSEC efforts
- Expansion of the crime lab and other needed public safety facilities (e.g., new Police Administration Building, driving training facility)
- Fire boat and other resources for enhancing fire safety
- The West Oakland Health Center
- Public safety radio equipment and 911 dispatch support

### Transportation and Infrastructure

- Re-Connect Oakland – 980 conversion





- Transit-oriented development projects in both residential and commercial areas
- The Broadway Shuttle
- Safe Routes to School funding for additional school sites
- Increased traffic and pedestrian safety
- LAMMPS project
- Storm drain upgrades

#### Environment, Energy and Sustainability

- Urban Forest inventory and urban greening
- Funds to help address illegal dumping, littering, and graffiti
- Clean energy funding
- EDA brownfields cleanup for sites

#### Youth Programs

- Youth workforce and entrepreneurship, e.g., Classroom2Careers
- Support for children of incarcerated parents
- Trauma-informed care and efforts to address childhood trauma from violence and other adverse impacts
- Reduction of lead exposure and increased lead level testing for children.
- Literacy support

#### Parks, Recreation and Cultural Arts

- Completion of second phase of the East Oakland Sports Complex
- The East Oakland Roller Skating rink project
- Creation of a Black Arts District designation
- Improvements to the Malonga Casquelourd Center
- San Antonio Park - funding for turf
- Funding for the African American Museum and Library in Oakland
- Gap funding for completing renovation of Rainbow Recreation Center

#### **Process for Reporting**

In addition to weekly legislative updates to City staff, Finance Committee reports, and other communications we send the City, TPA suggests verbal reports to the Rules Committee and then City Council when the State Legislature is on recess. For example, we would report out in April while they are on Spring Recess and during July while they are on Summer Recess.

