



Memorandum

TO: CITY COUNCIL
SUBJECT: VACCINE MANDATE

FROM: Mayor Sam Liccardo
DATE: August 18, 2021

Approved:

Date: 8/18/21

Recommendation

1. Approve an urgency ordinance requiring all attendees and staff at events at City facilities—such as the SAP Arena, Convention Center, and Center for Performing Arts—to demonstrate proof of vaccination prior to entry in a gathering of any substantial size, such as 50 or more persons. The City should utilize commonly accepted and readily deployable methods of proof, such as the State of California’s QR Code-enabled system.
2. Return at a subsequent Council meeting to evaluate data and discuss whether San José should similarly require vaccination prior to entry in indoor dining, theaters, gyms, and other privately-owned facilities that serve the general public. Such a discussion should be informed by what we have learned from San Francisco’s experience, including the impact on local businesses, the change in infection rates, the change in vaccination rates, and the safety of employees.

Discussion

This pandemic has again taken a turn for the worse. The expansion of the delta variant has left our County with escalating infection rates—rising more than 40% in the last two weeks—and expanding [COVID-related ICU hospitalizations to a level not seen in our local hospitals since February](#). Most other parts of the country appear far worse, as we see nightly stories of hospital patients triaged in hallways in Florida, and a fast-growing toll in Texas.

To paraphrase our President, this is a “pandemic of the unvaccinated” here in Santa Clara County as well: case rates for the unvaccinated appear three times higher (31.8 versus 9.6 per

August 18, 2021

Subject: Vaccine Mandate

Page 2

100,000), and the cases appear concentrated among adults who could otherwise vaccinate (53.3 per 100,000 among those above 12, and only 12.6 per 100,000 for children under 12). Of course, rates of hospitalization and serious illness show even greater disparities between the vaccinated and unvaccinated.

Fortunately, San José has the highest rate of vaccination of any major U.S. city. Yet our venues attract large audiences from around the nation, from places with far lower rates of vaccination than San José. An indoor sporting or musical event naturally encourages active vocal participation—yelling and cheering---and has people taking masks off while they eat or drink. All of these activities naturally increases risk of spread.

We owe it to our workers and patrons at City-owned facilities to protect their health and safety, and we need to take every reasonable measure to encourage vaccination to halt the spread of the pandemic in a timely manner. I urge that we move forward.