

**From:** [Reid, Tara](#) on behalf of [Walesh, Kim](#)  
**To:** [Downtown West Project](#)  
**Subject:** Public Email: Retro memo for Diridon Outreach Grant - approval requested  
**Date:** Friday, August 14, 2020 1:34:00 PM  
**Attachments:** [Diridon Outreach Grant Program - Retro memo with attachments.pdf](#)

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Hi there,

Here's an email from Kim.

Thanks, Tara

Kim Walesh  
Deputy City Manager | City of San Jose  
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(408) 535-8177  
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**From:** Severino, Lori <Lori.Severino@sanjoseca.gov>  
**Sent:** Tuesday, August 11, 2020 3:27 PM  
**To:** Walesh, Kim <Kim.Walesh@sanjoseca.gov>  
**Cc:** Lowry, Jessica <jessica.lowry@sanjoseca.gov>; Quirimit, Rachel <rachel.quirimit@sanjoseca.gov>; Rivas, Vanessa <Vanessa.Rivas@sanjoseca.gov>; Madriz, Denisse <Denisse.Madriz@sanjoseca.gov>  
**Subject:** Retro memo for Diridon Outreach Grant - approval requested

Hi Kim,

Jessica needs the list of grantees added to the Retro memo that you previously approved back in March. Could you approve the memo with this attachment (last page of the PDF)? Replying to all in this email will suffice.

Thanks!  
Lori

**Lori Severino**  
Diridon Program Manager  
(408) 535-3537  
[www.diridonsj.org](http://www.diridonsj.org)



# Memorandum

**TO:** Lee Wilcox  
Chief of Staff  
Office of the City Manager

**FROM:** Kim Walesh

**SUBJECT:** Approval of Retroactivity

**DATE:** March 10, 2020

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Approved

Date

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**SUBJECT: APPROVAL OF RETROACTIVITY FOR DIRIDON ENGAGEMENT  
COMMUNITY PARTNERSHIP GRANT AGREEMENTS  
ADMINISTERED BY THE OFFICE OF ECONOMIC DEVELOPMENT**

In January 2020, Enforcement of Procurement Rules, Monitoring, and Transparency is Needed." (City Audit Report No. 13-06.) Recommendation No. 4 (Audit Report pages 16-17) involves limiting retroactive agreements to situations where contract execution is in process. The audit report states that when a City employee informally authorizes work before execution of the agreement, the employee commits City funds not within his/her authority to commit.

The Office of Economic Development (OED) is seeking authorization for the retroactive provision to pay for services in the following agreement.

The justification for the requests detailed below that are to include a retroactivity provision is that the agreements were competitively procured and either:

- ☐ Its execution was already in process when the services started.
- ☐ The services responded to an *immediate* threat to public health, safety, or property.
- ☐ The manner of compensation doesn't involve a commitment of City funds.
- ☐ The consultant/contractor provided a letter stating that the City isn't obligated to pay for any services it provided if the contract/amendment isn't executed.
- ☒ Starting services protected or advanced the following significant City interest:  
If this option is selected, explain the City interest and how the services protected/advanced that City interest.

As part of the Diridon Station Area Community Engagement Program, OED offered mini grants to community-based organizations to increase outreach and engagement capacity for 2020. See the "Request for Applications" attached. This information was posted to the project website ([www.diridonsj.org](http://www.diridonsj.org)) for one month. OED advertised the opportunity through the Diridon Station Area Advisory Group, Diridon public email distribution list (800+), and City staff's network of community organization contacts (estimated to be about 60). OED received nine applications submitted through the website. OED convened a panel of six City staff from various departments to review the applications against the criteria in the Request for Applications. In December 2019, OED selected seven organizations to receive the grant (\$5,000 ~~to~~ \$10,000).

The City is working on several projects of citywide interest affecting the Diridon Station Area, including the Google development project, Diridon Station Concept Plan, and other related efforts. City Council has directed staff to conduct an extensive community engagement process. A key objective of the 2020 process is to expand the number and diversity of community members providing input on these projects. The purpose of the community partnerships is to increase the City's capacity to reach and engage segments of the population that are often underrepresented in City planning and development processes, such as people of color, Spanish- and Vietnamese-speaking populations, renters, lower income households, youth, and young adults.

OED understands that retroactive agreements are to be avoided. However, planning for engagement events and outreach requires several months of lead time. Accordingly, planning for the Spring round of Diridon outreach and engagement began in January 2020. The project team intends for the Spring round to be the most significant opportunity for input of the four rounds planned for Fall 2019 through 2020. It was critical to begin coordinating with the community partners in January to achieve the objectives of the grant and overall engagement programs. OED requests an exception be made and the agreements detailed in this memorandum be allowed to proceed with retroactive clauses. The Office of Economic Development acknowledges the process was out of City contract compliance and will monitor other agreements to prevent this oversight in the future whenever possible.

  
KIM WALESH  
Deputy City Manager  
Director of Economic Development

For questions please contact Lori Severino at 408-535-3537



## **Request for Applications**

### **Community Engagement Partnership Grant for the Diridon Station Area Program**

**Deadline: November 11, 2019 (extended to December 9, 2019)**

#### Background

The City of San José adopted the Diridon Station Area Plan (DSAP) in 2014 to guide development of the Diridon Station Area, a 250-acre district on the western edge of downtown. Since adoption of the DSAP, several key planning assumptions have changed. The City is initiating amendments to the DSAP to adapt to current circumstances, align with the other adopted and ongoing plans, and support implementation.

In addition, Google is proposing to build a mixed-use development that would cover a significant portion of the Diridon Station Area. The City anticipates receiving an application from Google in October, which will start the formal development review process. This process will include negotiation of a Development Agreement with Google, including a Community Benefits Plan.

The City will review Google's application concurrently with the DSAP amendment process. As part of the comprehensive planning process, the City is going to prepare district-wide studies related to parking, infrastructure financing, and affordable housing. The target for City Council consideration of the Google project and amended DSAP is the end of 2020.

The comprehensive planning process will involve multiple rounds of community engagement to share information and gather feedback with the public. The City will continue to utilize the Station Area Advisory Group (SAAG) and other public involvement methods and is developing a Community Engagement Strategy to guide this effort.

Preliminary goals include:

1. Keep the general public informed.
2. Encourage active participation by a broad range of community members – recognizing the citywide interest in the Diridon area and Google project.
3. Listen to, acknowledge, and consider the full range of community perspectives.
4. Strengthen capacity to participate in city planning and development review processes over the long-term.

#### Grant Opportunity

In order to support implementation of the Community Engagement Strategy and achieve its objectives, the City will provide grants up to \$10,000 to community organizations to assist with public outreach and community engagement. Specifically, the project team aims to expand the number and diversity of community members providing input on Diridon Station Area projects, including people living outside of the immediate area. The City is seeking community partners to help reach and engage segments of the population that are



often underrepresented in City planning and development processes, such as people of color, Spanish- and Vietnamese-speaking populations, renters, lower income households, youth, and young adults.

If you are interested, please read the Questions and Answers below, fill out the Community Engagement Partnership Form, and submit it to Lori Severino by **November 11, 2019 at 11:59 PM.**

## **FACT SHEET**

### **Why are we seeking community partner support?**

In 2018, the City of San José conducted a community engagement process to gather feedback on the future of the Diridon Station Area, including a potential Google project. The process involved a range of engagement activities, including more than a dozen meetings of the Diridon Station Area Advisory Group (SAAG), public workshops, pop-up informational tables at community events, an online survey, and a project website. Outreach to inform the public about these engagement opportunities included email distribution list, social media, and community organization assistance. (For more information on the various projects and past engagement activities, please visit the project website at: [www.diridonsj.org](http://www.diridonsj.org))

While many people have participated in the process to date, the project team wants to increase participation among segments of the population that are typically underrepresented in the City's community engagement activities relative to their share of the overall population. These populations include: people of color, people with no or limited English proficiency, lower income households, renters, youth, and young adults. The City would like to partner with one or more local organizations to help meaningfully involve these target populations.

### **What type of engagement is needed?**

The City is looking for both traditional and new, creative ways to engage community members in the process. The main role of the partner organizations is to assist City staff with conducting outreach for City-hosted events and/or organizing engagement activities with City oversight. Outreach involves informing community members about the process and opportunities to get involved and encouraging participation in planned events.

More specifically, the outreach and engagement activities could include:

- Informing residents of planned public meetings and workshops through handing out flyers, door-to-door-canvassing, phone calls, social media, etc.
- Organizing and hosting neighborhood meetings, focus groups, pop-up workshops at community events, and/or other types of gatherings
- Developing alternative ways for community members to provide feedback such as through art or media
- Other activities as needed

City staff and its consultants would work with the organizations to develop a toolkit of outreach/engagement materials and methods for collecting and documenting input received. The project team and decision-makers (e.g., City Council) will consider community input as part of the planning process.

### **Will the organizations be paid?**

Yes. The City has allocated \$30,000 in grant funds for partnerships with community organizations to support engagement of target populations. The funding options are \$2,500, \$5,000, or \$10,000 – depending on the scope of services to be provided by the organization. These funds may be used to cover staff time and direct costs of any engagement activities not hosted by the City. The City reserves the right to award less than the total budget allocated for the grants.

### **What are the timeframe and expectations for the work?**

Partner organizations will work with the City on engagement from November 2019 through fall 2020. It is anticipated that the most time-intensive work will occur in the January-May 2020 timeframe. The process will include regular check-ins with Lori Severino, the Diridon Program Manager, and occasional meetings with the project team. At the start of the work, the project team and partner organizations will establish performance measures and communication protocols to help ensure a mutually beneficial and productive partnership. Partner organizations will be expected to serve as neutral conveners aimed at bringing people into the conversation, working with the City to achieve process goals rather than particular project outcomes.

### **Who is eligible to receive the grant?**

Locally-based organizations that are either a 501 (c) or have a Tax Identification Number (TIN) and have worked with one or more of the target populations are eligible to receive a grant. Station Area Advisory Group (SAAG) members are not eligible to receive the grant, in order to increase opportunity for other groups to get involved. SAAG members, however, may provide assistance to the selected community organizations. Neighborhood associations are eligible. Having some knowledge of city planning and development review processes is helpful, but not required.

For more information on how to obtain a tax ID go to: [www.irs.gov/FormSS4](http://www.irs.gov/FormSS4).

### **How do we apply?**

Complete and submit the Community Engagement Partnership Application Form below by November 11, 2019 at 11:59 PM. Hard copy, paper, faxed, or e-mailed proposals will NOT be accepted.

### **What is the selection process?**

City staff will pre-screen all proposal proposals for eligibility. A panel of City staff will review the eligible applications and select the organization(s) to receive a grant based on the following criteria:

- **Understanding of and ability to reach target populations** and engage a substantial number of community members (applicants are not expected to be able to reach out to all the target audiences).
- **Experience** with leading or assisting with community engagement efforts (e.g., hosting meetings, conducting outreach, facilitating discussions, etc.).
- **Capacity** to work on this engagement work over the next year (Fall of 2019 through Fall 2020).
- **Ability to serve as a neutral convener** on a complex set of community development projects – demonstrating creativity, flexibility, and a willingness to learn.

In addition to the above evaluation criteria, the panel aims to select an overall mix of organizations that can together reach most or all of the targeted populations. The City may contact applicants for follow-up questions or an interview prior to making the selections.

The target for final selection of grant recipients is November 8, 2019.

## **What happens if my organization is awarded a grant?**

The selected organization(s) will need to provide proof of: a) organizational status, b) a bank account, and c) general liability insurance coverage (see Attachment A). The United Neighborhoods of Santa Clara County offers insurance coverage for its Neighborhood Association members (visit here for more information: <http://www.unscc.org/services.html>). Nonprofit applicants will also need to demonstrate that they are in good standing with the IRS and the Secretary of State's office.

Then, City staff will work with each organization to develop a Grant Agreement. The standard terms and conditions are detailed in this Grant Agreement Template. The term of this Grant Agreement will be effective December 1, 2019 through December 31, 2020.

## **What is the fine print?**

"Emerging neighborhood group" is defined as a group of San José residents that gather or otherwise communicate with each other for the purposes of civic engagement, volunteering, and/or neighborhood improvement. The group must operate free of charge and may also include businesses or people who work in the area.

All costs associated with responding to this request are to be borne by the applicant.

All applicants are expected to have read and understood City Council Policy 0-35 on Procurement and Contract Process Integrity and Conflict of Interest, adopted on February 6, 2007. A complete copy of the policy can be found at: <http://www.sanjoseca.gov/DocumentCenter/View/35087>. Any applicant who violates the Policy will be subject to disqualification.

All correspondence with the City, including responses to this Funding Opportunity, will become the exclusive property of the City and will become public record under the California Public Records Act (Cal. Government Code section 6250 et seq.). All documents that are sent to the City will be subject to disclosure if requested by a member of the public. There are a very limited number of narrow exceptions to this disclosure requirement. Therefore, any proposal which contains language purporting to render all or significant portions of their proposal "Confidential," "Trade Secret" or "Proprietary," or fails to provide the exemption information required, will be considered a public record in its entirety. Do not mark your entire proposal as "Confidential." The City will not disclose any part of any proposal before it announces a recommendation for award, on the grounds that there is a substantial public interest in not disclosing proposals during the evaluation process.

Any objections as to the structure, content or distribution of this Grant Application must be submitted in writing prior to the grant application due date by e-mail to Lori Severino at [lori.severino@sanjoseca.gov](mailto:lori.severino@sanjoseca.gov). Objections must be as specific as possible and provide a description and rationale for the objection.

Organizations or proposals that do not meet minimum eligibility will not be evaluated. The City reserves the right to interview applicants prior to making its selections, and to rely on information from sources other than the information provided by the respondents. The City reserves the right to accept a proposal in full or part and to reject all proposals.



There are no appeals for funding decisions for this grant program.

**Who do I contact with questions about this grant opportunity?**

Please contact Lori Severino at [lori.severino@sanjoseca.gov](mailto:lori.severino@sanjoseca.gov) or 408-535-3537 with any questions. We are happy to assist you in completing this form.

**COMMUNITY ENGAGEMENT PARTNERSHIP GRANT APPLICATION**

Please tell us about your organization and your interest in this grant opportunity:

1. Organization
  - a. Name:
  - b. Address:
  - c. Website (if applicable):
  - d. Organization's mission and list of programs:
2. Primary Contact
  - a. Name:
  - b. Phone:
  - c. Email:
3. Where in San José does your organization do most of its work? (list neighborhoods) *(100 word limit)*
4. Please select a grant amount from the following list, based on the anticipated level of support your organization could provide over the course of the year:
  - a. \$2,500 (e.g., outreach assistance only)
  - b. \$5,000 (e.g., outreach assistance and 1-2 engagement activities)
  - c. \$10,000 (e.g., outreach assistance and 3-4 engagement activities)
5. Based on the requested grant amount, how many staff/volunteer hours does this budget assume? *(100 word limit)*
6. Provide an estimate of the number of community members that your organization could reach. *(100 word limit)*
7. Which of the target populations would you be able to help us reach? What is your organization's connection to these target populations? *(250 word limit)*
8. Describe your organization's experience with organizing workshops or meetings related to community development, and how many people attend on average (provide links to examples, if available). *(250 word limit)*
9. Based on the requested grant amount and your knowledge of the Diridon Station Area projects, what are some ideas your organization has for engaging underrepresented groups in the comprehensive planning process? *(250 word limit)*
10. Why is your organization interested in this partnership, and what do you hope to gain? *(250 word limit)*

## ATTACHMENT

### List of Grantees:

- African American Community Service Agency
- Catalyze SV (Social Good Fund, Inc.)
- Friends of Caltrain
- LatinX Circle by Prosperity Labs
- San Jose Jazz
- SOMOS Mayfair
- Trinity Cathedral