

DRAFT

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
TITLE 2 OF THE SAN JOSE MUNICIPAL CODE TO AMEND
SECTION 2.08.3630 OF CHAPTER 2.08 TO ALTER
MEMBERSHIP CRITERIA FOR THE DOWNTOWN
PARKING BOARD**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 2.08.3630 of Chapter 2.08 of Title 2 of the San José Municipal Code is amended to read as follows:

2.08.3630 Number of Members

The board shall consist of seven members as follows:

- A. A member of the Downtown Business Association.
- B. ~~An owner or representative of an owner of a private off-street parking facility located downtown.~~ A representative of a business association within a designated meter district outside of the Downtown Core.
- C. A representative from San José State University.
- D. A downtown resident.
- E. A member of an organization representing downtown arts and/or special events.

- F. Two at-large individuals with expertise in business and/or finance and/or an owner/representative of a private off-street parking facility located within the Downtown Core, with a maximum of one at-large seat filled by an owner/representative of a private off-street parking facility.

SECTION 2. Section 2.08.3640 of Chapter 2.08 of Title 2 of the San José Municipal Code is amended to read as follows:

2.08.3640 Representative Membership

The Council of the City of San José finds and declares as follows:

- A. The members appointed to the board to represent the interests of various groups in matters related to administration of the Downtown Parking Board are intended to represent and further the interest of such groups, and such representation is intended to and will serve the public interest.
- B. The members of the downtown business association appointed to the Downtown Parking Board are intended to represent and further the interest of the downtown business community, and their representation will ultimately serve the public interest. Accordingly, the Council finds that for the purposes of members of the downtown business association who serve on the Downtown Parking Board, the downtown business community is tantamount to and constitutes the public generally within the meaning of California Government Code Section 87103.
- C. The owners or representatives of owners of downtown, private off-street parking facilities appointed to the Downtown Parking Board are intended to represent and further the interest of downtown, private off-street parking

facility owners, and their representation will ultimately serve the public interest. Accordingly, the Council finds that for purposes of owners of downtown, private off-street parking facilities who serve as members of the Downtown Parking Board, the owners of private off-street parking facilities located downtown are tantamount to and constitute the public generally within the meaning of California Government Code Section 87103.

- D. The representatives from San José State University appointed to the Downtown Parking Board are intended to represent and further the university community, and their representation will ultimately serve the public interest. Accordingly, the Council finds that for purposes of representatives from San José State University who serve as members of the Downtown Parking Board, the university community is tantamount to and constitutes the public generally within the meaning of California Government Code Section 87103.
- E. The downtown residents appointed to the Downtown Parking Board are intended to represent and further the downtown residential community, and their representation will ultimately serve the public interest. Accordingly, the Council finds that for purposes of downtown residents who serve as members of the Downtown Parking Board, the downtown residential community is tantamount to and constitutes the public generally within the meaning of California Government Code Section 87103.
- F. The members of an organization representing downtown arts and/or special events appointed to the Downtown Parking Board are intended to represent and further the downtown arts and/or special events community, and their representation will ultimately serve the public interest. Accordingly, the Council finds that for purposes of members of an organization representing downtown arts and/or special events who serve as members of the Downtown Parking

Board, the downtown arts and special events community is tantamount to and constitutes the public generally within the meaning of California Government Code Section 87103.

G. The representative of a business association within a designated meter district outside of the Downtown Core appointed to the Downtown Parking Board are intended to represent and further the downtown residential community, and their representation will ultimately serve the public interest. Accordingly, the Council finds that for purposes of members of an organization representing a business association within a designated meter district outside of the Downtown Core who serve as members of the Downtown Parking Board, the downtown residential community is tantamount to and constitutes the public generally within the meaning of California Government Code Section 87103.

PASSED FOR PUBLICATION of title this ____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RD:JAC:CER
5/24/2018