

RESOLUTION NO. 74520

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DESIGNATING THE CITY'S OFFICE OF ECONOMIC DEVELOPMENT, THE PLANNING DIVISION OF THE DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT, CONSULTANT APPLIED DEVELOPMENT ECONOMICS, AND CONSULTANT BEACON ECONOMICS, LLC AS REPRESENTATIVES OF THE CITY, AUTHORIZE TO EXAMINE ES202 INDUSTRY AND EMPLOYMENT DATA FOR THE CITY OF SAN JOSE FROM THE CALIFORNIA STATE EMPLOYMENT DEVELOPMENT DEPARTMENT FOR ECONOMIC DEVELOPMENT PURPOSES RELATED TO THE ENVISION SAN JOSE 2040 GENERAL PLAN UPDATE; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA STATE EMPLOYMENT DEVELOPMENT DEPARTMENT**

**WHEREAS**, analysis of changes or shifts in local industry sectors over time as a basis for projecting future employment growth and overall economic development is a fundamental component of the Envision San José 2040 General Plan Update; and

**WHEREAS**, the California State Employment Development Department ("EDD") through a federal-state program known as Quarterly Census of Employment and Wages, or ES202 program, collects information from all employers each quarter on their employment and wages; and

**WHEREAS**, the EDD provides this data, aggregated into industry sectors, for the County of Santa Clara on its website, and the information about specific employers is considered confidential and cannot be released to the general public; and

**WHEREAS**, the EDD's Labor Market Information Division, by law, may provide confidential information to a government agency and its consultants for economic development purposes by entering into a Memorandum of Understanding ("MOU") that

outlines how the data can be disseminated and the security measures needed in order to maintain the confidentiality of the data; and

**WHEREAS**, the City of San José (“City”) desires to designate specific City Divisions and Consultants to analyze industry employment trends by land use throughout the City of San José for the Envision San José 2040 General Plan Update;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The City’s Office of Economic Development, the Planning Division of the Department of Planning, Building and Code Enforcement, Applied Development Economics, a California corporation (“ADE”) and Beacon Economics, LLC, a California limited liability company (“Beacon”), are designated as representatives of the City, authorized to analyze ES202 industry and employment data of the City of San José from the EDD for economic development purposes related to the Envision San José 2040 General Plan Update; and
2. The City Manager or her designee is authorized to negotiate and execute a MOU with the California State EDD to examine ES202 industry and employment data for the City for economic development purposes related to the Envision San José 2040 General Plan Update, and execution of the MOU shall be contingent upon execution of amendments to the consultant agreements with ADE and Beacon to require compliance with the EDD MOU and all its requirements.

ADOPTED this 5<sup>th</sup> day of August, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,  
LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS,  
REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

---

CHUCK REED  
Mayor

ATTEST:

---

LEE PRICE, MMC  
City Clerk