



Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: March 20, 2020

Approved

Date

3/20/2020

SUBJECT: CANCELLATION OF CITY COUNCIL COMMITTEE, BOARD, AND COMMISSION MEETINGS, WITH A FEW EXCEPTIONS, UPDATES TO THE JANUARY – JUNE 2020 CITY COUNCIL COMMITTEE WORKPLANS, AND HOUSING AND COMMUNITY DEVELOPMENT COMMISSION REQUIREMENT WAIVER

RECOMMENDATION

- (a) Ratification of action of the City Manager, acting as Director of the Office of Emergency Services, to order cancellation of City Council Committee, Board, and Commission Meetings, with the exception of the Rules and Open Government Committee, Federated Employees Retirement System Board, Police and Fire Department Retirement Board, Work2Future Board, Planning Commission, and Historic Landmarks Commission, from March 19, 2020 through April 30, 2020.
- (b) Approve updates to the January - June 2020 City Council Committee Workplans as shown in Attachment A.
- (c) Approve waiver for the Fiscal Year 2019-2020 requirements of Part 46 of Chapter 4.80, and Chapters 17 and 17.23 of the San José Municipal Code for annual review of the budget for the Housing Trust Fund and for annual review of fees and budgets for the Rent Stabilization Program by the Housing and Community Development Commission.

ANALYSIS

Cancellation of City Council Committee, Board, and Commission Meetings

After a proclamation of local emergency, the City Manager, as Director of the Office of Emergency Services, may exercise all of the special powers conferred upon him or her by Chapter 8.08 of the San José Municipal Code or by resolution or emergency plan adopted by the City Council. After exercising such powers it is contemplated that the Administration would return to City Council as soon as practicable for ratification of actions taken.

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In response to the Stage 5 (Extremely High Response) of our Pandemic Management Plan related to COVID-19, combined with the Governor's Executive Order and Region-Wide Order both designed to slow the spread of COVID-19, the City Manager has cancelled all City Council Committee, Board, and Commission Meetings, with the exception of the Rules and Open Government Committee, Federated Employees Retirement System Board, Police and Fire Department Retirement Board, Work2Future Board, Planning Commission, and Historic Landmarks Commission, from March 19, 2020 through April 30, 2020. The exceptions are explained as follows:

- The Rules and Open Government Committee meetings are not recommended to be cancelled because the Committee is responsible for ensuring accessible, responsive, transparent and accountable government in the setting of City Council agendas.
- The Federated Employees Retirement System Board and Police and Fire Department Retirement Board meetings are both not recommended to be cancelled as the two Boards still need the ability to approve retirement applications for member employees as well as make investment decisions related to the current volatility in the financial markets.
- The Work2Future Board meetings are not recommended to be cancelled as meetings are needed to approve budgets for funding purposes as related to Federal law requirements and regulations, specifically 20CFR 679.370(I) requirements, in order to bring on new contractors for youth and adult employment services that will likely be needed in anticipation of a surge in unemployed and underemployed individuals.
- The Planning Commission meetings are not recommended to be cancelled because the Planning Commission was established in Article X of the City of San José City Charter, as approved by the voters of the City, to carry out certain functions, which functions are needed for the performance of City services which have been determined to be essential services. Continuation will ensure that development projects can proceed from the planning to building phase as expeditiously as possible after the emergency, which will help stimulate the economy, provide housing, and benefit the City budget.
- Although not mandated by the City Charter like the Planning Commission, Historic Landmarks Commission meetings are not recommended to be cancelled as, like the Planning Commission, they are needed to ensure development projects can proceed during this time.

The Administration seeks ratification of the order, canceling all City Council Committee, Board, and Commission Meetings, with the exception of the Rules and Open Government Committee, Federated Employees Retirement System Board, Police and Fire Department Retirement Board, Work2Future Board, Planning Commission, and Historic Landmarks Commission, from March 19, 2020 through April 2020 at this time. If this order needs to be extended, the Administration will return to the Rules and Open Government Committee in April 2020 for further approvals.

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January - June 2020 City Council Committee Work Plans

Attachment A provides a list of the approved January – June 2020 City Council Committee Work Plan items for the Committee meetings that are cancelled between March 19, 2020 and April 30, 2020. Staff has worked with each City Council Committee Chair to determine the disposition of those items. On Attachment A, each item is also noted with the following recommended action as described below:

Information Memorandum	Report to be dropped from the Work Plan and instead released as an Informational Memorandum to the full City Council. Information Memorandums will be released to the City Council no later than April 30, 2020.
City Council Meeting	Report to be dropped from the Work Plan and instead be placed on a City Council meeting before June 30, 2020 as the item has specific requirements that will need full City Council approval.
Defer	Report will be deferred to a new date to be determined. The new item date will be brought forward to the Rules and Open Government Committee for approval as part of a current Work Plan update before the end of the fiscal year or will be determined as part of the approval of the August – December 2020 City Council Committee Work Plan process in June 2020.
Drop	Report to be dropped from the Work Plan because the nature of the information will no longer be timely or because the regular reporting of the item will be heard as part of the next update.

Housing and Community Development Commission Requirement Waiver

Meetings of the Housing and Community Development Commission have also been cancelled under the above described order of the City Manager. The Housing and Community Development Commission has an oversight role with respect to the Housing Trust Fund, pursuant to adopted Resolution Number 74810 designating the Housing and Community Development Commission as the review committee under Part 46 of Chapter 4.80 of Title 4 of the San José Municipal Code. Similarly, the Housing and Community Development Commission has an oversight role with respect to the budget and fees for the Rent Stabilization Program, as the successor to the commissions listed in Chapters 17.22 and 17.23 of the San José Municipal Code.

Due to the cancellation of the meetings of the Housing and Community Development Commission through April 30, 2020, and the need for staff to focus on essential services, it is

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recommended that the annual commission review requirements under the above-mentioned Part and Chapters of the San José Municipal Code be waived for Fiscal Year 2019-2020.

CONCLUSION

The Administration appreciates the City Council and community's patience as we attend to our emergency response to COVID-19 and focus on essential services, while also adhering to the Governor's Executive Order and Region-Wide Order both designed to slow the spread of COVID-19. The cancellation of the City Council Committee, Board, and Commission Meetings, with the exception of the Rules and Open Government Committee, Federated Employees Retirement System Board, Police and Fire Department Retirement Board, Work2Future Board, Planning Commission, and Historic Landmarks Commission, through April 30, 2020, along with allowing for the Housing and Community Development Commission Requirement Waiver will ensure the Administration can focus on the most important activities and services related to our COVID-19 response efforts. The recommended disposition of the City Council Committee Work Plan items from March 19, 2020 through April 30, 2020 will help provide that focus and ensure that the most important items are brought forward appropriately.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.



JENNIFER A. MAGUIRE
Assistant City Manager

For questions, please contact Gloria Schmanek, Agenda Services Manager, at (408) 535-8104.

Attachment A: January – June 2020 City Council Committee Work Plans

January – June 2020 City Council Committee Work Plans

COMMUNITY AND ECONOMIC DEVELOPMENT

MARCH 23, 2020

1. **Verbal Report on Economic Development Activities.** (Economic Development)
Purpose: Provide a brief summary of recent announcements, significant accomplishments, and upcoming events related to economic development.
[DROP]
2. **Team San Jose Semi-Annual Report.** (Economic Development)
Purpose: Provide a semi-annual report on Team San Jose's performance measures and activities.
[INFORMATION MEMORANDUM]
3. **Update on Mandatory Registration Program for Vacant Buildings and Storefronts in Downtown.** (Planning, Building, and Code Enforcement and Economic Development)
Purpose: Provide an 18-month update on the mandatory registration program for vacant buildings and storefronts in Downtown San Jose.
[INFORMATION MEMORANDUM]
4. **City Council Policy Priority #4: Electronic Billboards Phase 2.** (Planning, Building and Code Enforcement)
Purpose: Provide an update on Electronic Billboards Phase 2 workplan to allow electronic digital off-site advertising signs or billboards on non-City-owned sites.
[INFORMATION MEMORANDUM]
5. **Update on Real Estate Activities Surplus Sales and Leasing Activities.** (Economic Development)
Purpose: Provide a review of the City's Real Estate activities, including surplus sales and leasing activities.
[DEFER]
6. **Mobile Vendor Verbal Update.** (Planning, Building and Code Enforcement/Economic Development/Police)
Purpose: As requested at the October 8, 2019 City Council meeting upon approval of the revised vendor ordinance, provide an update on the implementation of the ordinance, peddler management, and Council direction to explore safe locations for peddlers within the buffer zone.
[INFORMATION MEMORANDUM]

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7. **City Council Policy Priority #12: Universal Development Fee and City Council Policy Priority #21: Impact Fee Deferred Payment Program for Housing.** (Economic Development)
Purpose: Provide an update on staffs work to implement a Universal Development Fee and Impact Fee Deferred Payment Program for Housing.
[INFORMATION MEMORANDUM]
8. **City Council Policy Priority #11: Review of Cannabis Land Use and Regulatory Provisions.**
(Planning, Building and Code Enforcement/Police)
Purpose: Provide the committee with an update on progress on City Council Policy Priorities #11, review of Cannabis Land Use and Regulatory Provisions, as well as greenlit cannabis policy items, including allowing current cannabis businesses to open a second location, modifying the audit requirement for cannabis businesses, and reporting back on cannabis manufacturing, distribution and testing business permits.
[INFORMATION MEMORANDUM]
9. **City Council Priority #13 Cannabis Equity Applicant Program.** (Economic Development)
Purpose: Provide the committee with an update on progress on City Council Policy Priorities #13, Cannabis Equity Applicant Program. This priority concerns creation of a Cannabis Equity Program, which would facilitate the inclusion and support of individuals and communities in the cannabis industry who are linked to populations or neighborhoods that were negatively or disproportionately impacted by cannabis criminalization.
[INFORMATION MEMORANDUM]

APRIL 27, 2020

1. **Verbal Report on Economic Development Activities.** (Economic Development)
Purpose: Provide a brief summary of recent announcements, significant accomplishments, and upcoming events related to economic development.
[DROP]
2. **Annual Update on work2future.** (Economic Development)
Purpose: Provide a summary of work2future's key activities and accomplishments for Program Year 2018-2019.
[DROP]

January – June 2020 City Council Committee Work Plans

3. **Verbal Report on Citywide Planning Activities.** (Planning, Building and Code Enforcement)
Purpose: Provide a brief summary of Citywide Planning Initiatives including recent accomplishments, milestones and upcoming activities. Anticipated topics include updates on Urban Village planning, Station Area Planning, the development of proposed Ordinance amendments and the Four Year Review of the General Plan.
[INFORMATION MEMORANDUM]
4. **Housing Crisis Workplan.** (Economic Development, Planning, Building and Code Enforcement and Housing)
Purpose: Provide progress report on implementation of prioritized items in the Housing Crisis workplan.
[DEFER]
5. **Affordable Housing Siting Policy Progress Report.** (Housing)
Purpose: Accept the report and update on progress towards developing an Affordable Housing Siting Policy.
[DEFER]
6. **VTA's Small Business Assistance Study.** (Economic Development/Transportation)
Purpose: As directed by Council December 10 on acceptance of the BART Transit-Oriented Communities Strategy, provide an update on VTA's Small Business Assistance Study as it relates to construction impacts on San Jose business.
[DROP]
7. **Audit of Fire Safety Code Compliance.** (City Auditor)
Purpose: Provide a report on the Fire Safety Code Compliance Audit.
[CITY COUNCIL MEETING]

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NEIGHBORHOOD SERVICES AND EDUCATION

APRIL 9, 2020

1. **Report on Digital Literacy Standards and Digital Inclusion Fund.** (Library)
Purpose: Provide a report on the City's Digital Literacy Standards and Digital Inclusion Fund.
[Report on Digital Literacy Standards - INFORMATION MEMORANDUM]
[Report on Digital Inclusion Fund – CITY COUNCIL MEETING]
2. **Food Insecurity Among Youth, Families, and Seniors.** (Housing / Library / Parks, Recreation and Neighborhood Services)
Purpose: Provide a verbal presentation regarding hunger in San José and an overview of City programs and partnerships addressing food insecurity among youth, families, and seniors.
[DEFER]
3. **Mayor's Gang Prevention Task Force Bringing Everyone's Strengths Together and Safe Summer Initiative Grant Programs Annual Report.** (Parks, Recreation and Neighborhood Services)
Purpose: Provide an annual report on the Mayor's Gang Prevention Task Force (MGPTF)'s Bringing Everyone's Strengths Together and Safe Summer Initiative Grant Programs for 2018-2019, including an update on the implementation of the MGPTF audit recommendations.
[INFORMATION MEMORANDUM]
4. **Report on Five-Year Consolidated Plan and Annual Action Plan.** (Housing)
Purpose: Provide a report on the draft Five-Year Consolidated Plan for 2020-2025 and draft 2020-2021 Annual Action Plan on the use of federal funds from the U.S. Department of Housing and Urban Development and cross-reference to the City Council for approval.
[CITY COUNCIL MEETING]
5. **Welcoming San José Plan.** (City Manager's Office – Office of Immigrant Affairs)
Purpose: Provide and review the Welcoming San José Plan, 2020-2023 and cross-reference to the City Council for approval.
[CITY COUNCIL MEETING]

January – June 2020 City Council Committee Work Plans

PUBLIC SAFETY, FINANCE AND STRATEGIC SUPPORT

MARCH 19, 2020

1. **Sexual Assaults Education and Training Program Report. (Police)**
Purpose: Provide a report on the Sexual Assaults Education and Training Program, including an evaluation of the delivery of the most recent affirmative consent-based curriculum and multiple age-appropriate classes for middle and high school students.
[INFORMATION MEMORANDUM]
2. **9-1-1 and 3-1-1 Audit Recommendations Status Report. (Police, Fire, Information Technology)**
Purpose: Provide a status report on the implementation of the 9-1-1 and 3-1-1 Audit recommendations.
[INFORMATION MEMORANDUM]
3. **Fire Department Call Volume Report. (Fire)**
Purpose: Provide a report on Fire Department call volumes, including opportunities to triage calls for service so that departmental resources can be maximized to life-saving and fire mitigation calls.
[INFORMATION MEMORANDUM]
4. **Workers' Compensation Program Semi-Annual Report. (Human Resources)**
Purpose: Provide a semi-annual report on the City's efforts to contain workers' compensation costs and reduce claims for the Workers' Compensation Program by focusing on wellness, health, and safety through the first half of 2019-2020.
[INFORMATION MEMORANDUM]

APRIL 16, 2020

1. **Bi-Monthly Financial Report for January/February 2020. (Consent Calendar) (City Manager – Budget/Finance)**
Purpose: Provide a Bi-Monthly Financial Report on actual revenues and expenditures as compared to the 2019-2020 Budget for the eight months ending February 2020.
[DROP]
2. **Police Department Operations and Performance Bi-Monthly Status Report. (Police)**
Purpose: Provide a verbal bi-monthly status report on Police Department operations and performance in the areas of city-wide crime statistics, crime trends, emerging issues, and other matters of interest, as needed, with a focus on sexual assault as well as violent and gang-related crime data by Mayor's Gang Prevention Task Force hotspots and emerging hotspots.
[DROP]

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3. **2018 Independent Police Auditor Year End Report Recommendations Status Report.**
(Police)

Purpose: Provide a status report on the implementation of the 2018 Independent Police Auditor Year End Report recommendations, including the expansion of the early intervention system.

[CITY COUNCIL MEETING]

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SMART CITIES AND SERVICE IMPROVEMENTS

MARCH 5, 2020

1. Smart City Roadmap Update. (Civic Innovation)

Purpose: Provide a verbal update, outstanding issues, and project highlights for the Smart City Roadmap 2.0 initiatives. Discussion and feedback to staff.

[DROP]

2. Greenhouse Gas Emissions Report and Dashboard and Residential Housing Natural Gas Elimination Roadmap. (Environmental Services)

Purpose: Provide a verbal update on outstanding issues and project successes that have lowered greenhouse gas emissions, as indicated by various metrics on the Climate Smart San José Dashboard, with a specific focus on the decarbonization of residential and commercial buildings. Discussion and feedback to staff.

[DEFER]

3. Integrated Permitting System Update. (Civic Innovation / Public Works / Planning, Building and Code Enforcement)

Purpose: Provide a verbal update of the Integrated Permitting System's (AMANDA) implementation including scope, approach, major milestones, status, challenges, and next steps. Discussion and feedback to staff.

[DEFER]

4. Autonomous Vehicles Update. (Transportation)

Purpose: Provide a written update on work underway and planned with key partners to support the development of Automated Vehicle (AV) regulations, policies, and pilot projects that align with the City's goals for a balanced, efficient, and safe transportation system. Discussion and feedback to staff.

[DEFER]

5. Citywide Data Strategy Update. (Civic Innovation and Digital Strategy)

Purpose: Provide a written update on the approach and strategy for how the City will mature its capability to manage and utilize data in order to aid decision-making, and improve the City's effectiveness, efficiency, and equity in delivering services and benefits to the community. Discussion and feedback to staff.

[DEFER]

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TRANSPORTATION AND ENVIRONMENT

APRIL 6, 2020

- 1. Bike Plan 2025 and Trails Network Annual Report.** (Transportation)
Purpose: Review and provide input into the new citywide bike plan, Bike Plan 2025, prior to review and adoption by the City Council. Provide an annual progress report on the implementation of bikeways and off-street trails.
[DEFER]
- 2. Transportation Planning Update.** (Transportation)
Purpose: Provide a status report on major area and modal transportation planning efforts, including associated funding levels and major project delivery, which are designed to realize the Envision 2040 General Plan and other adopted policy goals.
[DROP]
- 3. San José-Santa Clara Regional Wastewater Facility Capital Improvement Program Semi-Annual Report.** (Environmental Services / Public Works)
Purpose: Provide a status report on the San José-Santa Clara Regional Wastewater Facility CIP Program, specifically highlighting activities for the previous half of the calendar year.
[INFORMATION MEMORANDUM]
- 4. Report on Wildlife Habitat at the San José-Santa Clara Regional Wastewater Facility.** (Environmental Services)
Purpose: Provide a progress report highlighting wildlife habitat improvement activities and the overall thriving ecosystems at the San José-Santa Clara Regional Wastewater Facility bufferlands and around its outfall channel.
[DROP]