



# Memorandum

**TO:** RULES AND OPEN  
GOVERNMENT COMMITTEE

**FROM:** Jennifer A. Maguire

**SUBJECT:** SEE BELOW

**DATE:** April 16, 2020

Approved

Date

4/17/20

**SUBJECT: CANCELLATION OF CITY COUNCIL COMMITTEE, BOARD, AND COMMISSION MEETINGS, WITH A FEW EXCEPTIONS AND UPDATES TO THE JANUARY – JUNE 2020 CITY COUNCIL COMMITTEE WORK PLANS**

**RECOMMENDATION**

- (a) Approve the cancellation of City Council Committee, Board, and Commission meetings, with the exception of the Rules and Open Government Committee, Deferred Compensation Advisory Committee, Treatment Plant Advisory Committee, Federated Employees Retirement System Board, Police and Fire Department Retirement Board, Work2Future Board, Planning Commission, and Historic Landmarks Commission, from May 1, 2020 through June 30, 2020, and forward to the City Council meeting of April 28, 2020, for full City Council approval.
- (b) Approve updates to the January - June 2020 City Council Committee Work Plans as shown in Attachment A.

**BACKGROUND**

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 Rules and Open Government Committee and the City Council, on March 25, 2020 and April 7, 2020, respectively, ratified the City Manager’s order to cancel all City Council Committee, Board, and Commission meetings from March 19, 2020 through April 30, 2020, with the exception of the following:

- 1) Rules and Open Government Committee;
- 2) Federated Employees Retirement System Board;
- 3) Police and Fire Department Retirement Board;
- 4) Work2Future Board;
- 5) Planning Commission; and
- 6) Historic Landmarks Commission.

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As part of that memorandum, the work plan items related to the canceled City Council Committee meetings for that time period were approved to be either dropped and instead be issued as an Information Memorandum by April 30, 2020, dropped and instead to be placed on a City Council meeting by June 30, 2020, deferred to a new date to be determined, or dropped from the work plan.

Finally, a 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 was approved.

The memorandum also stated that if the City Council Committee, Board, and Commission meetings cancellation order needed to be extended, the Administration would return to the Rules and Open Government Committee in April 2020 for further approval.

## **ANALYSIS**

### *Cancellation of City Council Committee, Board, and Commission Meetings*

Because of the Administration's continuing requirement to execute our Pandemic Management Plan related to COVID-19 and in preparation for the Administration to hopefully move from response to recovery mode before the end of the fiscal year, the cancellation of City Council Committee, Board, and Commission meetings from May 1, 2020 through June 30, 2020, with the exception of the following, is now recommended:

- 1) Rules and Open Government Committee;
- 2) Deferred Compensation Advisory Committee;
- 3) Treatment Plant Advisory Committee;
- 4) Federated Employees Retirement System Board;
- 5) Police and Fire Department Retirement Board;
- 6) Work2Future Board;
- 7) Planning Commission; and
- 8) Historic Landmarks Commission

It should be noted that Deferred Compensation Advisory Committee and Treatment Plant Advisory Committee meetings were cancelled for the period of March 19, 2020 through April 30, 2020, but are now recommended to proceed for the May 1, 2020 through June 30, 2020 time period. 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.

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- The Deferred Compensation Advisory Committee meetings are not recommended to be cancelled due to the Committee's fiduciary responsibility to plan participants, including the regular review of investment options, and to ensure any of the Coronavirus Aid, Relief, and Economic Security (CARES) Act provisions related to 457 Defined Contribution Plans are implemented in a timely manner.
- The Treatment Plant Advisory Committee meetings are not recommended to be cancelled as the master agreement for the San Jose-Santa Clara Regional Wastewater Facility calls for the co-owner, City of Santa Clara, along with the associated tributary agencies, to hear and make recommendations to the City Council on issues related to the Wastewater Facility.
- 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.

If it is later determined that a Committee, Board, and Commission must meet during the cancellation period for an urgent and/or emergency matter, a request for an exception will be brought to the Rules and Open Government Committee for consideration with a detailed explanation outlining the urgent and or emergency nature of the meeting request.

*January - June 2020 City Council Committee Work Plans*

Similar to the previous disposition of City Council Committee Work Plan items for the March 17, 2020 through April 30, 2020 time period, Attachment A provides a list of the approved January – June 2020 City Council Committee Work Plan items for Committee meetings that are recommended to now be cancelled between May 1, 2020 and June 30, 2020. Staff has again worked with each City Council Committee Chair to determine the disposition of those items. On

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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 June 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 to August 2020 – December 2020 Council Committee Work Plan	Report to be deferred to the August 2020 – December 2020 City Council Committee Work Plan. The new date for the item will be determined as part of the development and approval of the August – December 2020 City Council Committee Work Plan that will be agendaized for Rules and Open Government Committee consideration 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.

**CONCLUSION**

As stated in the prior memorandum on this issue, 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, Deferred Compensation Advisory Committee, Treatment Plant Advisory Committee, Federated Employees Retirement System Board, Police and Fire Department Retirement Board, Work2Future Board, Planning Commission, and Historic Landmarks Commission, through June 30, 2020 will continue to ensure the Administration can focus on the most important activities and services related to our COVID-19 response and, hopefully, recovery efforts in the near future. The recommended disposition of the City Council Committee Work Plan items from May 1, 2020 through June 30, 2020 will help provide that focus and ensure that the most important items are brought forward appropriately.

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**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**

**MAY 18, 2020 - SPECIAL DATE**

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. **Update on Retail Activities.** (Economic Development)  
**Purpose:** Report on implementation of Council allocated one-time dollars to spur retail.  
[DROP]
3. **City Council Policy Priority #6: Soft Story Retrofit Program Update.** (Planning, Building and Code Enforcement)  
**Purpose:** Provide and update on the Soft Story Retrofit program following the FEMA grant award notification in summer 2019.  
[INFORMATION MEMORANDUM]
4. **Affordable Housing Rent Increases.** (Housing)  
**Purpose:** Accept the staff report and provide input regarding rent burdened households in affordable housing developments and potential policy and or program recommendations regarding allowable rent increases in affordable housing developments.  
[DEFER TO AUGUST 2020-DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]
5. **Audit of Development Fee Work-in Progress Reserves.** (City Auditor)  
**Purpose:** Provide a report on the Development Fee Work-in Progress Reserves.  
[DEFER TO AUGUST 2020-DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

**JUNE 22, 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. **Downtown Progress Report.** (Economic Development)  
**Purpose:** Update the Committee on downtown business and economic development, public life and arts and cultural initiatives.  
[INFORMATION MEMORANDUM]

**January – June 2020 City Council Committee Work Plans**

**COMMUNITY AND ECONOMIC DEVELOPMENT (Cont'd.)**

- 3. Council Priority #1- Local Hire/Local Business/Apprentice Utilization Program.** (Public Works)

**Purpose:** Provide an update report on Council Priority #1- Local Hire/Local Business/Apprentice Utilization Program.

[DEFER TO AUGUST 2020-DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

January – June 2020 City Council Committee Work Plans

**NEIGHBORHOOD SERVICES AND EDUCATION**

**MAY 14, 2020**

1. **Public Life Annual Report.** (City Manager’s Office/Library/Office of Cultural Affairs/  
Parks, Recreation and Neighborhood Services)  
**Purpose:** Provide a report on Citywide efforts to activate and improve public life in San José.  
[DROP]
2. **Report on Age-Friendly City Initiative.** (Parks, Recreation and Neighborhood Services)  
**Purpose:** Provide an update on implementation of the Age-Friendly City Initiative.  
[DEFER TO AUGUST 2020-DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]
3. **Report on Therapeutic Services.** (Parks, Recreation and Neighborhood Services)  
**Purpose:** Provide the Committee with a presentation on Citywide therapeutic programs and services.  
[DROP]
4. **Youth Commission Report.** (Parks, Recreation and Neighborhood Services)  
**Purpose:** Provide the Committee with an updated report of the Youth Commission’s activities and collaboration with the Youth Advisory Councils.  
[INFORMATION MEMORANDUM]
5. **Audit of Park Maintenance.** (City Auditor)  
**Purpose:** Provide an audit on Park Maintenance.  
[DEFER TO AUGUST 2020-DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

**JUNE 11, 2020**

1. **Joint School/City Library Card Program.** (Library)  
**Purpose:** Provide verbal report on implementation and outcomes of the joint school/city library card program.  
[INFORMATION MEMORANDUM]
2. **Summer Program Preview.** (Parks, Recreation and Neighborhood Services/Library/  
Housing)  
**Purpose:** Provide a verbal report on summer 2020 programming for San José residents, with a focus on opportunities for children and youth during the school break.  
[INFORMATION MEMORANDUM]

**January – June 2020 City Council Committee Work Plans**

**NEIGHBORHOOD SERVICES AND EDUCATION (Cont'd.)**

**3. Parkland Fee Update.** (Parks, Recreation and Neighborhood Services)

**Purpose:** Provide an update on the work plan for completing an updated land valuation analysis, fee study, and steps forward to update ordinances in relation to these studies and other City priority work items.

[DEFER TO AUGUST 2020-DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

**January – June 2020 City Council Committee Work Plans**

**PUBLIC SAFETY, FINANCE AND STRATEGIC SUPPORT**

**MAY 21, 2020**

1. **Third Quarter Financial Reports for Fiscal Year 2019-2020. (Consent Calendar)**  
(Finance)  
**Purpose:** Provide third quarter (period ending March 31, 2020) financial reports in the areas of Debt Management, Investment Management, and Revenue Collection.  
[INFORMATION MEMORANDUM]
2. **Fire Department Sworn Safety Program Status Report. (Fire)**  
**Purpose:** Provide a status report on the Fire Department Sworn Safety Program.  
[INFORMATION MEMORANDUM]
3. **Regional Dispatch Center Feasibility Study Status Report. (Fire)**  
**Purpose:** Provide a status report on the feasibility of a regional fire and/or fire and emergency medical services dispatch center within Santa Clara County.  
[DROP]
4. **City of San José Disaster Resiliency Annual Report. (City Manager – Emergency Management)**  
**Purpose:** Provide an annual report on the City of San José’s community resiliency in responding to disasters.  
[INFORMATION MEMORANDUM]

**JUNE 18, 2020**

1. **Bi-Monthly Financial Report for March/April 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 ten months ending April 2020.  
[INFORMATION MEMORANDUM]
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.  
[INFORMATION MEMORANDUM]

**January – June 2020 City Council Committee Work Plans**

**PUBLIC SAFETY, FINANCE AND STRATEGIC SUPPORT (Cont'd.)**

**3. Firefighter Safety Systems in High Rise Buildings Report. (Fire)**

**Purpose:** Provide a report on firefighter safety systems in high rise buildings comparing Firefighter Breathing Air Replenishment Systems and fire-rated elevators, including consideration of any changes to the 2019 California Fire Code and/or Fire Department policies, procedures, and equipment.

[DEFER TO AUGUST 2020-DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

January – June 2020 City Council Committee Work Plans

**SMART CITIES AND SERVICE IMPROVEMENTS**

**MAY 7, 2020 – CANCELLED**

**JUNE 4, 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. Joint School/Library Issued Cards Update.** (Library)

**Purpose:** Provide a verbal update on the goal of this initiative to enhance access for San José students, grades K-12. The joint school/library card initiative presentation will review and identify the district partnerships, distribution of cards, card use, the successes, challenges, and planned improvements for the next academic year. Discussion and feedback to staff.

[INFORMATION MEMORANDUM]

**3. Privacy Strategy Update.** (Civic Innovation)

**Purpose:** Provide a verbal update on the privacy use cases, community engagement, and the workplan for the privacy policy. Discussion and feedback to staff.

[DEFER TO AUGUST 2020–DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

**4. My San Jose Update.** (Civic Innovation / Information Technology)

**Purpose:** Provide a written update on improvements to My San Jose, a digital platform that makes it easier for residents and government to work together to keep San José safe, clean, and engaged. Discussion and feedback to staff.

[DEFER TO AUGUST 2020–DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

January – June 2020 City Council Committee Work Plans

**TRANSPORTATION AND ENVIRONMENT**

**MAY 4, 2020**

1. **Mitigation Monitoring and Reporting Program Semi-Annual Status Report.** (Consent Calendar) (Planning, Building and Code Enforcement)  
**Purpose:** Provide a status report on the California Environmental Quality Act (CEQA) Mitigation Monitoring and Reporting Program (MMRP).  
[INFORMATION MEMORANDUM]
2. **Annual Transportation System Safety Report and Vision Zero Update.** (Transportation/Police)  
**Purpose:** Provide an update on various transportation system and safety programs and projects, along with an update on the Vision Zero Two-Year Action Plan.  
[INFORMATION MEMORANDUM]
3. **Discharge Regulation and Future Impacts on the San José-Santa Clara Regional Wastewater Facility Update.** (Environmental Services)  
**Purpose:** Provide an update on future wastewater discharge requirements and their potential impacts on Regional Wastewater Facility Capital Projects.  
[DROP]
4. **Climate Smart San José Plan Semi-Annual Report.** (Environmental Services)  
**Purpose:** Provide semi-annual status report on the Climate Smart San José Plan.  
[INFORMATION MEMORANDUM / DEFER TO AUGUST 2020–DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]
5. **Audit of Fleet Maintenance.** (City Auditor)  
**Purpose:** Provide an audit on Fleet Maintenance.  
[DEFER TO AUGUST 2020– ECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]

**JUNE 1, 2020**

1. **Green Stormwater Infrastructure Plan Implementation Report.** (Environmental Services /Public Works)  
**Purpose:** Provide a status report on implementation of the Green Stormwater Infrastructure Plan, including proposed public engagement and funding strategies.  
[INFORMATION MEMORANDUM]

**January – June 2020 City Council Committee Work Plans**

**TRANSPORTATION AND ENVIRONMENT (Cont'd.)**

- 2. Regional Transportation Quarterly Activities Report.** (Transportation)  
**Purpose:** Provide a report on regional transportation funding, programs, and projects of interest to the City of San José involving regional, state, and federal agencies such as the Santa Clara Valley Transportation Authority (VTA), Caltrain, the Metropolitan Transportation Commission, California High Speed Rail Authority, and the State Department of Transportation (Caltrans). This item may include verbal reports from the Chair, Vice-Chair, or a Committee member on relevant items related to their City roles on regional transportation agency boards.  
[INFORMATION MEMORANDUM]
- 3. Shared Micro-Mobility Report.** (Transportation)  
**Purpose:** Provide a status report on the implementation of the adopted Micro-Mobility regulations, as directed in the approved December 14, 2018 memorandum from the Mayor and three Councilmembers and at the December 2, 2019 Transportation and Environment Committee meeting.  
[INFORMATION MEMORANDUM]
- 4. Electric Mobility Roadmap Implementation Report.** (Transportation/Public Works)  
**Purpose:** Provide a report on the implementation of the Electric Mobility Roadmap, consistent with the direction from the January 2020 memorandum from the Mayor and Councilmembers.  
[DEFER TO AUGUST 2020–DECEMBER 2020 COUNCIL COMMITTEE WORK PLAN]
- 5. 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.  
[INFORMATION MEMORANDUM/CITY COUNCIL IN AUGUST 2020]