

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Lee Wilcox

**SUBJECT: COUNCIL PRIORITY
SETTING SESSION**

DATE: January 24, 2019

Approved

D. D. S. L.

Date

1/24/19

INFORMATION

This memo provides an overview of the Council Policy Prioritization Process as well as a status update on the Council Policy Priority List set by the Council at the October 17, 2017 Council Initiated Priority Setting Session. There are 27 items on the current Council Policy Priority List. These items are presented in priority order as ranked by the Council in the attached report.

The next Council Priority Setting Session is scheduled for March 1, 2019. Attached to this memo is the new Council Policy Prioritization – Policy Nomination Form. All new policy nominations are due by Friday, February 8, 2019.

BACKGROUND

Since 2011, the City Council has participated in priority-setting sessions that have resulted in the designation of high priority ordinances and policy initiatives. The priority-setting process has allowed the Administration to focus limited staff resources on the initiatives identified as the highest priorities by the City Council. Attachment C itemizes the 40 policies and ordinances that were completed since 2011 as part of the Policy Prioritization Process.

There are currently 27 items on the Council Policy Priority List (contained in the Attachment A report). The attached report provides general information on each item, project coordination details related to the departments leading each item, as well as project development details describing project status. As you will note, in most cases, project development crosses multiple departments, requiring coordination from the City Manager's Office and legal analysis from the City Attorney's Office. It is important to note that the attached list of priorities represents only a portion of all City policy efforts. Sources of policy work other than the prioritization process include: Committee Workplans, Committee Referrals, Rules Actions, Council Agenda Actions, Council Riders, Audit Recommendations, Budget Process, Industry Standards, Legislation/Regulatory Actions, and Department Workplans.

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Of the 27 items currently prioritized, 2 items were approved for removal by the Council in June 2018. These two items remain on the priority list, as the Council has not had the opportunity to reprioritize the remaining items. Those items are:

- # 1 Update the City's Rental Rights and Referrals Program, and
- # 25 Downtown Active Storefronts Initiative

In addition to these two items, the Administration has made significant progress in advancing policy work in 2018 and considers 3 additional items complete, including:

- # 4 Housing Rehabilitation Program (Housing Veterans Vouchers)
- # 10 Personal Care Business Compliance Initiative
- # 27 Medical Marijuana

The Administration will recommend that these three priorities be removed from the current Council Policy Priorities List in its Council Memorandum in March 2019. If the Council accepts staff recommendations, 21 of 27 items would remain from the current list.

Policy Prioritization Process

The Council Priority Setting Session allows Councilmembers to prioritize the most important policy items for the coming year. Policy work includes changes to City policies, adoption of new plans or strategies, or development of new policies, programs, or code sections. Typically, department leaders/managers perform such work in partnership with the City Attorney.

At the June 18, 2018 Council Meeting, Councilmembers approved staff recommendations to modify the Council Policy Prioritization Process. Approved modifications included: 1) Aligning the priority-setting process to the City's annual budget process, with an annual session being held prior to the kickoff of the City's annual budget process, 2) Holding the Annual Council Policy Prioritization process at a "stand alone" meeting of the Council, 3) Simplifying the nomination process by creating a form for Councilmembers to submit potential Council Policy Priorities to the City Manager, who would then bring forward all Council nominations and the Administration's critical policy work in a single memorandum, 4) Requiring the Administration to provide regular progress reports on Council Policy Priorities to the appropriate Council Committees, and 5) Creating a point of contact in the City Manager's Office of Administration, Policy and Intergovernmental Relations (API) to function as liaison to the City Council.

To date, all recommendations have been successfully implemented. The new point of contact in API is Gloria Schmanek and her information is reflected on all policy prioritization documents. Additionally, API has reorganized Council Policy Prioritization Progress Reports into an easier to read framework.

Nomination of Ideas

The first step in the Council Policy Prioritization Process is for Councilmembers to submit their policy or ordinance change ideas for consideration by the full body. To nominate items for consideration, City Council members should complete the attached Policy Nomination Form no later than Friday, February 8, 2019 and submit them to CMOAgendaServices@sanjoseca.gov. Importantly, recommendations submitted through the Policy Nomination Form will not require approval from the Rules and Open Government Committee, but rather would be directly voted on at the priority setting session. Staff will compile nominations together with items previously recommended for the priority-setting session through the Early Consideration Process (described in the next section). The complete list will be submitted to the Council in a February Memorandum.

Nominated Ideas-Voting Process

At the March 1, 2018 Council meeting, Councilmembers will vote on the list of Nominated Ideas and Yellow Lighted items to determine if they should move on to the final Council Policy Priority List. All ideas getting sufficient favorable votes will then move on to the final ranking process. A description of voting methodology for the March 1st Council Meeting will be provided in the Council Memorandum. Based on the number of submissions and policy areas, the Administration may employ various prioritization methodologies to help give the list additional focus.

Implementation and Next Steps

Once a final Council Policy Priority List is ranked, the Administration will continue working on higher ranked priority items, though policy development is tracked on all items. The rankings help the Administration focus on the most important work to the Council. Progress on all items is communicated to the Council through Council Policy Priority Progress Reports.

Early Consideration Process

The Early Consideration Process is used at the Rules and Open Government Committee to allow for continuous vetting of new policy ideas at any regular Rules meeting. The process is initiated with a memo submission to the Rules Committee by a Councilmember. When a Council policy memo is submitted, staff review the policy recommendations, complete a Priority Response Form to preliminarily analyze the policy from a departmental perspective, and attend the meeting to present a recommendation on whether an item should go through the Council Priority Setting Session ("Yellow Light"), can be added to the existing Department Workplans with Council approval ("Green Light"), or is not feasible for some reason ("Red Light"). The Rules Committee then takes action on the staff recommendation. If the item is referred to the Council Priority Setting Process, it is added to the list for consideration at the next Council Priority Setting Session. Importantly, if an item is Yellow Lighted at Committee, Councilmembers are not required to resubmit these nominations during the priority setting process.

In 2018, the Rules and Open Government Committee received 23 items for policy or ordinance consideration. One item was received in late 2017. Of these items, 12 received a “Green Light” and 6 received a “Yellow Light.” Additionally, the Rules and Open Government Committee did not take action on 6 items. Referrals that were **Green Lighted** by the Rules and Open Government Committee and added to department workplans or sent directly to Committees or Council for action are itemized in Attachment D.

To ensure no new policy recommendations duplicate the existing referrals, the Administration has outlined the **Yellow Lighted** items below:

- **Actions related to the San José Water Company general rate case** (March 7, 2018)
Direction to staff to bring forward (in open or closed session, as appropriate) a Council discussion on the City's options for registering an opinion with the California Public Utilities Commission (CPUC) regarding the San Jose Water Company General Rate Case A.18.01-004. As part of this discussion, staff should outline the City's options for filing a motion with the CPUC to become a party to the proceedings of the general rate case.
- **General Plan Land Use Overlay Amendments for Mobilehome Parks** (March 13, 2018)
Identify General Plan tools and alternatives that could be used to preserve mobilehome parks, including General Plan overlay, other land use amendments, and additional text amendments. Specifically, consider General Plan land use amendments for the two mobilehome parks with high density residential land use designations.
- **Responding to United States Department of Justice’s lawsuit against California’s sanctuary state policies** (March 14, 2018)
Direction to the City Attorney's Office to cooperate with any amicus briefs the State of California or any other legal municipalities may be developing to counter the U.S. Department of Justice's (DOJ) lawsuit against California's Sanctuary Policies (AB 450, AB 103, & SB 54).
- **Suicide Prevention Strategic Plan** (August 18, 2018)
Updating the City’s public safety protocols for suicide attempts and internal procedures for suicide prevention; promoting suicide prevention awareness; developing a communications approach and plan; and directing City staff collaborate with County personnel to produce an annual report about suicide prevention policy, to coordinate and collaborate with County, regional and state efforts, and to include community engagement in developing a suicide prevention policy.
- **Beverage straws upon request** (May 16, 2018)
Development of a “beverage straws upon request ordinance” including, but not limited to: 1. Requiring vendors such as restaurants, bars, and cafes to provide customers with a single-use beverage straw only when a straw is requested; 2. Promoting the act of going straw-less or the use of alternative, re-usable straw materials, e.g. glass, steel, silicone, etc.; and 3. Providing an exemption for drive-thru food orders.

- **Criteria for the review of drive-through uses** (August 22, 2018)
Review the setback criteria contained in section VII of Council Policy 6-10 (entitled "Criteria for the Review of Drive-Through Uses"). Staff should evaluate whether it still makes sense to allow some drive-through projects to be built without any setback from residential, while requiring other drive-through projects to abide by a 200-foot setback requirement.
- **Public Wayfinding & Information Kiosks within the Downtown Sign Zone** (December 12, 2018)
 1. Amendments to City code to allow the Downtown Association to place kiosks in the public right-of-way that operate as public wayfinding and information portals within the downtown sign zone, at no cost to the City and that ensure consistency of kiosks with the City's existing initiatives around wayfinding, including design standards and stakeholder access.
 2. Add "Wayfinding & Information Kiosks Sign Code Changes" to the 2019 January-June work plan of the Community and Economic Development Committee.
- **Cannabis Dispensaries in Edenvale, North San José, and International Business Park** (January 15, 2019)
Assess allowing all cannabis uses (dispensaries, cultivation) in the North San José Development Policy Area, International Business Park, and Edenvale Development Policy Area, not only manufacturing, distribution, and lab testing.
- **Cannabis private consumption events** (January 15, 2019)
Assess amending the Municipal Code to allow private events for cannabis consumption.
- **Cannabis: Study industrial lands, create protections** (January 15, 2019)
Conduct a study on how the uses on San José industrial lands are changing and return to Council when appropriate with a report on the state of our industrial property market, identifying opportunities and strategies for revitalization, intensification, and creation of permanent protections of industrial lands.
- **Cannabis: Sale of individual licenses and businesses** (January 15, 2019)
Assess allowing the sale of individual cannabis business (components). Currently, Municipal Code does not allow a Registration to be sold, nor does the State allow a license to be sold.
- **Cannabis equity applicant program** (January 15, 2019)
Assess creating a cannabis equity program as outlined by the State of California in SB 1294.

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Next Priority Setting Session

The next priority setting session is scheduled to take place March 1, 2019. The Administration will submit a comprehensive memorandum to the Council in advance of that meeting that will include all Council Nominated Ideas, Yellow Lighted items, as well as recommendations from the Administration to the Council to approve and remove all completed items from the list.

/s/

LEE WILCOX

Chief of Staff

Office of the City Manger

For questions, please contact Lee Wilcox, City Manager's Office Chief of Staff, at (408) 535-4873.

Attachment A: Council Policy Prioritization Progress Report January 2019

Attachment B: Council Policy Prioritization – Policy Nomination Form

Attachment C: Council Policy Prioritization – Completed Policies

Attachment D: Council Policy Prioritization – 2018 Early Consideration Process Green Lighted Items





Council Policy Prioritization List

PROGRESS REPORT

JANUARY 2019

COUNCIL POLICY PRIORITIZATION: BACKGROUND

Since 2011, the San José City Council has participated in priority-setting sessions to determine which potential or pending ordinances and policy initiatives hold priority for completion in the months and year ahead. This progress report summarizes activities related to the council's current policy priorities. Changes to the current policy priority list were last approved in June 2018, when the council approved removing two completed priorities from the list: Priority #1 Update the City's Rental Rights and Referrals Program, and Priority #25 Downtown Active Storefronts Initiative.

In addition to those items, the Administration is pleased to report that several additional priorities have been finalized. Those items include:

➤ **# 4 Housing Rehabilitation Program (Housing Veterans Vouchers)**

The Housing Rehabilitation Program was first prioritized in 2015 by directing the Housing Department to develop a housing rehabilitation program incentivizing landlords to participate in existing housing voucher or coupon programs. The program was established specifically to help homeless veterans access apartments in the private market. The County of Santa Clara provides funding for veterans' rapid rehousing to HomeFirst, which assesses veterans' vulnerability and provide housing voucher and assistance in locating apartments. This model is successful and has been extremely effective. Given the effectiveness of the HomeFirst's Veteran Rapid Rehousing Program, its need for ongoing funding and its existing infrastructure, the city redirected \$1,000,000 of existing Rebuilding for Heroes funding to this program. Staff will include this program in its periodic reports to City Council committees on the City's Homelessness Response Program. At the December 11, 2018 Council Meeting, Councilmembers adopted a resolution authorizing the Director of Housing to negotiate and execute an agreement with the County of Santa Clara to provide rental subsidies to homeless veterans through the County's Veterans' Rapid Rehousing Program. (see file 18-1643)

➤ **# 10 Personal Care Business Compliance Initiative**

The Personal Care Business Compliance Initiative was first prioritized in 2017. Due to limitations in staffing at the Police Department, the Public Safety, Finance, and Strategic Support Committee directed the SJPD to focus on enforcing the existing ordinance and allow massage businesses the opportunity to come into full compliance by obtaining the required permits. In 2017, the SJPD staffed the Vice Unit Sergeant position responsible for

enforcement and the 2017-18 Adopted Budget for the Code Enforcement Division added a dedicated Code Inspector to work in partnership with the SJPD on massage enforcement. In 2018, the Vice Unit implemented a robust plan to target IMBs suspected of prostitution activities, which included: 1) Collaborative effort between the Vice Unit, Code Enforcement, City Attorney's Office, and the Permits Unit, 2) Increased covert investigations at suspected IMBs, and 3) a Landlord Education Program. Results of the strategy's implementation efforts can be found in the Council Memo dated 9-7-18 from Chief Edgardo Garcia. In regards to creating a registry for all personal care businesses that provide any form of massage services, SJPD and the Finance Department are working together to identify the industry codes most likely used by IMBs when paying business taxes. The Finance Department will run queries on these businesses quarterly and provide the list of personal care businesses to the SJPD, who in turn will work with Code enforcement to monitor compliance with City and State regulations. As a result of the activities above, the SJPD no longer required a moratorium of new massage parlor permits or additional changes to the Municipal Code. Further, Since July 2017 Code Enforcement has conducted extensive outreach to personal care businesses, including providing information to stay compliant with city permits and state licenses. Staff also conducted outreach through the Landlord Education Program. (see file 18-1381)

➤ # 27 **Medical Marijuana**

On October 18, 2016, the City Council placed the following item on the Council Policy Priority List and ranked it #27: *Explore whether to allow medical marijuana distributors, manufacturers, and testing labs to operate in San José, and if so, how many and where.* Council also noted that voters would be considering Proposition 64 on the November 8, 2016 ballot to allow and license non-medical cannabis in California. On January 15, 2019, Council approved land use and regulatory ordinances allowing new cannabis manufacturers, distributors, and testing labs in San José, so long as they are located in the appropriate zone, obtain a City of San José Notice of Completed Registration, and obtain a State License. Final adoption of the ordinances (agendized for January 29, 2019) will complete Council Policy Priority #27. (see file 18-1809)

The current Council Policy Priorities list consists of 27 items. Please note that this list includes those items approved by the Council for removal in June 2018, as a reprioritization of the remaining items has not yet occurred. Nearly half of the policies prioritized by the

Council were added in 2017 and most correspond to two departments: The Department of Planning, Building and Code Enforcement and the Housing Department.

The report that follows is organized in order of priority as ranked by the City Council and provides general information and project coordination and development details for all 27 items.

HOW TO USE THIS REPORT

This progress report includes information on each Council Policy Priority. The report is organized by policy priority, and allows readers to learn about the stage of policy development for each item.

You can use this report to get:

General Information

- A description of the policy or ordinance priority.
- The original year of prioritization.

Project Coordination

- Lead and supporting department information.
- Key staff contacts

Project Development

- Status of project and percent completion.
- Work being completed to advance project completion.
- Next steps for Council committees.
- Estimated project completion date.

DEPARTMENT ABBREVIATION GUIDE

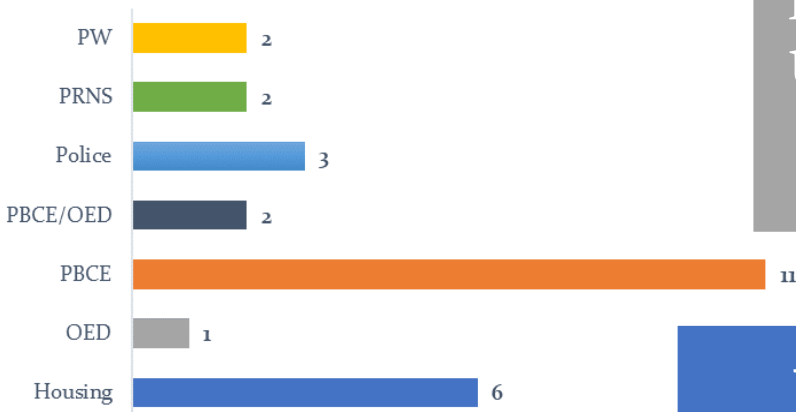
Abbreviation	Department
Budget	Budget Office
CAO	City Attorney's Office
DOT	Department of Transportation
ESD	Environmental Services
Housing	Housing Department
OED	Office of Economic Development
PBCE	Department of Planning, Building & Code Enforcement
Police	Police Department
PRNS	Parks, Recreation, and Neighborhood Services
PW	Public Works Department

POLICY PRIORITIZATION HIGHLIGHTS

5 Policies were completed in 2018.

41% of prioritizations fall under PBCE alone (11/27).

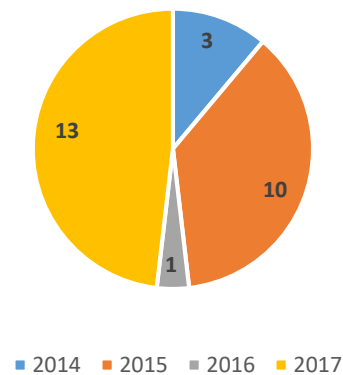
Lead Department



12 Projects have estimated completions in 2019.

48% of policies were added in 2017.

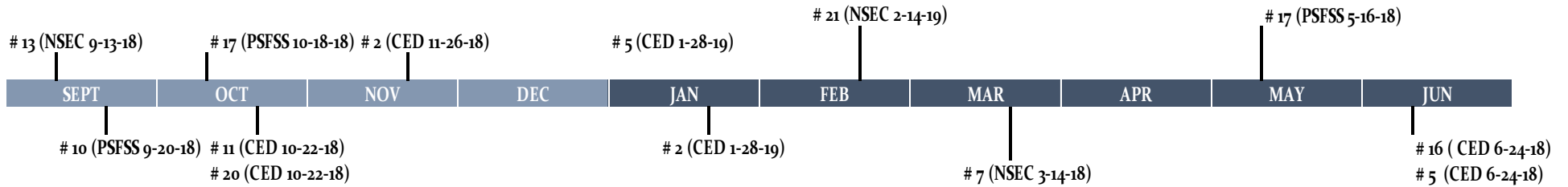
Prioritization Year



CURRENT COUNCIL POLICY PRIORITIZATION LIST

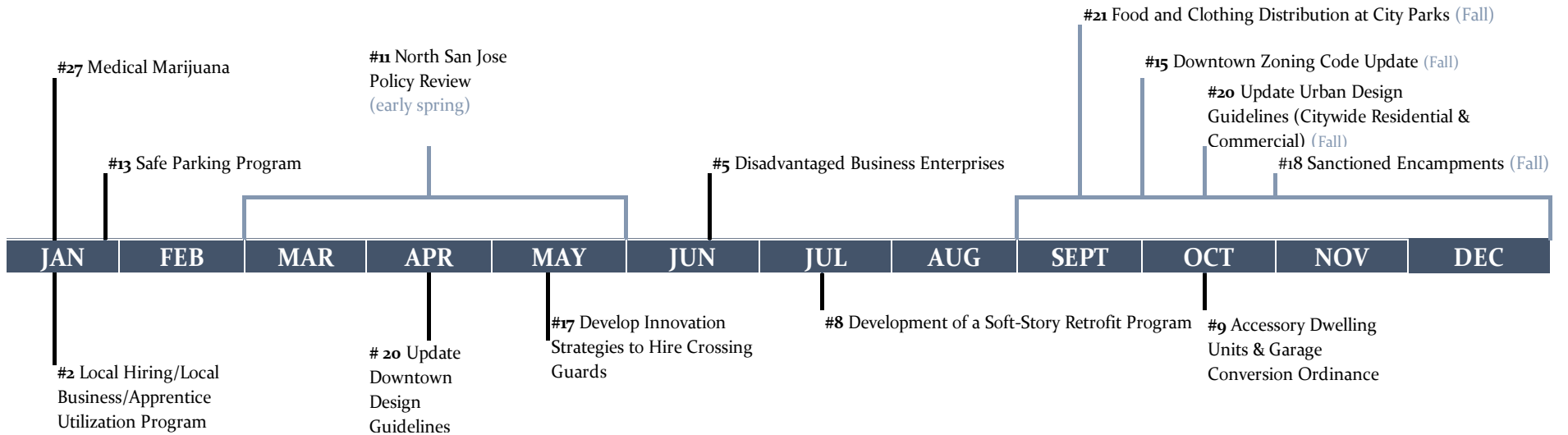
Priority Number	Policy/Ordinance Name	Lead Department	Project Status
1	Update the City's Rental Rights and Referrals Program	Housing	Complete
2	Local Hiring/Local Business/Apprentice Utilization Program	Public Works	In Progress
3	Mobile Home Conversions	PBCE	In Progress
4	Housing Rehabilitation Program (Homeless Veterans Vouchers)	Housing	Complete
5	Disadvantaged Business Enterprises	Public Works	In Progress
6	Electronic Billboards	PBCE/OED	In Progress
7	Downtown and/or Citywide Parks Operations and Maintenance Financing District	PRNS	In Progress
8	Development of a Soft-Story Retrofit Program	Housing	In Progress
9	Accessory Dwelling Units & Garage Conversion Ordinance	PBCE	In Progress
10	Personal Care Business Compliance Initiative	Police	Complete
11	North San José Policy Review	PBCE/OED	In Progress
12	Regional Commercial Linkage Fee for Affordable Housing	Housing	In Progress
13	Safe Parking Program	PBCE	In Progress
14	Private Property Graffiti Abatement Ordinance	PBCE	Not Started
15	Downtown Zoning Code Update	PBCE	Not Started
16	Impact Fee Deferred Payment Program for Housing	PBCE	Not Started
17	Develop Innovative Strategies to Hire Crossing Guards	Police	In Progress
18	Sanctioned Encampments	Housing	In Progress
19	Anti-Displacement Preference Ordinance	Housing	In Progress
20	Update Urban Design Guidelines	PBCE	In Progress
21	Food and Clothing Distribution at City Parks	PRNS	In Progress
22	Smoke-Free Housing	PBCE	In Progress
23	Spurring High Density Development Along Transit Corridors	PBCE	Not Started
24	Riparian Corridors and Bird Safe Design	PBCE	Not Started
25	Downtown Active Storefronts Initiative	OED	Complete
26	San José is Open for Business/Legal Non-Conforming Uses	PBCE	Not Started
27	Medical Marijuana	Police	Complete

Council Policy Prioritization - Council Committee Timeline September 2018-June 2019*



*Date estimates as of 1-14-18

Council Policy Prioritization Items Estimated for Completion in 2019



Priority 1 Update the City’s Rental Rights and Referrals Program

Description: Explore modifications to strengthen the City’s rent control ordinance (rent registry, notices of rent increase, banking); and the creation of ordinances to address retaliatory evictions, income discrimination, major capital improvement pass-through, displacement and relocation (Ellis).

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	Housing	Rachel VanderVeen	Kim Walesh	CAO

Work being completed:

- ✓ On May 17, 2016, the City Council adopted the Interim Apartment Rent Ordinance. The 5% annual allowable rent increase took effect on June 17, 2016.
- ✓ On August 23, 2016, Council approved regulations to implement the fair return process as part of the Interim Ordinance. The fair return process was implemented starting September 27, 2016.
- ✓ On April 18, 2017, the City Council approved the Ellis Act Ordinance, which provides protections to tenants in apartments being removed from the rental market.
- ✓ On May 9, 2017, the City Council passed the Tenant Protection Ordinance, which provides just cause eviction protections to tenants living in over 80,000 apartments in San José.
- ✓ On November 14, 2017, the City Council approved the updated Apartment Rent Ordinance and Regulations.
- ✓ On April 24, 2017, the City Council passed amendments to the Tenant Protection Ordinance prohibiting retaliatory action to tenants based on immigration status and introducing a criminal activity just cause reason; Ellis Act Ordinance reducing the re-control requirements; and the Apartment Rent Ordinance clarifying ratio utility billing is not allowed.
- ✓ The Housing Department returned to the City Council with clarifying language on the amendment to the Apartment Rent Ordinance on May 22, 2018.

What’s next:

- Council approved the item on June 19, 2018.

Project Status

STATUS: ✓ COMPLETE PROJECT COMPLETION: 100%

Priority 2 Local Hiring/Local Business/Apprentice Utilization Program

Description: Create policies encouraging the hiring of local workers and contracting of local and small businesses, using the City of Sunnyvale's recently approved program as a model.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	Public Works	Christopher Hickey	Kim Walesh	CA, OED

Work being completed:

- ✓ An update on the Labor Market Study was provided to Community and Economic Development Committee on September 25, 2017. Public Works is coordinating with Office of Economic Development and the City Attorney's Office.
- ✓ At the October 16, 2018 Council Meeting, the City Manager and City Attorney were directed to negotiate and execute a Project Labor Agreement (PLA) with the Building Trade Council.
- ✓ PW presented the item at the Treatment Plant Advisory Committee meeting on November 8, 2018 and received no objections. PW is in the process of obtaining signatures from the Building Trade Council.

What's next:

- Project Labor Agreements: The PLA has been approved and is currently pending execution, which requires the Building Trade Council to get signatures from all 26 unions.
- Labor Market Study: Staff will return to the Community and Economic Development Committee in January 2019 with the final report assessing the current and forecasted demand and supply for construction workers for public review and recommendations.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [80%](#)

EST. COMPLETION: [Jan. 2019](#)

Priority 3 Mobile Home Conversions

Description: Review and potentially amend the Mobile Home Conversion Ordinance to address the protection of health, safety, and welfare of mobile home park residents, including any needed General Plan amendments.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2014	PBCE	Jared Hart	Kim Walesh	CAO, Housing

Work being completed:

- ✓ The City Council adopted a New Mobile Home Park Conversion Policy (February 23, 2016), Zoning Code amendments (February 23, 2016 and May 16, 2017) and General Plan text amendments (May 16, 2017) to further the protection of mobile home parks.
- ✓ In response to Council direction on May 16, 2017, staff brought to Council on March 13, 2018, an analysis of proposed general plan land use overlay amendments for mobile home parks and review of recommendations from the Law Foundation of Silicon Valley regarding protection of mobile home park residents.
- ✓ Council accepted staff's analysis and directed staff to bring back to Council three minor General Plan text amendments identified in the analysis as part of a future General Plan hearing cycle.
- ✓ Council also requested that staff consider establishing a Mobilehome Park land use designation and land use amendments for the two mobilehome parks with high density residential land use designations, with staff commencing work no later than Spring 2019.
- ✓ The City Council approved the three General Plan text amendments at the December 11, 2018 Council Meeting.

What's next:

- Staff will commence work on mobilehome parks with high density residential land use designations in spring 2019 and anticipate bringing to Council recommendations for consideration in early 2020.

Project Status

GP TEXT AMENDMENT STATUS: ✓ COMPLETE PROJECT COMPLETION: 100%

LAND USE DESIGNATION STATUS: Not Started PROJECT COMPLETION: 0%

EST. LAND USE DESIGNATION CHANGES COMPLETION: Spring 2020

Priority 4 Housing Rehabilitation Program (Homeless Veteran Vouchers)

Description: Develop a program using the Low and Moderate Income Housing Asset Fund in the City’s Affordable Housing Investment Plan to establish a housing rehabilitation program incentivizing property owners to participate in housing voucher or coupon programs for homeless veterans.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	Housing	James Stagi	Lee Wilcox	

Work being completed:

- ✓ All the legal documents are finalized and the program is up and running. Applications are being accepted and processed.

What’s next:

- The Administration considers this item complete and will recommend Council confirmation of completion at the March 2019 Policy Priority Setting Session.

Project Status

STATUS: ✓ COMPLETE PROJECT COMPLETION: 100%

Priority 5 Disadvantaged Business Enterprises

Description: Explore expanding existing Disadvantaged Business Enterprises program beyond Airport to other City departments and contracts.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	Public Works	Christopher Hickey	Kim Walesh	CAO, DOT, ESD

Work being completed:

- ✓ An update was provided to the Community and Economic Development Committee on June 25, 2018. The Committee approved a two phase engagement and implementation plan. The consultant, Silvy Group, developed an outreach and engagement plan that launched in October 2018. The outreach and engagement plan revolves around education and information accessibility through on-line tutorials, workshops, and contractor meet and greets.
- ✓ Concurrently, Keen Independent Research LLC and Milagro Marketing LLC, a Joint Venture, are analyzing and developing program options and recommendations to expanding contract opportunities. The consultants are analyzing each potential program for feasibility, legal considerations, staffing, and resource considerations.
- ✓ Public Works is embarking on the Public Works Academy. The Academy consists of Opportunity Awareness Events scheduled at five (5) different Community Centers throughout San José and seminars focused on developing contractors' knowledge and experience in working with the City of San José on construction contracts. Public Works has notified 2500+ contractors via USPS, 1200+ contractors through e-mail, and released an RFI on Bidsync.

What's next:

- An update will be provided to Community and Economic Development Committee in January 2019. A final report and recommendations related to increasing small and local business participation in City-related procurements will be presented to Community and Economic Development Committee in June 2019.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [90%](#)

EST. COMPLETION: [June 2019](#)

Priority 6 Electronic Billboards

Description: Options for public and private property that will allow electronic digital off-site advertising signs or billboard installations.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	PBCE/OED	PBCE: Art Henriques OED: Blage Zelalich	Kim Walesh	

Work being completed:

- ✓ At the September 25, 2018 City Council Meeting, the Council approved General Plan, Municipal Code and Council Policy amendments to allow electronic billboards on City-owned sites. These approvals constitute Phase 1 of the work on this priority.
- ✓ OED staff is currently working with external and internal stakeholders to develop an RFP for electronic billboards on city-owned facilities downtown. The RFP will come to council for review by the end of February, and the RFP will be issued in March, solicit responses by April, and awarded in May. Staff would work toward having the installation of any new signs in Summer or Fall of 2019.
- ✓ Phase 2 of this priority involves allowing electronic billboards on non-City-owned sites. Staff is currently working to secure an environmental consultant for Phase 2. Staff projects finishing the EIR for Phase 2 by 2019 and bringing the completed work product before the Council in early 2020.

What's next:

- The RFP for Phase 1 will come to Council for Review by the end of February 2019
- Staff plans to bring the completed work product for Phase 2 to Council in early 2020.

Project Status

STATUS: In Progress

PROJECT COMPLETION: 50%

EST. COMPLETION: Phase 1 Sept. 2018

Phase 2 Early 2020

Priority 7 Downtown and/or Citywide Parks Operations and Maintenance Financing District

Description: To study and make recommendations to the City Council for a long term financing district for parks operations and maintenance. The study will look citywide and at downtown as options.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	PRNS	Nicolle Burnham	Angel Rios, Jr.	CAO, PBCE, PW

Work being completed:

- ✓ On November 28, 2017 as part of Item 5.1, PRNS provided an update on the status of the Greenprint Update and results of a funding feasibility study. The *Greenprint* establishes the vision and mission for the future of the Parks, Recreation, and Neighborhood Services (PRNS) Department. The *Greenprint* is a 20-year strategic plan to guide the stewardship and expansion of parks, recreation facilities and community services. At this City Council meeting, PRNS received approval from the Mayor and City Council to continue investigating funding opportunities.
- ✓ Round 1 Polling was completed in August 2017 and reported to the City Council in November 2017.
- ✓ As a next step, PRNS, in coordination with the CMO, will be implementing outreach campaigns to educate the community on the important services they provide as well as gaps in services.
- ✓ A second round of polling was planned for spring 2018 but was placed on hold. PRNS is still evaluating options for funding and will continue to pursue this in the coming year.
- ✓ Continue evaluating a ballot initiative for a parcel tax in 2020, including the possibility of additional polling before our next report back to council.

What's next:

- An update on this item will be presented to the Neighborhood Services and Education Committee in May 2019.

Project Status

STATUS: In Progress PROJECT COMPLETION: 40%

EST. COMPLETION: August 2020

Priority 8 Development of a Soft-Story Retrofit Program

Description: Explore developing a program to incentivize the seismic retrofit of multifamily soft-story buildings. An incentive program may motivate owners to retrofit inadequate structures that pose a safety risk to over 24,000 San José residents who live in the approximately 1,093 "soft-story" buildings.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	PBCE	James Son	Kip Harkness	Housing

Work being completed:

- ✓ Staff submitted an application to the California Office of Emergency Services Hazard Mitigation Program Grant for a grant award of \$5 million to implement a soft story rebate program. The State has not yet notified award winners.
- ✓ The staff work group for this issue was reconvened in the Fall and met in December. The team will begin drafting RFPs in anticipation of receiving the grant funding. To-date, the City has not received notification of funding, but was informed by the Office of Emergency Services that project recommendations will go to FEMA in the coming months of 2019.

What's next:

- Report to the Community and Economic Development Committee on April 22, 2019.

Project Status

STATUS: In Progress PROJECT COMPLETION: 35%

EST. COMPLETION: July 2019*

*Completion of this priority is grant dependent.

Priority 9 Accessory Dwelling Units & Garage Conversion Ordinance

Description:

Accessory Dwelling Units: Support the Planning Department's recommendations to revise the Zoning Code to ensure that the City's Second Unit Ordinance is in conformance with the provisions of Senate Bill 1069 (Wieckowski), which requires jurisdictions to relax some requirements for second units, also called accessory dwelling units; Direct the Administration to: (a) Eliminate any impediments to the conversion of detached garages or other accessory units to residential use; (b) Consider changes that would increase the number of potential lots in R-2 zones; (c) Study an amnesty program that would legalize illegal non-conforming accessory dwellings as long as they are brought up to the standards included in the City's ordinance; (d) Encourage a robust public information effort to help residents understand the potential for second units, and the process for development; Additionally, to "Not require for the secondary dwelling a minimum area of 80 sq. ft. of private open space with a minimum width of 8 feet."

Garage Conversion Ordinance: An ordinance to establish procedures whereby owner-occupants of single-family residential real property on which certain illegal garage conversions now exist would have a limited time to seek to legalize converted garages. Landlords could be required to provide some affordable housing in exchange for the legalized unit. Explore the possibility of reducing the parking requirements if the unit's close enough to a major transit stop

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	PBCE	Michael Brilliot	Kim Walesh	Housing, CAO

Work being completed:

- ✓ An ordinance change was approved by Council on June 19, 2018. Ordinance changes came into effect on July 27, 2018

The ordinance approved by the Council made the following amendments to the Zoning Code:

- Expanded the Zoning Districts where ADUs are allowed;
- Increased the number of single-family lots that qualify for ADUs;
- Modestly increased the maximum size of ADUs;
- Eased and clarified setback requirements for ADUs; and
- Eased and clarified parking requirements for ADUs.

Priority 9 Cont.

These amendments are intended to help facilitate construction of ADUs.

- ✓ As part of the Council action on June 19th, the City Manager was directed to return to Council with a proposal for an amnesty program that would encourage homeowners to bring illegal ADUs up to the building code. In light of this additional direction, this priority is not considered complete. Staff will return to Council on this issue.

What's next:

- Staff will return to Council in response to the direction to develop an amnesty program by October of 2019.

Project Status

STATUS: In Progress PROJECT COMPLETION: 90%

EST. COMPLETION: October 2019

Priority 10 Personal Care Business Compliance Initiative

Description: This priority has 3 parts: (1) A registry requiring all personal care businesses that provide any form of massage services to annually register prior to obtaining a business tax certificate with an additional cost-recovery fee for a City employee position to proactively coordinate administrative processes and inspection for compliance. (2) A moratorium on the distribution of new massage parlor permits to all personal care businesses that provide any form of massage services during the initiative development up to a period of one year with an option to extend per Council's approval. (3) Conduct outreach and discussion with industry business professionals.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	Police	Lt. Paul Messier Sgt. Rick Galea	Jennifer Maguire	PBCE, CAO

Work being completed:

- ✓ Since February 2018, the Vice Unit has implemented a robust plan to target illicit massage businesses suspected of prostitution activities. This new effort employs three strategies: (1) Collaboration between the Vice Unit, Code Enforcement, the City Attorney's Office and the Permits Unit, (2) Increased covert investigations at suspected illicit massage businesses and (3) A landlord education program. This effort has closed 107 illicit massage businesses, significantly reducing the number of such businesses in the city.
- ✓ Staff took the following actions in response to the direction provided:
 - **Personal Care Registry:** Using existing resources, the Finance Department now provides the Vice Unit with a list of personal care businesses compiled from its business tax system.
 - **Moratorium:** Given the success of the Vice Unit's enforcement program, staff did not recommend moving forward with a moratorium. Council concurred.
 - **Outreach:** Staff successfully implemented an outreach program, including 463 code enforcement inspections and the creation of a Landlord Education Program.

What's next:

- On October 16, 2018, after hearing a report on implementation from the San José Police Department, the City Council voted to consider this Policy Priority implemented and complete.

Project Status

STATUS: √ COMPLETE PROJECT COMPLETION: 100%

Priority 11 North San José Policy Review

Description: Review of North San José development policies, fees, and development capacity allocations.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	PBCE	Michael Brilliot OED: Chris Burton	Kim Walesh	DOT, PW

Work being completed:

- ✓ Code changes and GP amendments to allow flexibility for retail and service commercial uses completed; approved by Council on December 12, 2017.
- ✓ Staff is moving forward with modifications to the Policy that will make 8,000 units from Phase 2 available for development.
- ✓ Staff returned to CED on October 22, 2018 to provide an update on the proposed approach, which involves consolidating the four phases currently established by the North San José Policy into two phases.

What's next:

- Staff will bring forward Development Policy amendments and appropriate CEQA clearances for Council consideration in early Spring 2019.

Project Status

STATUS: **In Progress**

PROJECT COMPLETION: **90%**

EST. COMPLETION: **Early Spring 2019**

Priority 12 Commercial Impact Fee for Affordable Housing

Description: Research the potential of a non-residential development fee as an additional source of revenue for affordable housing development.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	Housing	Kristen Clements	Kim Walesh	COA, PBCE, OED

Work being completed:

- ✓ Staff went to Council on June 12, 2018 with the Housing Crisis Workplan. At that time, Council did not accept staff's recommendation to initiate a Nexus Study for a potential Commercial Impact Fee for the Diridon Station Area. Per Council direction, staff continued to advocate for a regional approach to CIF.
- ✓ The Council again considered whether to pursue a Commercial Linkage Fee at the September 18, 2018 Council meeting as part of a response to a Civil Grand Jury Report, but took no action.
- ✓ At the City Council meeting 12-11-18, Council approved 9-10-18 memo from Mayor Liccardo, with modifications as noted in the 12-7-18 joint memo from Vice Mayor Carrasco, and Councilmembers Peralez, Jimenez, and Rocha. This approved a feasibility study to be pursued in tandem with the nexus study to assess market impacts of development with variations of fee levels, geographic location, land use, and building type. The Administration will report back to Council with a scope of work for both studies. Additionally, staff will explore a separate study for a Downtown Core Commercial development impact fee.

What's next:

- Staff will bring forward scope of work details to the City Council in February 2019.
- Staff are drafting an RFP for the study and will bring forward a mid-year budget proposal to pay for the study.

Project Status

STATUS: In Progress

PROJECT COMPLETION: 25%

EST. COMPLETION: TBD

Priority 13 Safe Parking Program

Description: Explore and develop an ordinance which would allow for a legal use of “safe parking” in public and privately-owned parking lots for people who live in their vehicles.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	PBCE	Aparna Ankola	Lee Wilcox	Housing/CAO

Work being completed:

- ✓ The Pilot safe parking nonprofit contract award was approved by Council on October 16, 2018. The proposed Pilot Program is designed to serve families, with at least one minor child, who use their cars and recreation vehicles as their primary residence in San José. It will operate in an overflow parking area in the Seven Trees Community Center located at 3590 Cas Drive in San José.
- ✓ Staff has drafted an ordinance and has started the environmental clearance for the new ordinance.

What's next:

- The ordinance and environmental clearance will be heard by the Planning Commission on January 30, 2019 and by the Council on February 26, 2019.
- Staff will also provide a status update on the pilot program to the Neighborhood Services and Education Committee in June 2019.

Project Status

STATUS: In Progress PROJECT COMPLETION: 75%

EST. COMPLETION: January 2019

Priority 14 Private Property Graffiti Abatement Ordinance

Description: Ordinance that will allow staff to warn private property owners to abate graffiti on their property within 72 hours, or the City will abate the graffiti and bill the property owner.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	PBCE	TBD	Kim Walesh	TBD

Work being completed:

- ✓ Due to limited staff resources and staff focus on higher prioritized Council items, no work has been initiated on this item.

What's next:

- TBD

Project Status

STATUS: Not Started

PROJECT COMPLETION: 0%

EST. COMPLETION: TBD

Priority 15 Downtown Zoning Code Update (Responding to the Housing Crisis)

Description: Eliminate parking requirements, establish height minimums, and establish minimum residential densities for residential uses Downtown. Also establish requirements for retail, restaurants or other active ground floor uses on streets with sufficient visibility or foot traffic.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	PBCE	TBD	Kim Walesh	TBD

Work being completed:

- ✓ With the approval of the budget and hiring of two planners to focus on housing, this work will be initiated in Spring of 2019, building off the work of the downtown strategy update.

What's next:

- An update will be provided to the Community and Economic Development Committee at its February 2019 meeting as part of the Housing Crisis Work Plan Progress Report.

Project Status

STATUS: Not Started PROJECT COMPLETION: 0%

EST. COMPLETION: Fall 2019

Priority 16 Impact Fee Deferred Payment Program for Housing (Responding to the Housing Crisis)

Description: Consider allowing deferral of payment of impact fees on GP 2040-compliant housing construction to enable payments streams to align with project revenues. Explore financing mechanisms that could allow for-sale housing projects to pay fees over time, at higher aggregate amounts than currently – but reduce the up-front burden.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	OED/PBCE	TBD	Kim Walesh	TBD

Work being completed:

- ✓ OED staff has begun coordination with other departments to understand the current requirements and practices associated with the collection of various development fees and taxes. Upon completion of the hiring process for the OED Housing Catalyst position (currently anticipated for early 2019) staff will conduct a peer review of impact fee deferral programs provided by other cities, and engage with the CAO on developing a path back to the City Council for full consideration.

What's next:

- TBD

Project Status

STATUS: Not Started PROJECT COMPLETION: 0%

EST. COMPLETION: TBD

Priority 17 Develop Innovation Strategies to Hire Crossing Guards

Description: Develop new and innovative strategies to hire crossing guards.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	Police	Capt. Mike Kihmm	Jennifer Maguire	Budget

Work being completed:

- ✓ On October 18, 2018, the Public Safety, Finance and Strategic Support Committee heard and accepted a status report on this item. The report noted that staff has successfully implemented innovative hiring strategies, but that during review of the item staff discovered that crossing guard staffing levels are out of alignment with the Adopted Budget.
- ✓ On hearing the report, the Committee noted that the policy priority of innovative hiring strategies for crossing guards has been met, but because program staffing is not aligned with the budget, the Committee referred the issue to the budget process with a goal of aligning budget and staffing without reducing program service levels. Staff was directed to return to the Committee no later than May 2019 with a follow-up report.

What's next:

- This item will return to the Public Safety, Finance and Strategic Support Committee in May of 2019

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [80%](#)

EST. COMPLETION: [May 2019](#)

Priority 18 Sanctioned Encampments

Description: Continue to explore the operation of a sanctioned encampment pilot to meet the immediate needs of unsheltered homeless people in the community.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	Housing	James Stagi	Kim Walesh	CAO

Work being completed:

- ✓ Staff is focusing on interim housing opportunities to address the immediate needs of unsheltered homeless.
- ✓ Staff completed a second round of community outreach to obtain neighborhood feedback on the Bridge Housing Communities (BHC) project.
- ✓ On 11-27-18 Councilmembers amended the City’s Legislative Program to seek regulatory streamlining for sanctioned encampments, allowing the City to establish and operate sanctioned encampments.
- ✓ Staff also completed the CEQA analysis, the prototype, and operations and development plan and presented it to the City Council in December 2018. Staff provided council with:
 - Development considerations for the BHC pilot - including costs; schedule and funding commitment
 - A draft BHC Ordinance for consideration;
 - BHC developer and operator agreements for Council approval; and,
 - Shelter Crisis Declaration
- ✓ The Council accepted final staff site recommendations for 2 BHC projects and associated resolutions and ordinance changes. (File # 18-1703)
- ✓ At the December 2018 Council meeting, Council directed the Housing Department to continue exploring sites and funding for potential additional bridge housing communities, as well as alternative formats that are less costly.
- ✓ The Housing Department was also directed to work with the Office of Economic Development and the Mayor’s Office to reach out to landlords to explore the availability of underutilized industrial land or parking lots for small-footprint, temporary interim homeless solutions.

What’s next:

- The next City-County Joint Meeting is scheduled for March 22, 2019 at which housing and homelessness will be discussed as well as a long term location and evaluation of Hope Village.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [85%](#)

EST. COMPLETION: [Fall 2019](#)

Priority 19 Anti-Displacement Preference Ordinance

Description: Explore the development of policy that will allow a set-aside in affordable housing developments that prioritizes residents who are being displaced that live in low-income neighborhoods undergoing displacement and/or gentrification.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	Housing	Kristen Clements	Kim Walesh	

Work being completed:

- ✓ Tenant preference policies would direct property managers of restricted affordable apartments to give a priority to certain types of applicants. The Anti-Displacement Tenant Preference would give a priority to affordable housing apartment applicants who are from City-identified areas that are undergoing displacement or are likely to experience displacement.
- ✓ Staff has obtained input from both the Housing and Community Development Commission and the City Council’s Community and Economic Development Committee two times on the development of tenant preference policies.
- ✓ Staff is currently drafting the policy and is getting feedback on the draft policy from the Housing and Community Development Commission, other stakeholders, and the public through March 2019. Project timeline extended to give ample time for public feedback on staff’s work. This input will inform a final draft policy which will be brought to the City Council for consideration in Spring 2019.

What’s next:

- Staff expects to bring a draft anti-displacement tenant preference policy to the City Council in April 2019.
- Staff will then develop the two other draft tenant preference policies identified by the Community and Economic Development Committee – applicants who live or work in San José, and applicants who have been displaced due to defined events – for consideration by the City Council.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [45%](#)

EST. COMPLETION: [Early 2020](#)

Priority 20 Update Urban Design Guidelines

Description: Update citywide urban design guidelines for our key commercial districts, including Downtown and Berryessa.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	PBCE	Citywide/Downtown: Tim Rood Berryessa Guidelines: Charla Gomez	Kim Walesh	

Work being completed:

Citywide and Downtown:

- ✓ For the Downtown Guidelines, a Master Service Agreement and Task Order were executed with Skidmore, Owings & Merrill for the first phase, updating the Downtown/Diridon Design Guidelines, using budgeted City funds, and work began in April.
- ✓ Two well-attended community workshops led by staff were held in April and December 2018. The Downtown guidelines are scheduled for discussion at the Historic Landmarks Commissioner (HLC) Design Review Committee in January 2019 and the full HLC in February.
- ✓ Hearings have also been scheduled for Planning Commission in February 2019 and City Council in March 2019.
- ✓ In April 2018, the City was awarded a \$200,000 MTC Priority Development Area Staffing Grant to provide consultant support for the second phase of the guidelines update--the Citywide Residential and Commercial Guidelines.
- ✓ In August 2018, a contract was executed between the Metropolitan Transportation Commission and a team of consultants consisting of Urban Planning Partners and Van Meter Williams Pollack architects. These guidelines are anticipated to go to Council for adoption by the end of 2019.
- ✓ Staff provided an update to the Community and Economic Development Committee on October 22, 2018. The update described the phasing strategy for this project and summarized staff's approach to developing the Downtown guidelines.

Berryessa:

- ✓ The Urban Design Guidelines for Berryessa BART Urban Village will be completed as part of the Urban Village planning process which was initiated Fall 2018.

Priority 20 Cont.

What's next:

Downtown Guidelines

- Going to Council April 2019.

Citywide Residential & Commercial Guidelines

- Going to Council Fall 2019.

Berryessa Guidelines

- Going to Council with Urban Village Plan Spring 2020.

Project Status

STATUS: In Progress CITYWIDE & DOWNTOWN PROJECT COMPLETION: 35%

BERRYESSA PROJECT COMPLETION: 5%ST.

DOWNTOWN GUIDELINES ESTIMATED COMPLETION: April 2019

CITYWIDE RESIDENTIAL & COMMERCIAL ESTIMATED COMPLETION: Fall 2019

Priority 21 Food and Clothing Distribution at City Parks

Description: Review and update the Municipal Code policy regarding the distribution of food and clothing at City Parks.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2014	PRNS	Mike Will	Kip Harkness	CAO/OED/ Police/Housing

Work being completed:

- ✓ St. James Park has faced challenges in terms of public health, welfare, and safety aspects. For that reason, a public safety campaign to Educate-ReDirect-Enforce homeless feeding at St. James Park has been initiated. The goal is to find a balanced solution to promote the park enjoyment, as well as enhanced safety and cleanliness. The “Educate” portion of the campaign has been launched with the installation of signage and a new webpage: <http://www.sanjoseca.gov/howyoucanhelp>, including information on:
 1. The Municipal codes that prohibit the distribution of food at parks;
 2. Established food kitchens that help feed the homeless; and
 3. Safely prepared meals and wrap-around services near the park for the homeless population.
- ✓ The “ReDirect” element of the campaign is in process with identifying a location and securing a food service provider that will fill the food gaps on the weekends.
- ✓ An RFQ was finalized to identify a food provider. The RFQ was released once final lease details associated with the organization using the city re-use location were completed.
- ✓ The RFQ closed on January 11, 2019, with anticipated agreement execution in April 2019.
- ✓ The Special Park Use Policy regarding special event permits is under review by the City Attorney’s Office. A recommendation is anticipated by March 2019.

What’s next:

- Staff will update the Neighborhood Services and Education Committee on implementation of the Educate-ReDirect-Enforce model in spring 2019.

Project Status

STATUS: **In Progress**

PROJECT COMPLETION: **75%**

EST. COMPLETION: **Fall 2019**

Priority 22 Smoke-Free Housing

Description: Explore a prohibition on smoking in multifamily housing units.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	PBCE	Rachel Roberts	Kim Walesh	Santa Clara County, Public Health

Work being completed:

- ✓ San José was selected to receive \$70,000 (monetary and in-kind support) by the Santa Clara County Department of Public Health, “Healthy Cities Program: Tobacco-Free Communities Strategies” for staff resources, research, outreach, and the development of an implementation strategy with outreach materials to develop strategies to reduce smoking in Multifamily Housing.
- ✓ PBCE and Santa Clara County Public Health are incorporating the GARE racial equity toolkit for the assessment of policy options.

What’s next:

- Staff is currently developing policy objectives, a timeline, and scope of work for available funding in coordination with the County.

Project Status

STATUS: In Progress

PROJECT COMPLETION: 5%

EST. COMPLETION: July 2020

Priority 23 Spurring High Density Development Along Transit Corridors

Description: Development of an incentive plan to spur investment in high-density development within the General Plan land use designation "transit residential" by exploring a targeted decrease in the \$17/square foot Housing Impact Fee and other fees, to include looking at alternative payment schedules to the current up-front payment requirement.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	PBCE	TBD	Kim Walesh	TBD

Work being completed:

- ✓ Due to limited staff resources and staff focus on higher prioritized items, a work plan for this item has not been initiated.

What's next:

- TBD

Project Status

STATUS: Not Started PROJECT COMPLETION: 0%

EST. COMPLETION: TBD

Priority 24 Riparian Corridors and Bird Safe Design

Description: Develop a work plan to:

- Study the impacts of bird strikes in San José;
- Explore the implications of incorporating current voluntary bird-safe design measures as a City-wide requirement along riparian habitats, creek corridors and open spaces; and
- Evaluate if additional environmental review may be needed to implement a citywide program.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2017	PBCE	TBD	Kim Walesh	TBD

Work being completed:

- ✓ Due to limited staff resources and staff focus on higher prioritized items, a work plan for this item has not been initiated.

What's next:

- TBD

Project Status

STATUS: Not Started PROJECT COMPLETION: 0%

EST. COMPLETION: TBD

Priority 25 Downtown Active Storefronts Initiative

Description: Penalty fees for storefronts that been inactive over one year; allocation of all collected penalty fees toward an incentive program that assists property owners in activating their storefronts; exploration of new tools and recommendations that will require new development in the PBID to activate ground floor space or storefronts. To include citywide business districts or commercial areas.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	OED	Blage Zelalich	Kim Walesh	PBCE, CAO

Work being completed:

- ✓ Council approved staff's recommendation for a mandatory vacant storefront registration program and ordinance changes on May 1, 2018.

What's next:

- Complete.

Project Status

STATUS: ✓ COMPLETE PROJECT COMPLETION: 100%

Priority 26 San José Open for Business/Legal Non-Conforming Uses

Description: Clarify Title 20 to reduce the evidentiary burdens for businesses and property owners seeking to establish a longstanding, legal nonconforming use.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2015	PBCE	TBD	Kim Walesh	CAO

Work being completed:

- ✓ Due to limited staff resources and staff focus on higher prioritized items, a work plan for this item has not been initiated.

What's next:

- TBD

Project Status

STATUS: Not Started PROJECT COMPLETION: 0%

EST. COMPLETION: TBD

Priority 27 Medical Marijuana

Description: Explore whether to allow medical marijuana distributors, manufacturers, and testing labs to operate in San José, and if so, how many and where.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2016	Police	Wendy Sollazzi	Michelle McGurk	PBCE

Work being completed:

- ✓ The three State cannabis licensing authorities published emergency regulations in fall 2017 based on the new law for the commercial medicinal and adult-use cannabis industries. The implementation date for the issuance of commercial cannabis licenses was January 1, 2018.
- ✓ The State issued updated regulations beginning in summer 2018 with final regulations anticipated in Winter 2019.
- ✓ In response to Council direction, staff brought forward recommendations to the City Council at the January 15, 2019 Council meeting to allow cannabis manufacture, distribution and testing businesses to locate within San José and to establish land use, regulatory, and tax ordinance provisions for those business types.
- ✓ By accepting the staff recommendations and approving Mayor Sam Liccardo's January 15, 2019 memo, Council approved the resolution and ordinance amendments brought by staff.
- ✓ At the January 15, 2019 Council meeting, Councilmembers also requested additional updates from staff and made five referrals to the Council Prioritization Process through Yellow Lighted items.

What's next:

- This item is considered complete, although staff intend to follow-through on Council directives to provide additional information as well as follow-through on Green Lighted items.
- Five additional cannabis-related items were Yellow Lighted and referred to the next Council Prioritization Setting Session.

Project Status

STATUS: ✓ COMPLETE PROJECT COMPLETION: 100%

EST. COMPLETION: January 2019



Council Policy Prioritization: Policy Nomination Form

Council Member _____ District _____ Date ____ / ____ / 2019

Council Member Lead Staff _____ Lead Staff Ext. _____

Policy Subject _____ Department _____

Policy Problem Statement (What problem is being addressed?)

Policy Proposal (What policy change is needed to solve the problem?)

Expected Outcome (Expected impact policy change will have on city services, San Jose residents, businesses, etc.)

Budget Implications (if known)

City funding required Yes or No _____ Fund(s) Impacted (e.g. General Fund, C&C Tax Fund, etc.) _____

Return form to CMOAgendaServices@sanjoseca.gov
Questions: Gloria Schmanek 408.535.8104

Attachment C: Council Policy Priorities – Priorities Completed Since 2011

# of Policies	Policy/Ordinance Name	Completion Year
1	Update the City's Rental Rights and Referrals Program	2018
2	Downtown Active Storefronts Initiative	2018
3	Massage Parlor Regulation	2016
4	Illegal Fireworks Ordinance	2016
5	Gender Pay Equity	2016
6	Surplus Land Sale	2016
7	Wage Theft, Parts A, B, & C	2016
8	Riparian Corridor & Bird-Safe Buildings	2016
9	Peddler Permits Enforcement/Outdoor Mobile Vendor Policy	2016
10	Special Events Ordinance	2014
11	Medical Marijuana Regulatory Program	2014
12	Utilizing Hotels to House the Homeless	2014
13	Reducing the Cost of Home Improvement	2014
14	Employment Development Streamlining	2013
15	Landscape Ordinance (Water Efficient)	2013
16	Medical Marijuana Collectives - Remedies for Nonpayment of City Fees or Taxes	2013
17	Mobile Vending	2013
18	Regulation of Unattended Donation Boxes	2013
19	Transportation Innovations to Support High Density Development	2013
20	Tree Removal Ordinance	2013
21	Zoning Standards- Main Street/Alum Rock	2013
22	Urban Village Zoning District	2013
23	Two-year Extension of the Construction Tax Incentive Program	2013
24	Access to Healthy Food/Streamline Permit Process for Recurring Farmers Markets on Private Property	2012
25	Amendments to Title 16 for Gaming Control Licensing and Work Permits	2012
26	Contractor Employee Benefits	2012
27	Mills Act Contract Ordinance Streamlining	2012
28	Off-Sale of Alcohol Process Streamlining	2012
29	Payday Lending	2012
30	Sign Code Major Update	2012
31	Sign Ordinance	2012
32	Smoking in Outdoor Areas	2012
33	Social Host Ordinance	2012
34	Taxicab Vehicle Operation Ordinance Amendment	2012
35	Bail Bonds Ordinance Analysis	2011
36	Development Agreement Ordinance	2011
37	San Jose Municipal Water System	2011
38	Sign Code Update - 3-year pilot program for electronic/digital signs	2011
39	Lobbyist Ordinance Amendment-Communications with Lobbyists	2011
40	Plug-in Requirements for Parking Garages	2011

Attachment D - Council Policy Prioritization Process

Items Green Lighted at Rules and Open Government Committee November 2017 through December 2018

- **Proposed Change to Fence Variance Findings** (November 15, 2017)
Consideration of a change to section 17.24.130 of the Municipal Code, which sets out the findings for approval of a fence variance, that alter the language of finding A.1 such that it would no longer require that a situation be unique for a fence variance to be approved.
- **Retirement Services Staff** (February 7, 2018)
Development of a plan to offer future Retirement Services employees who are ineligible to participate in the City's Federated Retirement Plan under City Charter Section 1101(a)(12), a defined benefit plan through CALPERS, identical to or similar the plan in which the Mayor and City Council participate.
- **Permanent Installation of Sonic Runway** (March 14, 2018)
Exploration of long-term or permanent installation of Sonic Runway at City Hall Plaza and direct the Office of Cultural Affairs to engage the artists and explore the costs and feasibility of keeping Sonic Runway at City Hall Plaza.
- **Costa Hawkins in the City's 2018 Legislative Priorities** (March 28, 2018)
Revise the Legislative Priorities approved by the Council at the January 30, 2018 meeting to include the language on Costa-Hawkins originally proposed by staff, which read as follows: Strengthen rent stabilization, including the repeal of Costa-Hawkins.
- **Update to the Sidewalks and Curb Ramps Financial Hardship Assistance Program** (April 18, 2018)
Evaluate the Sidewalks and Curb Ramps Financial Hardship Assistance policy including budgetary and programmatic impacts and return to City Council with recommendations for consideration including adjusting the income level requirement to allow a reasonable number of Low Income and Very Low Income households to be eligible.
- **Memorandum of Understanding Between the City of San Jose and Union Pacific** (May 9, 2018)
Work with Union Pacific to implement the objectives of the initiatives articulated in the attached letter to Union Pacific Railroad Corporation.
- **Outdoor Special Events on Private Property** (May 30, 2018)
Allow an alternate security ratio for outdoor public events on private property with music, such as the Taylor Street Night Market, that would be lower than the current ratio prescribed in the Public Entertainment Permit. An alternate private security ratio of 1:200 or 1:250 patrons should be considered. Events able to utilize an alternate security ratio would be ones that meet certain criteria.
- **The Haven Use Conversion** (June 13, 2018)
Explore the following options and execute an agreement with the Santa Clara County Office of Supportive Housing to convert the Haven from an emergency living facility to transitional housing.

Attachment D - Council Policy Prioritization Process

- **Extending Standard Hours of Construction** (August 8, 2018)
Ordinance revisions modifying Section 20.100.450 of Chapter 20.100 of Title 20 of the San Jose Municipal Code, governing Construction Work Hours by adding standard hours of construction on Saturdays from 9:00 AM - 6:00 PM.
- **Measure C (Charter Amendment to Limit Urban Sprawl and the Fiscal and Environmental Effects of Specified Development in Outlying Areas) Follow-Up** (August 15, 2018)
Report to the City Council that describes the effect of the new land use rules imposed by Measure C.
- **Berryessa Urban Village** (October 24, 2018)
 1. Explore expanding the boundaries of the Berryessa Urban Village and reconsidering land use designations to better capture additional opportunities for employment-particularly for office and research & development along Mabury and Berryessa Roads.
 2. Study ways to preserve the remaining industrial properties that may be included within the Urban Village, while allowing additional commercial capacity.
- **Mobile Vendor Policy Update** (December 5, 2018)
 1. Review and update as needed our Mobile Vendor Policies in accordance to California Senate Bill 946 (SB 946).
 2. Review the City of Los Angeles' new sidewalk vendor policy and explore whether any of its elements could potentially enhance San José's existing policies.
 3. Report back to City Council with an update and recommendations for consideration.