

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Lee Wilcox
Dolan Beckel

SUBJECT: SEE BELOW

DATE: September 10, 2021

Approved



Date

09/10/21

INFORMATION

SUBJECT: UPDATE ON URGENCY ORDINANCE TO REQUIRE COVID-19 VACCINATIONS FOR LARGE INDOOR EVENTS AT CITY-OWNED FACILITIES

The purpose of this information memorandum is to provide an update on the urgency ordinance requiring COVID-19 vaccinations for large indoor events at city-owned facilities which was adopted by the City Council on August 24, 2021. This ordinance will be in effect for events occurring Monday, September 20, 2021 or later. It will remain in effect until the City either (1) adopts a superseding ordinance or (2) upon termination of the City's local COVID-19 emergency declaration.

BACKGROUND

Since July 6, 2021, there has been a recent significant increase in COVID-19 cases and hospitalizations in Santa Clara County, due primarily to the Delta variant. Emerging evidence indicates that the Delta variant is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others. Given the extraordinary health threat caused by COVID-19 and the need to take extraordinary measures to limit its spread, the City was compelled to enact this emergency ordinance, which sets forth the requirements for COVID-19 vaccination for large indoor events at facilities owned by the City of San José.

ANALYSIS

In summary, as of September 20, 2021, operators or hosts of large indoor events at City-owned facilities with more than 50 guests shall require all attendees age 12 and older and all staff to

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show proof, before entering the facility, that they are fully vaccinated. The approved Ordinance can be found at the following link: www.sanjoseca.gov/vaxreqs-events

The ordinance does not apply to the ordinary and customary provision of public services, such as public meetings, food programs, library programs or other essential services. Additionally, it does not include venues such as museums or the airport that are open to public circulation as part of their regular operations, except to the extent that such venues host qualifying events.

The ordinance applies to events with more than 50 people at the following locations:

- City Hall and other City staff buildings
- City owned libraries
- City owned community centers
- SAP Center at San José
- Solar 4 America Ice at San José
- San José McEnery Convention Center
- California Theatre
- San José Civic
- Montgomery Theater
- Center for the Performing Arts
- Fourth Street Summit Center
- School of Arts and Culture at the Mexican Heritage Plaza
- San José History Park
- San José Museum of Art
- Children's Discovery Museum of San José
- The Tech Interactive

There are approximately 10 organizations that the City partners with to operate the above facilities. City staff has been meeting with these operators to listen to their feedback and collaborate on best practices to implement this ordinance. Additionally, medical and religious exemptions are available, subject to a recent negative COVID-19 test.

A Frequently Asked Questions (FAQ) document has been created to provide further details on these exemptions and respond to many other questions on this ordinance that the City has received to date. The FAQ document can be found at the following link:

www.sanjoseca.gov/vaxreqs-events

Staff reviewed information from other cities or counties that have set up or are considering similar ordinances in development of these FAQs (such as New Orleans, San Francisco and Los Angeles). The City has also set up an email address that can be used by the general public for any complaints regarding adherence to this ordinance. This email address is event_vaccinations@sanjoseca.gov.

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COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

/s/

LEE WILCOX
Deputy City Manager

/s/

DOLAN BECKEL
Interim Deputy City Manager

For questions, please contact Matt Cano, Director of Public Works, at matt.cano@sanjoseca.gov