



Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Mayor Sam Liccardo
Councilmember Raul Perez

SUBJECT: SEE BELOW

DATE: November 22, 2022

Approved

Date

11/22/22

SUBJECT: Readyng Downtown for the Next Wave of Growth--and Greater Vibrancy

RECOMMENDATION

1. In anticipation of several massive construction projects planned for Downtown in the coming years:
 - a. Direct the City Manager to bring to Council through the 2023-24 budget process a Manager's Budget Addendum outlining the costs and benefits of adding a position specifically focused on managing and coordinating the many major construction projects in Downtown--e.g., BART, Diridon Station, large office and housing towers, Google-- that pose tremendous risks for many stakeholders, including small business owners, the Sharks, and downtown residents.
 - b. Return to Council in the first quarter of 2023 outlining a proposed work plan for revising the Downtown guidelines to require the siting of utility boxes in all new construction in any location--within, under, behind, or over buildings--other than on a public sidewalk.
2. Return to Council with revisions to the Code that enable the City to much more nimbly assess fines--in an increasing, "tourniquet" response to persistent non-compliance-- on owners of long-neglected, vacant, and blighted buildings--such as Dr. Eu and the Church Christ Scientist buildings-- which haven't paid a dime in fines or raised a finger in compliance, despite decades of neglect.

- a. Utilize fines paid from such property owners exclusively for code enforcement and blight eradication in the surrounding area, and/or to support programs facilitating the filling of vacant storefronts.
 - b. Return to the Council with explicit OKR's for requiring Code Enforcement to proactively assess fines and elicit compliance.
3. Return to Council during the budget process to report on the cost for various options for filling vacant ground-floor retail sites, and provide options to the Council to consider. The following should be explored and considered:
 - a. Waiving fees for tenant improvements;
 - b. Providing VTA annual transit passes to new employees;
 - c. Waiving fees and/or streamlining permitting for pop-up shops or temporary uses;
 - d. Reinstating a program to facilitate temporary art installations in vacant storefronts;
 - e. Any other ideas for facilitating street-level activation of vacant storefronts.

BACKGROUND

We credit the former Executive Director of the San Jose Downtown Association, Scott Knies, for several of the suggestions around improvements in construction management and code compliance. In his final speech regarding the "State of Downtown," Knies emphasized several of these longstanding issues requiring attention by the City and the next Council, all of which are familiar to City staff and current/former Downtown councilmembers.

These seemingly unrelated policy improvements have a common goal: vibrancy. The work of invigorating our Downtown is the work of a generation, not of a single mayoral or council administration. But these and other changes to codes, regulations, and protocols can have an impact. We want to fill empty storefronts, establish the primacy of pedestrians on our sidewalks and public spaces, transform long-blighted spaces, and ensure that construction projects designed to bring more people Downtown do not unduly torment its current occupants.

None of these measures will be implemented immediately. We want to get the ball rolling, ensure their implementation over time, and provide the City tools to rectify some of the recurring challenges that have had an unacceptable longevity in Downtown. While Downtown inspires these recommendations, they can be applied citywide after a successful trial or pilot period.

As we enter a new economic cycle and a new political administration, let's position Downtown San Jose for future success.

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.