



CITY COUNCIL MEETING

Amended Agenda

Tuesday, April 23, 2024
1:30 PM

LOCATION:
Council Chambers - 200 E. Santa Clara Street

Attachments and related materials can be viewed [HERE](#)

Interpretation is available in Spanish and Vietnamese. In your webinar controls, select “Interpretation.” Click the language you would like to hear. (Zoom only)

Se dispone de interpretación en español y vietnamita. En los controles de su seminario web, seleccione "Interpretation" (Interpretación). (Zoom solo)

Thông dịch có sẵn bằng tiếng Tây Ban Nha và tiếng Việt. Trong các điều khiển hội thảo trên web của bạn, hãy chọn “Interpretation” (Phiên dịch). (Zoom chỉ một)

Public Comment in Person Only

MATT MAHAN, MAYOR
ROSEMARY KAMEI, VICE MAYOR, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
OMAR TORRES, DISTRICT 3
DAVID COHEN, DISTRICT 4
PETER ORTIZ, DISTRICT 5
DEV DAVIS, DISTRICT 6
BIEN DOAN, DISTRICT 7
DOMINGO CANDELAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
ARJUN BATRA, DISTRICT 10

Please scroll to the end for information about the City Council Agenda and for the Rules of Conduct of the meeting.

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- Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico ADA@sanjoseca.gov; Llame (408) 535-8430
- Nhu cầu cho người khuyết tật được cung cấp theo yêu cầu. Email ADA@sanjoseca.gov; Gọi (408) 535-8430
- 應要求提供殘疾人便利設施. 電子郵件 ADA@sanjoseca.gov; 致電 (408) 535-8430

THE LEVINE ACT

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$250 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. Please visit <https://sanjoseca.gov/your-government/appointees/city-clerk/levine-act> for updated forms and information.

How to observe the Meeting (no public comment):

- 1) Cable Channel 26.
- 2) <https://sanjoseca.gov/news-stories/watch-a-meeting>.
- 3) <https://youtube.com/CityofSanJoseCalifornia>
- 4) By Phone: (888) 475 4499. Webinar ID is 94558095100. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).
- 5) Online at: <https://sanjoseca.zoom.us/j/94558095100>
Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.

How to submit written Public Comment before the City Council Meeting:

By email to city.clerk@sanjoseca.gov by 10:00 a.m. the day of the meeting. Those emails will be attached to the Council Item under “Letters from the Public.” Please identify the Agenda Item Number in the subject line of your email.

How to provide spoken Public Comment during the City Council Meeting:

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

Each speaker generally has two minutes to speak per item. The total amount of time allocated for public testimony for each public speakers or for an agenda item may be limited at the Mayor's discretion, depending on the number of speakers or the length of the agenda. (California Government Code Section 54954.3; Council Policy 0-37)

Fill out a Yellow Speaker's Card and submit it to boxes at the bottom of the Chambers. Do this before the meeting or before the item is heard. This will ensure that the name on the card is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants by calling speakers in an orderly manner. You may remain anonymous, but please fill out a card so we may call you. You can put "anonymous speaker" or "no name" on the card. When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table. To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

• Call to Order and Roll Call

9:30 a.m. - Closed Session, Call to Order in Council Chambers
Open Session, Labor Negotiations Update (See Item 3.2)
Adjourn to Closed Session in Council Chambers Conference Room, W133
See Separate Agenda
1:30 p.m. - Regular Session, Council Chambers, City Hall
6:00 p.m. - Evening Session, Council Chambers, City Hall – Cancelled
*The previously scheduled Evening Session has been cancelled.

• Pledge of Allegiance

• Invocation (District 4)

St. Victor School Choir

• Orders of the Day

To be heard after Ceremonial Items

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

• Adjournment

This meeting will be adjourned in memory of Edward Lee Chirco, who passed away on February 20, 2024. Mr. Chirco was a cherished member of the Cambrian community who gave selflessly and passionately and positively impacted many lives throughout his decade years of service to the community.

• Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a proclamation declaring April 2024 as National Donate Life Month in the City of San José to recognize and raise awareness for organ and tissue donation being vital for life and the well-being of millions of people annually. (Candelas)

1.2 Presentation of a commendation to Gay Routh, a 15-year San José Animal Care Center volunteer who donated two walk-in grooming bathtubs for the shelter pets of all sizes and needs. (Doan)

1.3 Presentation of a commendation recognizing the Branham High School Varsity Girls Basketball team for winning the Division 1 Central Coast Championship and marking its second Central Coast Section (CCS) Championship in school history. (Foley)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of City Council Minutes.

2.2 Final Adoption of Ordinances.

Recommendation:

(a) Ordinance No. 31051 - An Ordinance of the City of San José Amending Chapter 11.98 of Title 11 of the San José Municipal Code to Add Section 11.98.025 Authorizing the Removal of Large Vehicles Parked Upon a Street, or Portions thereof, where the Parking of Large Vehicles Creates a Safety Hazard for Pedestrians or Vehicles; and Amending Section 11.98.040 to Require the Posting of Signage Authorizing the Removal of Large Vehicles Parked in “No Large Vehicle Parking Zones”.

[Passed for Publication on 4/9/2024 - Item 3.3(a) (24-76353)]

(b) Ordinance No. 31052 - An Ordinance of the City of San José Amending Chapter 11.36 of Title 11 of the San José Municipal Code to Add Section 11.36.255 to Prohibit the Overnight Parking of Vehicles Upon a Street, or Portions thereof; and Amending Chapter 11.56 of Title 11 to Add Section 11.56.060 Authorizing the Removal of Vehicles Parked where the Overnight Parking of Vehicles is Prohibited.

[Passed for Publication on 4/9/2024 - Item 3.3(b) (24-76353)]

(c) Ordinance No. 31053 - An Ordinance of the City of San José Amending Chapter 10.20 of Title 10 of the San José Municipal Code to Add Part 6 to Establish “School Clearance Zones” which Would Prohibit Certain Obstructions within 150 Feet of Schools.

[Passed for Publication on 4/9/2024 - Item 3.4 (24-76354)]

(d) Ordinance No. 31054 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Willow Street, between South Almaden Avenue and Highway 87.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(e) Ordinance No. 31055 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along East San Salvador Street, between South Fourth Street and South Eleventh Street.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(f) Ordinance No. 31056 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Empire Street from North Second Street to North Fourth Street, Hensley Street from North Second Street to North Fourth Street, North Second Street from Railroad Tracks to East Empire Street, North Third Street from Railroad Tracks to East Empire Street, and North Fourth Street from Railroad Tracks to East Empire Street.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(g) Ordinance No. 31057 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along North First Street from Nortech Parkway to Liberty Street, and North Taylor Street from Liberty Street to El Dorado Street.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(h) Ordinance No. 31058 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along White Road, between Mckee Road and Eastside Drive.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(i) Ordinance No. 31059 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along White Road (Mount Pleasant High School), between Park Lane and 75 ft North of Coldwater Drive (1910 S. White Road).

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(j) Ordinance No. 31060 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Story Road from King Road to McLaughlin Avenue, and Felipe Avenue from Story Road to Olinder Court.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(k) Ordinance No. 31061 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Coyote Road, between Crosslees Drive and Silver Creek Valley Road.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(l) Ordinance No. 31062 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along San Felipe Road, between Silver Creek Road and the Villages Parkway.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(m) Ordinance No. 31063 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Branham Lane, between Camden Avenue and Tupolo Drive.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(n) Ordinance No. 31064 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Almaden Road from Mesa Drive to Via Monte Drive, Almaden Expressway from Via Monte Drive to Coleman Road, and Coleman Road from Almaden Expressway to Guadalupe River Trail.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(o) Ordinance No. 31065 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Blossom Hill Road from Judith Street to Snell Avenue, and Snell Avenue from Giuffrida Avenue to Blossom Hill Road.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(p) Ordinance No. 31066 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Saratoga Avenue, between San Tomas Aquino Road and Payne Avenue.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

(q) Ordinance No. 31067 - An Ordinance of the City of San José Establishing a Rule 20a Underground Utility District along Umbarger Road from Monterey Road to Pancer Lane.

[Passed for Publication on 4/9/2024 - Item 3.7 (24-76357)]

2.3 Approval of Council Committee Minutes.

2.4 Mayor and Council Excused Absence Requests.

Recommendation:

Request for an excused absence for:

(a) Vice Mayor Kamei from the Regular Meeting of Rules and Open Government Committee and Committee of the Whole on April 3, 2024 due to the authorized City business, to attend a meeting of the Local Agency Formation Commission of Santa Clara County.

(b) Councilmember Jimenez from the Regular Meeting of Rules and Open Government Committee and Committee of the Whole on April 10, 2024 due to attend the funeral and memorial service for Tim Quigley, former President of the Sister Cities International Foundation.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Kamei and Jimenez)

[Rules Committee referral 4/17/2024 - Item A.1.a]

2.5 City Council Travel Reports.

- 2.6 Report from the Council Liaison to the Retirement Boards.**
- 2.7 Fifth Amendment to Legal Services Agreement with Hawkins, Delafield & Wood LLP for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.**

Recommendation:

Approve a Fifth Amendment to the legal services agreement with Hawkins, Delafield & Wood LLP, increasing the amount of compensation by \$600,000 for a total agreement amount not to exceed \$3,100,000 and extending the term of the agreement through June 30, 2029 to support the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.

CEQA: Not a Project, File No. PP17-003, Agreements/ Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney)

- 2.8 Reallocate Funds from City Attorney's Office Outside Litigation Reserve for Outside Litigation Services.**

Recommendation:

Adopt the following 2023-2024 Appropriation Ordinance amendments in the General Fund:

- (a) Decrease the City Attorney's Office Outside Litigation Reserve by \$750,000; and
- (b) Increase the Non-Personal/Equipment appropriation by \$750,000.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (City Attorney/City Manager)

- 2.9 Fourth Amendment to Small Concession Agreement between the City of San José and Smarte Carte, Inc.**

Recommendation:

Approve a Fourth Amendment to the Small Concession Agreement between the City of San José and Smarte Carte, Inc. for massage chair services to extend the term by an additional three years at the San José Mineta International Airport.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Airport)

- 2.10 Sixth Amendment to the Consultant Services Agreement with Century Urban, LLC.**

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a sixth amendment to the existing Consultant Services Agreement with Century Urban, LLC with a total compensation not to exceed \$372,430.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Economic Development and Cultural Affairs)

2.11 Amendment to Master Consultant Agreement with AECOM Technical Services, Inc. for General Engineering Services at the San José-Santa Clara Regional Wastewater Facility for the Capital Improvement Program.

Recommendation:

Approve the Second Amendment to the Master Consultant Agreement with AECOM Technical Services, Inc. for the 7995 – General Engineering Services, extending the term from June 30, 2024 to June 30, 2025.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Environmental Services)

2.12 Actions Related to 10369 – South Bay Water Recycling Metering and Pressure Monitoring Improvements Phase II Project.

Recommendation:

(a) Accept the report on bids and award of a contract for the construction of 10369 – South Bay Water Recycling Metering and Pressure Monitoring Improvements Phase II Project to the lowest responsive, responsible bidder, JMB Construction, Inc., in the amount of \$3,196,000.

(b) Approve a 10% contingency in the amount of \$319,600.

CEQA: Categorically Exempt, File No. PP17-050, CEQA Guidelines Section 15301, Existing Facilities; Section 15302, Replace or Reconstruction. (Environmental Services)

2.13 Actions Related to an Application for Assistance for the Adoption of the Latest and Zero Building Energy Codes.

Recommendation:

Adopt a resolution authorizing the City Manager, or her designee to:

(a) Submit an application to the United States Department of Energy for the Assistance for the Adoption of the Latest and Zero Building Energy Codes grant in the estimated amount of \$5,000,000, or in any other amount supported under the terms of the grant; and

(b) Negotiate and execute any grant, payment agreements, amendments, and any other documents necessary with the United States Department of Energy to accept, receive, and fulfill the requirements of the Assistance for the Adoption of the Latest and Zero Building Energy Codes grant upon award.

CEQA: Not a Project, File No. PP17-006, Grant application with no commitment or obligation to enter into an agreement at the time of application. (Environmental Services)

2.14 Actions Related to the Purchase Orders with Pacific Electric Contracting Inc., to Install, Remove and Replace Foundations for Traffic Signal Poles.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to exercise up to six one-year options to extend the term of the purchase order with Pacific Electric Contracting, Inc. (San José, CA) to install, remove, and replace foundations for traffic signal poles, with the last option ending on or about April 30, 2030, subject to the appropriation of funds.

CEQA: Categorically Exempt, File No. ER23-009, CEQA Guideline Section 15301(c) Existing Facilities. (Finance)

2.15 Actions Related to the #CaliforniansForAll Youth Service Corps Program.**Recommendation:**

(a) Adopt a resolution:

(1) Accepting a \$5,321,342 grant from the California Volunteers State Office for the #CaliforniansForAll Youth Service Corp to continue the Resilience Corps Program; and
(2) Authorizing the City Manager or her designee to negotiate and execute agreements, and all other necessary and/or ancillary documents, with the San José Conservation Corps, San José Public Library Foundation, Keep Coyote Creek Beautiful, Trash Punx, Our City Forest, Veggielution, San José Downtown Association, Goodwill of Silicon Valley, South Bay Clean Creeks Coalition and Guadalupe River Park Conservancy to implement the Resilience Corps program in a combined amount not to exceed \$5,321,342.

(b) Adopt the following 2023-2024 Appropriation Ordinance and Funding Sources Resolution in the General Fund:

(1) Increase the estimate for Revenue from State Government appropriation by \$1,412,687; and

(2) Increase the CaliforniansForAll Youth Workforce Program – Learning Loss Mitigation Pathway City-Wide Expenses appropriation to the Library Department by \$1,412,687.
CEQA: Not a Project, File No. PP17-004. Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Finance/Library/Parks, Recreation and Neighborhood Services/City Manager)

2.16 Appropriation of 2023 State Homeland Security Grant Program Funds.**Recommendation:**

Adopt the following 2023-2024 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:

(a) Establish the State Homeland Security Grant Program - Fire 2023 City-Wide Expenses appropriation to the Fire Department in the amount of \$267,796; and

(b) Increase the estimate for Revenue from Federal Government by \$267,796.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Fire/City Manager)

2.17 Donation to Animal Care and Services from the Keeton Estate.**Recommendation:**

(a) Adopt a resolution authorizing the City Manager, or her designee, to accept a donation from the Estate of James Keeton of approximately \$200,000 to Animal Care and Services into the Gift Trust Fund and execute any necessary documents to accept the donation.

(b) Adopt the following 2023-2024 Appropriation Ordinance and Funding Sources Resolution amendments in the Gift Trust Fund:

(1) Increase the Animal Services Donations appropriation to the Public Works Department by \$200,000; and

(2) Increase the estimate for Other Revenue by \$200,000.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Public Works/City Manager)

2.18 Master Agreements with Sandis Civil Engineers Surveyors Planners, BKF Engineers, and Mesiti-Miller Engineering for Civil Engineering Consultants Services.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute master agreements with Sandis Civil Engineers Surveyors Planners, BKF Engineers, and Mesiti-Miller Engineering for the civil engineering consultant services from the date of execution through December 31, 2027, in an amount not to exceed \$700,000 for each agreement.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Public Works)

2.19 VEBA Advisory Committee Appointment.

Recommendation:

As recommended by the Rules and Open Government Committee on April 17, 2024, approve the following appointments to the Voluntary Employees Beneficiary Association (VEBA) Advisory Committee for a term beginning June 1, 2024 and ending on May 31, 2028:

(a) Sebastian Wisniewski, nominated by the Police Officers' Association (POA) as the POA's active employee member; and

(b) Elsa Cordova, nominated by the City Manager as the unrepresented employee member.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Human Resources)

[Rules Committee referral 4/17/2024 - Item B.2]

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, Jennifer Maguire (Verbal Report)

3.2 Labor Negotiations Update.

**Accept Labor Negotiations Update.
TO BE HEARD AT 9:30 A.M.**

3.3 Spring Intergovernmental Relations Report.

Recommendation:

(a) Accept the Spring Intergovernmental Relations Report.

(b) Reaffirm all City positions summarized in the 2024 Intergovernmental Relations Priority Federal Legislation Log.

(c) Reaffirm all City positions summarized in the 2024 Intergovernmental Relations Priority State Legislation Log.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)

4. PUBLIC SAFETY

4.1 Santa Clara County 9-1-1 Ambulance Services Status Report and Fire Department Emergency Medical Services Annual Report.

Recommendation:

As recommended by the Public, Safety, Finance, and Strategic Support Committee on March 21, 2024, accept the status report on the Fire Department's evaluation of possible service options for ambulance transport services and the annual report on Fire Department Emergency.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Fire)

[Public, Safety, Finance, and Strategic Support Committee referral 3/21/2024 – (d)1]

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 San José Clean Energy Programs Roadmap Status Report.

Recommendation:

As recommended by the Transportation and Environment Committee on March 4, 2024:

(a) Accept the status report on the San José Clean Energy Programs Roadmap.

(b) Adopt a resolution:

(1) Approving the proposed programs presented in the San José Clean Energy Programs Roadmap; and

(2) Authorizing the City Manager or her designee to negotiate and execute contract(s) with consultant(s) to implement the heat pump and battery storage incentive programs for up to five years and up to \$1.5 million from the San José Clean Energy fund.

CEQA: Statutorily Exempt, ER24-021, CEQA Guidelines Section 15601(b)(3), Review for Exemption; and Categorically Exempt, File No. ER24-021, CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures. (Energy)

[Transportation and Environment Committee referral – 3/4/2024 – Item (d)2]

[Deferred from 4/9/2024 – Item 6.1 (24-76358)]

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

Notice to the public: There will be no separate discussion of Land Use Consent Calendar (Item 10.1) as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item will be removed from the Land Use Consent Calendar (Item 10.1) and considered separately.

10.1 Land Use on Consent Calendar

No Land Use Items on Consent Calendar

END OF CONSENT CALENDAR

10. Land Use - Regular Agenda

• Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council.

• Adjournment

This meeting will be adjourned in memory of Edward Lee Chirco, who passed away on February 20, 2024. Mr. Chirco was a cherished member of the Cambrian community who gave selflessly and passionately and positively impacted many lives throughout his decade years of service to the community.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection online at <https://sanjoseca.primegov.com/public/portal?fromiframe=1> or at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Please go to the Clerk's Records Database <https://records.sanjoseca.gov/Pages/Search.aspx> for the final document, or you may also contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov.

ABOUT THE AGENDA

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support** - The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.
- **Transportation & Aviation Services** - A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environmental and Utility Services** - Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Community & Economic Development** - Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. The City Council, or less than a quorum, may adjourn any regular, special or adjourned meeting to a later date, time and place specified in the order of adjournment. If all members are absent, the City Clerk may declare the meeting adjourned to a stated date, time and place. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://sanjoseca.primegov.com/public/portal?fromiframe=1>. Council Meetings are televised live and rebroadcast on Channel 26.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- (a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- (b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- (c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- (d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- (e) Persons in the audience will not place their feet on the seats in front of them.
- (f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- (g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- (a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- (b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- (c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Committee, Board or Commission:

- (a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- (b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate.

(California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.

- (c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
- (d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- (e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.'
- (f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- (g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.