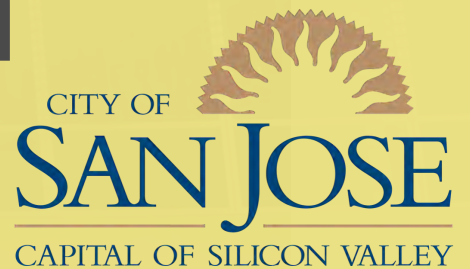


JANUARY 2020

PROGRESS REPORT

2019-2020 Council Prioritization List



BY THE NUMBERS:

JANUARY 2020

SINCE 2019

16 Priorities Completed

ITEMS ADDED

6 New Priorities in Last Priority Setting

COMPLETION RATE

246% Increase from October 2017-March 2019

BY AUGUST 2020

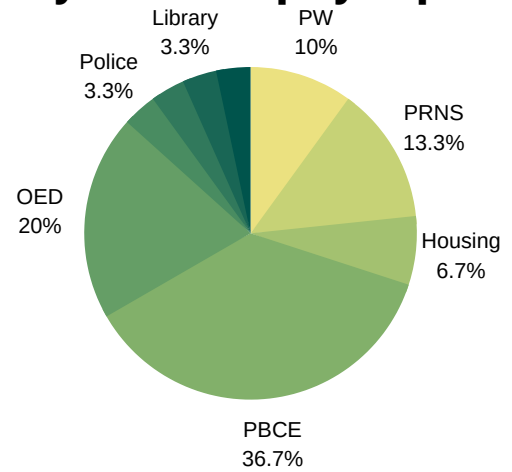
60% Priorities will be Completed

PROGRESS REPORT

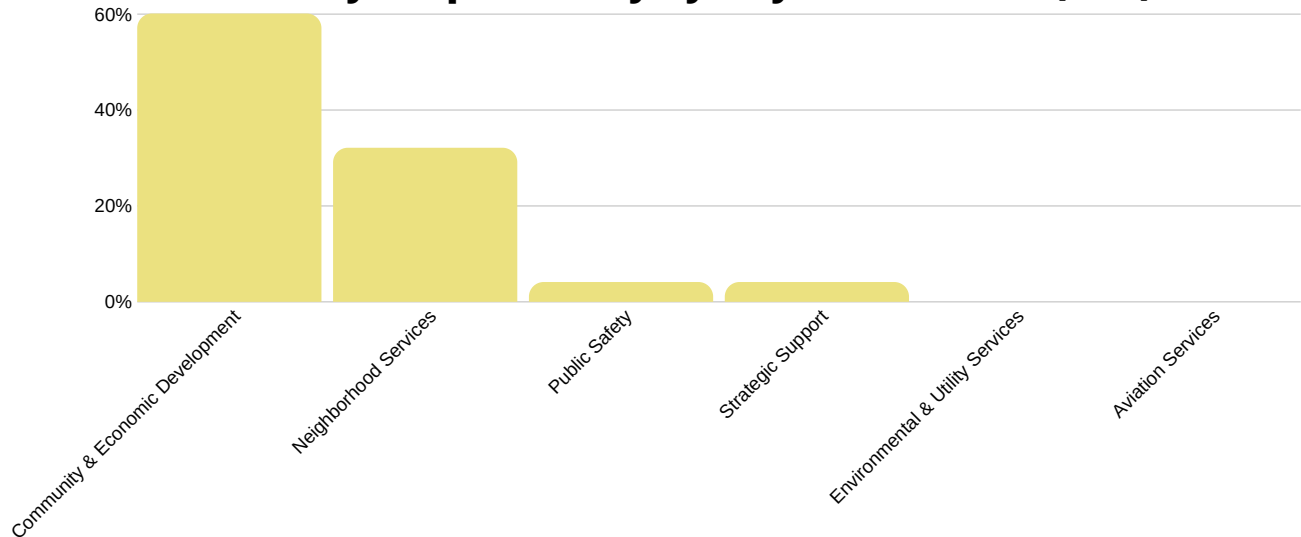
CITY SERVICE AREA CAPACITY

Priority Leadership by Department

The Administration has been monitoring the ongoing workflows of City departments with each priority added. 60% of all priorities fall within the Community & Economic Development city service area. This area includes the Office of Economic Development (OED) and the Department of Building, Planning, and Code Enforcement (PBCE) which is currently the lead for 36.7% of all priorities.



Priority Responsibility by City Service Area (CSA)



Background

Since 2011, the San José City Council has participated in Council Policy Priority Setting 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 2019-2020 Council Policy Priority List current policy priority list were approved in March 2019, when the Council removed five priorities from the list and added six new items.

Seven items of the 25 items on the list have been completed and are being recommended to Council for removal from the list, and an eighth is scheduled for Council action prior to the February 25, 2020 Council Policy Priority Setting Session.

These items are:

- #3 Disadvantaged Business Enterprises
- #7 Accessory Dwelling Units and Garage Conversion Ordinance
- #10 Safe Parking Program
- #15 Family-Friendly City—Paid Family Leave
- #18 Sanctioned Encampments
- #22 Develop Innovative Strategies to Hire Crossing Guards
- #24 Food & Clothing Distribution at City Parks
- #25 Private Property Graffiti Abatement Ordinance (Pending Council Action)

Based on this progress report, the Administration projects that an additional eight items are on track to be completed by the end of fiscal year 2019-2020. This would result in a total of 16 of the 25 items on the list being completed since the last Council Policy Priority Setting session, which would represent a 64 percent completion rate. This is a 246 percent improvement from October 2017-March 2019 when five out of 27 items were completed (or 18.5 percent).

In the 2019-2020 Adopted Operating Budget, Council approved the allocation of \$350,000 for implementation of Council Policy Priorities, with \$150,000 to advance policy work in Planning, Building, and Code Enforcement and \$200,000 to the City Manager's Office to support policy development work.

The Administration has made significant progress in the first six months of 2019-2020. These improvements are the direct result of the adding targeted resources, creating a City Manager's Office-led effort to help guide policy work, and focusing on accountability and completion.

The following report is organized in order of priority as ranked by the City Council and provides project coordination and development details for all 25 items. The Administration will make every attempt to complete as many priorities as possible before the end of the fiscal year.

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

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

CURRENT COUNCIL POLICY PRIORITY LIST

Priority Number	Policy/Ordinance Name	Lead Department	Project Status
1	Local Hiring/Local Business/Apprentice Utilization Program	Public Works	In Progress
2	Mobile Home Conversions	PBCE	In Progress
3	Disadvantaged Business Enterprises	Public Works	Complete
4	Electronic Billboards	PBCE/OED	In Progress
5	Downtown and/or Citywide Parks Operations and Maintenance Financing District	PRNS	In Progress
6	Development of a Soft-Story Retrofit Program	PBCE	In Progress
7	Accessory Dwelling Units & Garage Conversion Ordinance	PBCE	Complete
8	North San José Policy Review	PBCE/OED	In Progress
9	Commercial Linkage Fee for Affordable Housing	CMO/OED	In Progress
10	Safe Parking Program	PBCE	Complete
11	Review of Cannabis Land Use and Regulatory Provisions	PBCE	June 2020
12	Universal Development Fee (Combined with #21)	OED	In Progress
13	Cannabis: Equity Applicant Program	OED	June 2020
14	Childcare & Early Education	Library/PRNS	In Progress
15	Family Friendly City- Paid Family Leave	OER	Complete
16	Update the Council's Wage Theft Prevention Policy	Public Works	In Progress
17	Anti-Displacement Preference Ordinance	Housing	In Progress
18	Sanctioned Encampments	Housing	Complete
19	Update Urban Design Guidelines	PBCE	In Progress
20	Downtown Zoning Code Update	PBCE	In Progress
21	Impact Fee Deferred Payment Program for Housing	PBCE/OED	See #12
22	Develop Innovative Strategies to Hire Crossing Guards	Police	Complete
23	Smoke-Free Housing	PBCE	In Progress
24	Food and Clothing Distribution at City Parks	PRNS	Complete
25	Private Property Graffiti Abatement Ordinance	PRNS	In Progress

Priority 1 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 Welsh	CAO, OED

Work being completed:

- ✓ At the October 16, 2018 Council Meeting, the City Manager and City Attorney were directed to negotiate and execute a Project Labor Agreement with the Building Trade Council. This agreement was executed on March 28, 2019.
- ✓ An update on the Labor Market Study was provided to the Community and Economic Development Committee on January 28, 2019.
- ✓ Keen Independent Research provided a peer review of the Craft Labor Market Study.
- ✓ PW is developing a scope of work for Keen Independent Research to develop Local Hire policy options.

What's next:

- Project Labor Agreements: City staff are being trained on the details and requirements with the assistance of the Santa Clara and San Benito Building Trades Council.
- Labor Market Study: Staff will return to the Community and Economic Development Committee in Spring 2020 with the final report assessing the current and forecasted demand and supply for construction workers for public review and recommendations.
- Contract Extension for Keen Independent Research: Keen Independent Research is developing potential Local Hire Programs that apply recent changes to the City, including Public Works Contracting Program, Project Labor Agreements, and Measure S updates for Council discussion and approval.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [90%](#)

EST. COMPLETION: [December 2020](#)

Priority 2 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 Welsh	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.
- ✓ PBCE hosted two community meetings (August 8, 2019 and September 3, 2019) for the Westwinds Mobilehome Park and one community meeting (September 5, 2019) for the Mountain Springs Mobilehome Park to provide information and receive input on the proposed City-initiated General Plan land use amendments.

What’s next:

- General Plan amendments are anticipated to be brought to the Planning Commission and City Council for consideration in Winter 2020.

Project Status

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

LAND USE DESIGNATION STATUS: In Progress PROJECT COMPLETION: 10%

EST. LAND USE DESIGNATION CHANGES COMPLETION: Winter 2020

√ COMPLETE

Priority 3 Disadvantaged Business Enterprises

Description: Explore expanding existing Disadvantaged Business Enterprises program beyond the 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 included 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, analyzed and developed program options and recommendations to expand contract opportunities. The consultants analyzed each potential program for feasibility, legal considerations, staffing, and resource considerations.
- ✓ Public Works created the Public Works Academy. The Academy consists of Opportunity Awareness Events scheduled at five 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 notified 2500+ contractors via USPS, 1200+ contractors through e-mail, and released an RFI on Bidsync.
- ✓ [Council approved Public Works Contracting Program on October 8, 2019.](#)

What's next:

- An update was provided to the Community and Economic Development Committee in September 2019, with staff presenting a final report and recommendations related to increasing small and local business participation in City-related procurements.
- Staff also requested approval at the September Community and Economic Development Committee to complete the actions referred to the City Manager in Council Priority #3, resulting in the item being removed from the priority list at the next priority-setting session.
- Public Works Contracting Program (as approved by Council) continues to outreach and engage the contracting community. Two (2) Opportunity Awareness Events are scheduled for April 2020 with a Public Works Academy scheduled for June 2020.

Project Status

STATUS: √ COMPLETE

PROJECT COMPLETION: 100%

Priority 4 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.
- ✓ Policy development is complete for Phase 1. OED staff have been working to develop an RFP for large format signage/billboards on City-owned sites. An update on the general parameters of the RFP was given to City Council on August 6, 2019 and the RFP was released in mid-August. Staff will work toward having the installation of any new signs occur in the Spring or Summer of 2020. The RFP and sign installation is considered part of policy implementation.
- ✓ Phase 2 of this priority involves policy development that allows electronic billboards on non-City-owned sites. Staff is currently working with an environmental consultant for Phase 2. Staff projects finishing the EIR for Phase 2 and bringing the completed work product before the Council in late Spring/early Summer 2020. Upon completing the policy development for Phase 2, Staff will recommend that this policy be considered complete

What's next:

- Staff will compile an inventory of potential non-City owned sites by Spring 2020.
- Staff will provide the CED Committee with an update in early 2020.
- Staff plans to bring the completed work product for Phase 2 to Council in late Spring/early Summer 2020

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [65%](#)

PHASE 2 EST. COMPLETION: [Spring 2020](#)

Priority 5 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	Avi Yotam	Angel Rios, Jr.	CAO, PBCE

Work being completed:

- ✓ On October 10, 2019, staff provided the Neighborhood Services and Education Committee with a verbal report on funding feasibility for parks, [including an update on Council Policy Priority #5](#).
- ✓ On December 10, 2019, the City Council accepted *ActivateSJ*, the [department's 20-year strategic operations plan](#), and [directed staff to return to Council with priority actions from the plan that staff can achieve under three funding scenarios](#). Priority actions are to focus on addressing the desire of residents for clean, safe, and accessible parks, trails, and facilities, particularly in communities of high need, and funding scenarios should include:
 - Current funding
 - A moderate increase in funding, in the range of \$5 million to \$10 million per year
 - A substantial increase in funding, such as \$50 million.
- ✓ In late fall 2019, polling was conducted to test the viability of potential mechanisms for sustainably funding parks operations and maintenance. The Administration has provided the Council an Information Memorandum with the polling results, and will return to Council in Spring 2020 with recommendations regarding placing potential revenue measures on the ballot for November 2020.
- ✓ PRNS, in coordination with the City Manager's Office, continues to implement outreach to educate the community on the important services that PRNS provides as well as gaps in services, in the context of *ActivateSJ*.

What's next:

- The Administration will return to Council in Spring 2020 with recommendations regarding placing potential revenue measures on the ballot for November 2020.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [80%](#)

PHASE 2 EST. COMPLETION: [Ballot Measure November 2020](#)

Priority 6 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 on July 2, 2018 to the California Office of Emergency Services Hazard Mitigation Program for \$4.6 million to implement a soft story rebate program. The State has not yet notified award winners. However, the City of San José was informed that its application is among the projects forwarded to FEMA for funding.
- ✓ Staff provided an [update](#) on the development of the program and the status of grant funding to the community and Economic Development Committee on April 22, 2019
- ✓ This work is dependent upon award of the FEMA Hazard Mitigation Program Grant and staff has not yet received final word on the grant award.

What's next:

- Staff is finalizing the RFP for consultant services. This RFP seeks experts from engineering firms who have worked on similar local government projects in the region.
- Staff will wait for grant approval prior to issuing the RFP and starting application process.
- Staff is exploring other options to keep this work moving forward.

Project Status

STATUS: [In Progress](#) PROJECT COMPLETION: [45%](#)

EST. COMPLETION: [Summer 2020*](#)

*Completion of this priority is grant dependent.

√ COMPLETE

Priority 7 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
- ✓ An urgency ordinance change was approved by Council on December 17, 2019, and went into effect that same day. The ordinance addressed changes to state law on ADUs and is intended to further facilitate the construction of ADUs and legalization of pre-built ADUs, (either through the tradition code compliance path or the new amnesty program). The ordinance made the following changes:
 - Junior ADUs allowed
 - Minimum lot size eliminated

Priority 7 Cont.

- Backyard coverage rule is eased
 - Attached ADU size eased to 50% of primary home area or 800 SF, whichever is greater
 - ADUs allowed on more types of Zoning Districts, including duplex and multifamily lots
 - Larger ADUs allowed with up to 2 bedrooms
 - Replacement parking for garage/carport conversions no longer required
 - Rules for ADUs on historic properties eased
 - ADUs owned by qualified nonprofit corporation can be sold separately from primary unit
 - ADU rental term no less than 30 days
- ✓ Staff brought to Council a framework for an amnesty program on January 7, 2020. Council voted to accept staff recommendation and directed staff to include the following elements in an ADU amnesty program:
- Waive the business tax for property owners who meet the criteria for a Financial Hardship Exemption;
 - Waive permit fees and impact fees for property owners who meet the same criteria as the business tax Financial Hardship Exemption
 - Utilize third-party inspectors to conduct ADU inspections, plan check, customer assistance, and consultations without risk of enforcement unless an imminent threat to health and safety is found
 - Direct staff to return to Council to propose a funding reserve for the program through the budget process
- ✓ PBCE staff worked with our Development Service Partners to streamline the permitting process for ADUs including customer materials, over-the-counter service, creation of a dedicated “ADU Ally” position, creation of a pre-approved plan program; implementing “ADU Tuesdays” with dedicated ADU service in the permit center every Tuesday
- ✓ Policy work has been completed; project is in implementation phase.
- ✓

What’s next:

- Per Council direction on 1/7/20, staff will return to Council to propose a funding reserve for the Amnesty program through the budget process
- Per Council memo (6/21), staff to present quarterly updates on ADU process improvements to AD-HOC Committee for Housing Construction and Development Services.

Project Status

STATUS: ✓ COMPLETE

PROJECT COMPLETION: 100%

Priority 8 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 were completed and 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 the Community and Economic Development Committee 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.
- ✓ Staff returned to City Council on May 14, 2019 to present a phased consolidation plan to advance 8,000 units of housing capacity earlier.
- ✓ [Staff provided City Council with an update on status report](#) on the proposed amendments to the North San José Area Development Policy

What's next:

- Staff will be returning with additional follow up items in Spring 2020.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [90%](#)

EST. COMPLETION: [December 2020](#)

Priority 9 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	CMO	Peter Hamilton	Lee Wilcox	CAO, PBCE, OED, Housing

Work being completed:

- ✓ Keyser Marston Associates was selected as the consultant to prepare the nexus and feasibility studies of a potential Commercial Linkage Fee.
- ✓ In Fall 2019, staff and the consultant conducted initial outreach on the scope of the studies through focus groups that included both housing advocates and business groups and through a public meeting.
- ✓ Staff [provided an update](#) on this project to the Community and Economic Development Committee at its November 18, 2019 Meeting.
- ✓ The consultant has provided the City with a draft Nexus Study which is currently under review and is in the process of completing the Feasibility Study.

What's next:

- Staff will complete review of the draft nexus study and begin review of the feasibility study, once received from the consultant.
- Staff will conduct a second round of community outreach on the draft studies.

Project Status

STATUS: [In Progress](#) PROJECT COMPLETION: [60%](#)

EST. COMPLETION: April 2020

√ COMPLETE

Priority 10 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 Pilot Program was 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 operated in an overflow parking area in the Seven Trees Community Center located at 3590 Cas Drive in San José.
- ✓ The ordinance and environmental clearance was heard by the Planning Commission on January 30, 2019 and by the Council on February 26, 2019.
- ✓ The City-operated program is operated in partnership with LifeMoves at Roosevelt Community Center and Southside Community Center.
- ✓ The second is an ordinance that allows businesses and non-profits to establish Safe Parking Areas in their parking lots. Any organization interested in creating a Safe Parking Area should contact the City’s Housing Department. The process for getting started includes a simple and FREE registration and inspection of the proposed parking lot.
- ✓ [Council was updated on September 10, 2019.](#)

What’s next:

- The Administration recommends that the Council close this priority.

Project Status

STATUS: √ COMPLETE

PROJECT COMPLETION: 100%

Priority 11 Review of Cannabis Land Use and Regulatory Provisions

Description: Conduct an evaluation of land use and regulatory provisions that pertain to the cannabis industry, including an assessment of whether and how registration should be opened to new applicants, where retail dispensaries should be located, how many dispensaries is the right number for a city the size of San José, and other related issues.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2019	PBCE/Police	PBCE: Martina Davis Police: Wendy Sollazzi	Michelle McGurk	CAO, CMO,

Work being completed:

- ✓ Conducted research on cannabis regulation in other cities.
- ✓ Developed draft regulatory proposal that would expand the number of registrations available to retail storefront cannabis dispensaries and delivery-only businesses.
- ✓ Conducted GIS analysis of where cannabis businesses would be allowed to locate under draft proposal.
- ✓ Began outreach to current cannabis registrants on draft proposal.

What's next:

- ✓ An update will be provided on this Council Priority at the February 24, 2020 Community and Economic Development Committee meeting.
- ✓ Staff is conducting public outreach to residents, including an online survey and public meetings and further refine draft regulatory proposal, as well as outreach to potential equity applicants and business groups.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [40%](#)

EST. COMPLETION: [June 2020](#)

Priorities 12/21 Universal Development Fee Impact Fee Deferred Payment Program for housing (Responding to the Housing Crisis)

Description: Explore creating a universal development fee and structure for residential development that contains all current development tax and impacts fees. The goal is to provide developers and the public with a transparent view as to how fees are calculated so it is easier to estimate and understand fees. An additional possibility may be to create a single point of contact within the organization that builders can go to obtain fee estimates from various departments. 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
2019	OED	Chris Burton	Kim Walesh Angel Rios, Jr. Jim Ortbal	CAO, CMO, PBCE, PRNS, Housing

Work being completed:

- ✓ Staff continues to develop a workplan and policy approach for this new Council Priority. The work builds on prior Cost of Development research brought to Council in 2017 and 2018.
- ✓ On June 24, 2019, the Community and Economic Development Committee accepted a report that provided an update on Council Priority #21 (Impact Fee Deferred Payment Program for Housing). Council Priority #12 is closely linked to Council Priority #21, and this report included information regarding the workplan for both priorities.
- ✓ Staff has reviewed various development fees and determined that the following fees would be included in the assessment of a Universal Development Fee:
 - Park Impact In-Lieu Fee (Park Impact Ordinance/Park Dedication Ordinance)
 - Traffic Impact Fees, which are adopted by Transportation Development Policy Areas
- ✓ The Office of Economic Development and Department of Parks, Recreation and Neighborhood Services were, prior to adoption of Council Priority #12, in the process of developing procurements for consultant services to update the Park Impact Ordinance/Park Dedication Ordinance fee schedule and approach. This update will inform the work around a Universal Development Fee.
- ✓ On November 6, 2019, staff brought forward progress reports on both Council Priorities #12 and #21 as part of the Cost of Development report.

Priorities 12/21 Cont.

What's next:

- Based on Council direction, staff is developing a community outreach plan to ensure that stakeholders are engaged in the process of aligning the different fee requirements. Staff intends to bring the proposed Development Fee Framework (incorporating both priorities) in Summer 2020.
- OED will provide progress report to Community and Economic Development Committee scheduled for March 23, 2020.

Project Status

STATUS: In Progress PROJECT COMPLETION: 5%

EST. COMPLETION: June 2020

Priority 13 Cannabis: Equity Application Program

Description: Create a Cannabis Equity Program, which would facilitate the inclusion and support of individuals and communities in the cannabis industry who are from populations that were negatively or disproportionately impacted by cannabis criminalization.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2019	OED	Chris Burton	Jennifer Maguire	CAO, CMO, PD

Work being completed:

- ✓ On March 26, 2019, the City Council approved an ordinance adding definitions and setting forth criteria for a Cannabis Equity Assistance Program. Staff is in the process of completing a more robust cannabis equity assessment and may recommend additional updates to the ordinance based on this assessment.
- ✓ On October 9, 2019, the Bureau of Cannabis Control notified the City Manager that the City had been approved to receive SB1294 funding in the amount of \$560,082.30. The grant will fund work to assist equity employees from accessing job opportunities in the cannabis industry (job fairs, workshops, etc.) and technical assistance and direct assistance to potential equity entrepreneurs (currently only open in manufacturing, testing, and distribution, pending action on Priority #11).
- ✓ CMO and Police Department staff continue to collaborate with the San José Cannabis Equity Working Group and stakeholders to better understand their goals for program implementation.
- ✓ Currently, the areas of cannabis registration open to new businesses are manufacturing, testing, and distribution. OED is working to update an existing manufacturing-assistance contract to provide additional assistance to cannabis equity applicants interested in opening a cannabis manufacturing, testing, or distribution business in San José.

Priority 13 Cont.

What's next:

- On February 4, the Council will consider authorizing the City Manager to enter into a contract with the State for Local Equity Grant Funding and will consider the work plan for implementation of the Cannabis Equity Assistance Program. On February 24, staff will provide a status update to the Community and Economic Development Committee.
- The Governor's Office of Business and Economic Development has notified the Administration of potential additional funding opportunities. Staff anticipates applying for additional State funding to develop a more robust program.
- Cannabis Equity is being incorporated into the work plan for Council Priority #11 (Cannabis Land Use) as well. When Priority #11 is completed and Council considers program expansion and/or reopening registration to new businesses, a more robust plan for cannabis equity program implementation will be implemented.

Project Status

STATUS: In Progress PROJECT COMPLETION: 50%

EST. COMPLETION: June 2020

Priority 14 Childcare & Early Education

Description: Evaluate underutilized City facilities that can be used for licensed child care purposes as well as find ways to encourage new development to include space for child care purposes.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2019	Library	Jill Bourne	Angel Rios, Jr.	CAO, CMO, PW, OED, PBCE

Work being completed:

- Research conducted regarding the need and priority placement of childcare facilities, as well as funding opportunities, options for how the City could proceed:
 - Childcare seat availability and need (ie. gap) by zip code and district
 - State funding opportunity as defined by Governor’s budget
 - Best practices in promoting childcare in cities
 - Internal policies and procedures that may be amended to encourage/increase childcare facilities
- Facility assessment of both City-owned and non-City-owned buildings for possible addition of licensed childcare/preschool is underway:
 - Formal assessment of 13 PRNS-operated facilities initiated by PW.
 - Discussions with SCCOE regarding additional sites at school district properties.
 - Identification of Library sites to include in assessment.
 - Existing developments in the City’s affordable housing portfolio were assessed and none were found to be appropriate for adding childcare.
 - Current affordable housing projects in development were assessed and one is adding child care slots. Tamien Station project is anticipated for completion in 2023.
 - Projects funded by the 2018 NOFA were assessed and one, Alum Rock Family Housing, was determined potentially appropriate for adding childcare.

Priority 14 Cont.

- Policies and procedural opportunities for increasing childcare facilities in the city have been updated.
- Associated efforts to increase childcare options include development of the qualified workforce and support for childcare business development/ownership:
 - Need for improved marketing, web presence, tools, and outreach to potential childcare provider network (in multiple languages) was identified.
 - Childcare workforce development environmental scan completed to identify priorities for new training and support program.

What's next:

- Research regarding the need and priority placement of childcare facilities, as well as funding opportunities, options for how the City could proceed:
 - Additional funding options for capital and operations of ECE facilities and services.
- Facility assessment of both City-owned and non-City-owned buildings for possible addition of licensed childcare/preschool will continue:
 - Formal assessment of 13 PRNS-operated facilities will be completed by PW by 3/31/2020.
 - Assessment of possible additional sites at school districts and libraries will be conducted.
- Policies and procedural opportunities for increasing childcare facilities in the city have been identified:
 - City Council Policy 6-14 Guidelines for Child Care to be updated.
 - Possible development incentives will need to be considered further and developed.
 - Affordable housing – NOFA is anticipated for release in April 2020.
 - Urban Village Amenity program – the City's former process was invalidated by recent AB 3914; a new program may be developed to include such items as childcare/ECE that complies with the new law.
 - New Zoning Districts – inclusion of childcare-readiness specifications will be explored for inclusion.
 - Permitting - an update will go to Council for adoption in Spring 2020 to change childcare requirement from a conditional use permit to special use permit, reducing costs by \$6,000.
 - Private Recreation Credits – Amendment of the Private Recreation Credit resolution is anticipated by Summer 2020.
 - OED will report on City-process barriers to ECE siting and opening by discussing with existing providers and developers by March 2020.
- Associated efforts to increase childcare options include development of the qualified workforce and support for childcare business development/ownership:

Priority 14 Cont.

- OED will create a marketing initiative for developers to include ECE in plans or for existing ground floor retail vacancies. OED will develop marketing deck and blogpost on the advantages and considerations of including childcare facility in mixed use residential development.
- OED/Work2Future will report on their activities related to development of qualified childcare workforce by February 2020.
- Library will continue convene stakeholders to develop multi-year strategy that addresses workforce development needs and other support services for childcare providers.

Project Status

STATUS: In Progress

PROJECT COMPLETION: 33%

EST. COMPLETION: June 2020

√ COMPLETE

Priority 15 Family Friendly City – Paid Family Leave

Description: Review and bring back measures to clarify and expand Long-term Disability (LTD) insurance to provide at least six weeks of Paid Family Leave at 100% of salary for the birth, adoption or foster placement of a child, or child-parent bonding regardless of the gender, marital status, or sexual orientation of the parent.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
2019	OER	Jennifer Schembri	Jennifer Maguire	CAO, CMO

Work being completed:

- ✓ OER is researching various options that would meet the intent of this priority, including researching the State of California’s LTD insurance, as well as a local voluntary benefit.
- ✓ The Office of Employee Relations took this item to the Council in closed session. The item was referred to the City’s meet-and-confer process with its bargaining units.

What’s next:

- The Administration is recommending this priority be considered closed by the Council.

Project Status

STATUS: √ COMPLETE

PROJECT COMPLETION: 100%

Priority 16 Update the Council’s Wage Theft Prevention Policy

Description: Explore opportunities to amend and expand the City’s Wage Theft Prevention Policy (City Council Policy 0-44). Research should include expanding the current policy to public works contracts as well as exploring a responsible construction ordinance and potential penalties for private construction projects that receive City incentives and commit wage theft violations on those projects.

Prioritization Year	Lead Department	Lead Staff	CMO Lead	Supporting Departments
March 5, 2019	PW	Christopher Hickey	Lee Wilcox	CAO, CMO

Work being completed:

- ✓ Staff developed a work plan for this priority that included scoping research issues related to state and federal enforcement agencies and the governmental structures regulating wage theft.
- ✓ Public Works and CMO staff conducted meetings with key stakeholder groups.
- ✓ Staff requested data from various entities to better understand the local and state context of wage theft as well as the organizational impact of expanding the current policy.
- ✓ Staff analyzed the 2018 Good Jobs First report as directed by City Council.
- ✓ Staff continues to research the legal constraints of a responsible construction ordinance.
- ✓ Staff is pursuing an MOU with the State Division of Labor Standards Enforcement to gain ongoing access to state data.
- ✓ Staff is researching the Department of Labor Standards dataset to determine if it can be used as a reliable tool to access final decisions from the DOL.

What’s next:

- Staff will continue meeting with key stakeholders, including state agencies to define various policy alternatives and their impacts.
- Staff will present policy research updates to Council in February 2020, including an analysis of current and potential changes to the Wage Theft Prevention Policy.

Project Status

STATUS: **In Progress**

PROJECT COMPLETION: **50%**

EST. COMPLETION: **June 2020**

Priority 17 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	CAO

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 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. Additionally, staff obtained input from the Housing and Community Development Commission twice in 2019 on draft elements of the anti-displacement tenant preference.
- ✓ Housing and CAO staff drafted the ordinance and revised its statistical racial analysis for different geographies, per guidance in fall 2019 from the State’s Department of Housing and Community Development (State HCD).
- ✓ Housing staff worked with the CAO to include tenant preference language in loan documents for two affordable housing developments that recently closed construction financing: Quetzal Gardens and Leigh Avenue Seniors. This language is also necessary for future implementation of the preference for those developments.

Priority 17 Cont.

What's next:

- Staff hopes to bring the draft anti-displacement tenant preference ordinance to the City Council by mid-2020.
- Staff is resubmitting its draft ordinance, program description, and analysis for State HCD's review so the preference can be used with State-funded affordable housing developments.
- Staff will receive guidance from State HCD on how the State will consider fair housing with regards to future land use decisions in early 2020 and will ensure the tenant preference comports with this guidance.
- Housing staff is determining implementation plans regarding inclusion of household racial data in its on-line rent rolls with its STIR project consultant, and in the future rollout of its renter portal and on-line pre-applications for affordable apartments – both of which are necessary to operate and analyze impacts of tenant preference programs.
- Housing staff and the City Attorney's Office are working to establish legal support through legislation and State policy proclamation that will support this preference's use in developments funded with federal tax credits and tax-exempt bond financing.
- Once the State approves the preference, stakeholders are again given the opportunity to comment on the draft, and CAO agrees, staff will bring the ordinance to the City Council for consideration.
- Work on two other potential tenant preferences is on hold given higher policy priorities and staffing constraints.

Project Status

STATUS: In Progress PROJECT COMPLETION: 75%

EST. COMPLETION: Mid 2020

√ COMPLETE

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	Lee Wilcox	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.
- ✓ Staff also completed the CEQA analysis, the prototype, 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)
- ✓ Council closed item

What's next:

- The Administration considers this item complete and will recommend Council remove it from the Council Priority List

Project Status

STATUS: √ COMPLETE

PROJECT COMPLETION: 100 %

Priority 19 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: Time Road Berryessa Guidelines: Charla Gomez	Kim Walesh	

Work being completed:

Downtown Design Guidelines:

- ✓ The Downtown Design Guidelines were approved by City Council on April 23, 2019 and amended on May 21, 2019.

Citywide Design Guidelines:

- ✓ 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.
- ✓ City staff added Industrial Design Guidelines to the scope of Work in 2019.
- ✓ The consultant team has analyzed existing guidelines and sample projects.
- ✓ The first Community Workshop was held in Fall 2019.
- ✓ Administrative draft was distributed to all City staff for review in Fall 2019. Public review of draft guidelines Winter 2020.
- ✓ City staff presented update to Community and Economic Development Committee in October 2019

Berryessa BART Urban Village:

- ✓ The Berryessa BART Urban Village (BBUV) area plan will include an urban design chapter that references the Citywide Design Guidelines where applicable. However, the chapter will contain most of the development standards and guidelines applicable to projects within the urban village boundary including the Flea Market Southside rezoning application (currently under review).
- ✓ The BBUV planning process initiated in Fall 2018 and it is projected to be complete by Fall 2020.
- ✓ Staff hosted two of the three planned Community Workshops in 2018, and 2019. The third and final Workshop (Open House) is planned for Spring/Summer 2020.
- ✓ Planning Commission and City Council hearings for the BBUV plan as expected to take place in Summer/Fall 2020.

Priority 19 Cont.

What's next:

- Going to City Council June 2020.
- Third Community Workshop (Open House), Spring/Summer 2020
- Planning Commission and City Council hearings, Summer/Fall 2020.

Project Status

STATUS: In Progress DOWNTOWN PROJECT COMPLETION: √ COMPLETE

CITYWIDE PROJECT COMPLETION: 65% CITYWIDE EST. COMPLETION: Spring 2020

BERRYESSA BART URBAN VILLAGE PROJECT COMPLETION: 75%

BERRYESSA EST. COMPLETION: Summer/ Fall 2020

Priority 20 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	Michael Brilliot	Kim Welsh	CAO

Work being completed:

Parking Requirements

- ✓ Secured Bloomberg American Cities Climate Challenge grant with NRDC partner; closing contract with a consultant team to begin work and develop project timeline.

Active Ground Floor

- ✓ On June 25, 2019, staff brought zoning amendments before the City Council to remove the Downtown Ground Floor overlay with the Active Use Area overlay to support active ground floor uses in the downtown area. The Council approved the amendments.

Minimum Height and Residential Density

- ✓ A housing policy planner was hired in October 2019 and will assist with this work.
- ✓ On December 10, 2019 the City Council accepted the report and endorsed the approach outlined in the Valley Transportation Authority's (VTA) study for creating transit oriented communities (TOC) in San Jose. One of the recommendations of VTA's study included establishing minimum densities proximate to future BART stations.

What's next:

Parking Requirements

- Staff will continue work with consultants from Nelson Nygaard on the development of parking recommendations to include a survey of how other cities have successfully designed and implemented parking reduction programs. Expected date of completion: End of winter 2020. Staff is also developing a public outreach program starting in January 2020.
- Present a Parking Requirement recommendation to Council by Fall 2020.

Minimum Height and Residential Density

- Staff will evaluate minimum height and residential densities in context of VTA's TOC study.

Project Status

STATUS: In Progress

PROJECT COMPLETION: 20%

EST. COMPLETION: Fall 2020

√ COMPLETE

Priority 22 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 were 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 was 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.
- ✓ Staff [delivered a report to the Public Safety, Finance and Strategic Support Committee](#) in May of 2019
- ✓ The 2019-2020 Adopted Operating Budget aligned staffing and budget.

What's next:

- The Administration recommends this item be deemed complete and removed from the Council Priority List.

Project Status

STATUS: √ COMPLETE

PROJECT COMPLETION: 100 %

Priority 23 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 Welsh	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.
- ✓ Staff held a kick-off meeting with consultant in May 2019.
- ✓ Staff developed policy objectives, a timeline, and scope of work for available funding in coordination with the County.
- ✓ The contract between PBCE and Santa Clara County has been approved by both parties and is in process for execution.

What’s next:

- Staff will assist the County in disseminating their public opinion survey to assess level of support for smoke-free multi-unit housing strategies among City of San José residents. Public opinion surveys will be disseminated through a variety of methods such as the City of San José website.
- The Policy Consultant, with City and County staff, will develop and implement a plan for outreach, for example, educational outreach meeting(s) with property owners and managers, landlords, and residents.
- City staff, in coordination with the Policy Consultant, will provide a summary of the analysis and findings to the City Council in July 2020 prior to finalizing the consultant report in August 2020.
- City staff will report to City Council and/or Committee and present findings and policy recommendations for City Council consideration in August 2020.

Project Status

STATUS: [In Progress](#)

PROJECT COMPLETION: [15%](#)

EST. COMPLETION: [August 2020, Implementation August 2020 – April 2021](#)

√ COMPLETE

Priority 24 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	Alex Pearson	Angel Rios	CAO/OED/ Police/Housing

Work being completed:

- ✓ Staff [updated the Neighborhood Services and Education](#) Committee on the Implementation of the Educate-Re-Direct-Enforce model on June 13, 2019
- ✓ 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 and closed in late spring of 2019, receiving only one applicant, Opening Doors. A grant agreement was signed in June 2019 and the program began operating in July 2019
- ✓ 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 was made to the Neighborhood Services and Education Committee in June 2019 to use the activity fees in the existing policy to address feeding events within the park system.

What’s next:

- The policy development for this Council Priority is complete. This policy is now in the implementation stage, and an evaluation of the existing program will be taken to Council in Fall 2020

Project Status

STATUS: √ COMPLETE

PROJECT COMPLETION: 100%

Priority 25 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	PRNS	Neil Rufino, Olympia Williams	Angel Rios, Jr.	PBCE CAO

Work being completed:

- ✓ The research and data analysis work related to this Council Priority has been completed.
- ✓ Staff will be presenting recommendations and findings at the February 4, 2020 Council Meeting.

What's next:

- Staff will present the recommendation and findings at the February 4, 2020 City Council Meeting.
- If the recommendation is approved staff will move forward with implementation
- Should the Council approve ordinance, this item will be completed on February 4, 2020

Project Status

STATUS: In Progress PROJECT COMPLETION: 100%

EST. COMPLETION: February 2020