



City Council Meeting SYNOPSIS

Tuesday, March 26, 2019

SAM LICCARDO, MAYOR
CHAPPIE JONES, VICE MAYOR, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
RAUL PERALEZ, DISTRICT 3
LAN DIEP, DISTRICT 4
MAGDALENA CARRASCO, DISTRICT 5
DEV DAVIS, DISTRICT 6
MAYA ESPARZA, DISTRICT 7
SYLVIA ARENAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
JOHNNY KHAMIS, DISTRICT 10



- **Call to Order and Roll Call**

9:30 a.m.- Closed Session, Call to Order in Council Chambers
Absent Councilmembers: Esparza.

19-130 Closed Session Agenda

1:33 p.m.- Regular Session, Council Chambers, City Hall
Absent Councilmembers: All Present.

- **Invocation (District 3)**

Founder of Queen Hype and community activist, LaToya Fernandez offered a spoken word performance entitled “Black Lives Matter”.

- **Pledge of Allegiance**

Mayor Sam Liccardo led the Pledge of Allegiance joined by students from Santee Elementary School.

- **Orders of the Day**

The Orders of the Day and the Amended Agenda were approved.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Mayor Sam Liccardo and Councilmember Raul Peralez presented a commendation to Kathy Sakamoto retiring Executive Director of the Japantown Business Association. (Peralez)

1.2 Mayor Sam Liccardo, Vice Mayor Chappie Jones and all Councilmembers honored Sharon Erickson, retiring City Auditor, presenting her with a Commendation for her years of service to the City of San José. (Peralez)

1.3 Mayor Sam Liccardo presented a Commendation to Tom Wohlmut for creatively researching and documenting San José’s History. (Mayor)

Heard at 6 p.m.

1.4 Mayor Sam Liccardo and Councilmember Dev Davis presented a Proclamation for Transgender Day of Visibility. (Davis)
Heard at 6 p.m.

2. CONSENT CALENDAR

2.1 Approval of City Council Minutes.

None provided.

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

None provided.

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

Mayor Sam Liccardo reported on this participation in the “Big City Mayor’s Conference” held in Sacramento, which focused on lobbying for increased funding for homeless solutions.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 19-106 City Attorney’s Travel to Washington, D.C.

Approve travel by the City Attorney, Richard Doyle, to Washington, D.C., on March 28-April 1, 2019 to attend the International Municipal Lawyers Association (IMLA) Mid-Year Seminar. Source of Funds: City Attorney's Office Non Personal Services Appropriation.

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

Approved.

(10-0-1. Absent: Carrasco.)

- 2.8 19-108 Amendment to the Cooperative Agreement No. 8 with Santa Clara Valley Transportation Authority for Public Art Component of BART at Berryessa.**
 Adopt a resolution authorizing the City Manager to negotiate and execute a Third Amendment to Cooperative Agreement No. 8 between the City and Santa Clara Valley Transportation Authority (VTA), for the design, construction, and reimbursement relating to the public art component of the BART extension to Berryessa, to extend the existing term until December 31, 2019 and to increase the amount of the agreement by \$8,000 to a total of \$488,000.
 CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
 (Economic Development)
Resolution No. 79015 adopted.
(10-0-1. Absent: Carrasco.)
- 2.9 19-109 Agreement with San José Unified School District for City-Owned Theaters.**
 Approve an Agreement with San José Unified School District to provide for the use of certain City owned theaters by the School District for student performances for an aggregate maximum of ten days per year for a period of fifteen years from July 1, 2019 through June 30, 2035, at no rent and subject to applicable service fees charged by Team San José as operator of the theaters.
 CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
 (Economic Development)
(10-0-1. Absent: Carrasco.)
- 2.10 19-110 Amendment to the Agreement with Innovative Interfaces Inc. for the Integrated Library System.**
 Adopt a resolution authorizing the City Manager to:
 (a) Execute the First Amendment to the Agreement for the Integrated Library System with Innovative Interfaces Inc. (Emeryville, CA) to increase compensation by \$55,331 to add the i-Tiva automated interactive communications system, including professional services required for installation, configuration, and implementation, and to extend use of the Encore Discovery Tool for a revised maximum compensation not to exceed \$596,015 for the initial contract term beginning July 1, 2017 and ending June 30, 2020;
 (b) Increase contingency by \$100,000 to cover any additional unanticipated changes for a total contingency not to exceed \$120,000 during the initial three-year term, subject to the appropriation of funds; and
 (c) Negotiate and execute amendments and change orders for related tools and services, subject to the appropriation of funds.
 (Finance)
Resolution No. 79016 adopted.
(10-0-1. Absent: Carrasco.)

2.11 19-111 Actions Related to the Purchase Order with Schindler Elevator, Corporation for Elevator Modernization Services.

Adopt a resolution authorizing the City Manager to:

(a) Execute a purchase order with Schindler Elevator, Corporation (San Leandro, CA) to replace machinery and equipment of two elevators at the Police Communications Building for the term beginning on or about April 1, 2019 and ending on or about October 1, 2020, in an amount not to exceed \$765,296.

(b) Approve a contingency of \$153,000 for any unforeseen changes or modifications to the new machinery and equipment for the two elevators, subject to the appropriation of funds.

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

(Finance)

Resolution No. 79018 adopted.

(10-0-1. Absent: Carrasco.)

2.12 19-112 Actions Related to the Purchase Order with R & R Refrigeration & Air Conditioning, Inc. for Commercial Kitchen Appliance and Equipment Maintenance & Repair Services.

Adopt a resolution authorizing the City Manager to:

(a) Execute a Purchase Order with R & R Refrigeration & Air Conditioning, Inc. (San José, CA) for commercial kitchen appliance and equipment maintenance and repair services for the Public Works Department for an initial twelve-month period, starting on or about March 27, 2019 and ending on or about March 26, 2020 for an amount not to exceed \$200,000; and

(b) Exercise up to four one-year options to extend the term of the Purchase Order with the last option year ending on or about March 25, 2024, subject to the appropriation of funds.

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

(Finance)

Resolution No. 79018 adopted.

(10-0-1. Absent: Carrasco.)

2.13 19-122 Actions Related to the State of California Board of State and Community Corrections Grant Agreement.

Adopt a resolution:

(a) Authorizing the City Manager to submit a grant application and, if awarded, negotiate and execute a grant agreement with the State of California Board of State and Community Corrections for an amount up to \$1,000,000 in funding and to take all actions necessary to effectuate the grant, including any amendments thereof; and

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2.13 (Cont'd.)

(b) Authorizing the Director of Parks, Recreation and Neighborhood Services to negotiate and execute grant agreements with community-based organizations identified in the grant application, including any amendments thereof, up to an amount of \$900,000 per agreement, subject to City Council appropriation.

CEQA: Not a Project, File PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Parks, Recreation and Neighborhood Services)

Resolution No. 79019 adopted.
(10-0-1. Absent: Carrasco.)

2.14 19-139

Retroactive Approval of Thompson Creek Community Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on March 13, 2019:

(a) Retroactively approve the Thompson Creek Community scheduled on March 21, 2019 as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)

[Rules Committee referral 3/13/19 - Item A.1.a]

Approved.

(10-0-1. Absent: Carrasco.)

2.15 19-140

Retroactive Approval of Cadwallader Community Meeting Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on March 13, 2019:

(a) Retroactively approve the Cadwallader Community Meeting scheduled on March 25, 2019 as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)

[Rules Committee referral 3/13/19 - Item A.1.a]

Approved.

(10-0-1. Absent: Carrasco.)

2.16 19-159 SB 5 (Beall and Maguire) Local-State Sustainable Investment Incentive Program.

As recommended by the Rules and Open Government Committee on March 13, 2019, adopt a position of support, for SB 5 (Beall and Maguire).

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

[Rules Committee referral 3/13/19 - Item G.3]

[Deferred from 3/19/19 - Item 2.15 (19-141)]

Position of Support Adopted.

(9-0-2. Absent: Arenas, Khamis.)

2.17 19-160 Annual Development In-Lieu Fee Report.

Adopt a resolution:

(a) Accepting the Fiscal Year 2017-2018 Annual Development In-Lieu Fee Report regarding in-lieu fees collected by the City from developers in lieu of construction of public improvements; and

(b) Making certain findings as required by Government Code Section 66001 (d) (1).

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

Renumbered from Item 4.1 (19-116)

Resolution No. 79020 adopted.

(10-0-1. Absent: Carrasco.)

2.18 19-162 Retroactive Approval of Women's History Month Celebration at the Teen Center Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on March 20, 2019:

(a) Retroactively approve the Women's History Month Celebration at the Teen Center scheduled on March 16, 2019 as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)

[Rules Committee referral 3/20/19 - Item G.1.b]

Approved.

(10-0-1. Absent: Carrasco.)

2.19 19-163

Approval of the Grand Re-Opening of Welch Park Community Center Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on March 20, 2019:

(a) Approve the Grand Re-Opening of Welch Park Community Center scheduled on March 30, 2019 as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)

[Rules Committee referral 3/20/19 - Item G.1.c]

Approved.

(10-0-1. Absent: Carrasco.)

2.20 19-164

Request for Travel for Mayor and Council.

Approve travel for Mayor Sam Liccardo to Washington, D.C. from April 1 - April 2, 2019, designate him as the City representative to attend the Silicon Valley Leadership Group's Annual Spring Advocacy Trip, and approve use of the Mayor/Council Travel Budget. Source of Funds: Mayor/Council Travel Budget.

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

Approved.

(10-0-1. Absent: Carrasco.)

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, David Sykes (Verbal Report)

City Manager, David Sykes congratulated the DOT Better Bikeways San José Team as recipients of the SPUR Impact Award. A video was shown on the team's implementation of a network of better bikeways that is transforming San José's streets.

3.2 Labor Negotiations Update.

None provided.

3.3 19-113 Status of Open Audit Recommendations as of December 31, 2018.

Accept the Status of Open Audit recommendations as of December 31, 2018.

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

**Accepted.
(11-0.)**

3.4 19-107 Quarterly Intergovernmental Relations Report.

Accept the report from Intergovernmental Relations and reaffirm all City positions summarized in the Intergovernmental Relations Priority Legislation Log.

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

This item was bifurcated, with support of AB195 heard separately. (10-1. Noes: Khamis) The report was accepted, with the inclusion of the joint memorandum from Councilmembers Peralez, Jimenez and Carrasco, dated March 22, 2019, to “Accept staff recommendation and direct the City Manager to include the exploration of public banking as part of the 2019 Legislative Program” with clarification on the public banking item made to *watch* positional progress as staff provides additional analysis. (10-0-1. Absent: Foley)

3.5 19-134 Council Policy Priority #13: Amendment to Title 6 of the San José Municipal Code for the Cannabis Equity Assistance Program.

(a) Approve an ordinance amending Part 2 and adding Part 3.5 to Chapter 6.88 of Title 6 of the San José Municipal Code to add definitions and set forth criteria for a Cannabis Equity Assistance Program.

(b) Adopt an Urgency Ordinance amending Part 2 and adding Part 3.5 to Chapter 6.88 of Title 6 of the San José Municipal Code to add definitions and set forth criteria for a Cannabis Equity Assistance Program. **Please note: Approval of this item requires 8 or more affirmative votes (2/3).**

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Police/City Manager)

Ordinance No. 30234 and Urgency Ordinance No. 30235 adopted, including the joint memorandum from Councilmembers Carrasco, Peralez and Foley, dated March 22, 2019, accepting the staff report with two amendments: (a) Add to the Legislative Priorities list to continue to advocate for additional funding cycles under the California Cannabis Equity Act of 2018 (Equity Act) established by Senate Bill 1294; and (b) Remove “in the City of San Jose” from criteria d) from the equity applicant qualifications section. (10-0-1. Absent: Arenas.)

3.6 19-114 Actions Related to the 9080 - Mineta San José International Airport Economy Lot Parking Garage Project.

Adopt a resolution in accordance with San José Municipal Code Section 14.07.310:

(a) Finding that the cost of the proposed design-build contract for the Economy Lot Parking Garage Project (ELPG) at the Norman Y. Mineta San José International Airport will exceed \$5,000,000 and that the use of the design-build delivery method process is likely to save money and/or result in faster Project completion than if the City used the traditional design-bid-build method of project delivery;

(b) Approving the Request for Proposals (“RFP”) and the evaluation criteria and process by which the City shall select a design-build entity for the ELPG Project; and

(c) Authorizing the Director of Public Works to issue addenda to the RFP to add any additional requirements or to make such other revisions to the RFP that are consistent with the scope and selection criteria as approved by Council.

CEQA: Determination of Consistency with the Final Environmental Impact Report, as Supplemented for the San José International Airport Master Plan (Resolution Nos. 67380 and 71451), File No. PP19-012. (Public Works/Airport)

Resolution No. 79021 adopted, including direction to staff to first look for off-site property and to include the Earthquakes in their discussion. (11-0.)

3.7 19-137 Board of Fair Campaign and Political Practices Response and Proposed Recommendations to October 16, 2018 Council Referral Regarding Shifting Mayoral Elections from the Gubernatorial Election Cycle to the Presidential Election Cycle. - DEFERRED

Accept the recommendation from the Board of Fair Campaign and Political Practices to shift the City’s mayoral election from the gubernatorial cycle to the presidential cycle.

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

[Deferred from 10/16/2018 - Item 3.9 (18-1393)]

Deferred to 4/9/2019 per Administration

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 19-116 Annual Development In-Lieu Fee Report.

Adopt a resolution:

(a) Accepting the Fiscal Year 2017-2018 Annual Development In-Lieu Fee Report regarding in-lieu fees collected by the City from developers in lieu of construction of public improvements; and

(b) Making certain findings as required by Government Code Section 66001 (d) (1).

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

Renumbered to Item 2.17 (19-160)

4.2 19-117 Ellis Act Ordinance Recontrol Provisions. - DEFERRED

Accept the verbal staff report on research on the Ellis Act Ordinance's recontrol provisions including conversations with developers and lenders, potential alternatives for meeting recontrol requirements and accept the ancillary staff report..

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Housing)

Deferred to 4/9/2019 per Administration

4.3 19-118 Amendment to the Agreement with Destination: Home SV for the Employment Initiative and Homelessness Prevention System.

(a) Adopt a resolution authorizing the City Manager to negotiate and execute a First Amendment to the grant agreement that was transferred to Destination: Home SV by Asset Transfer Agreement dated November 28, 2017, in the amount of \$4,250,000, to continue implementing the Employment Initiative and Homelessness Prevention System for homeless individuals and families through June 30, 2021.

Resolution No. 79022 adopted.

(10-0-0-1. Abstain: Esparza.)

(b) Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution Amendments in the Multi-Source Housing Fund:

(1) Establish a Revenue from the State of California estimate in the amount of \$10,989,988 to recognize Homeless Emergency Aid Program (HEAP) grant revenue; and

(2) Establish a Homeless Emergency Aid Program Reserve to the Housing Department in the amount of \$6,989,988; and

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4.3 (Cont'd.)

(b) (3) Establish a Homelessness Prevention System appropriation to the Housing Department in the amount of \$4,000,000.

Ordinance No. 30236 adopted.

Resolution No. 79023 adopted.

(10-0-0-1. Abstain: Esparza.)

(c) Adopt the following 2018-2019 Appropriation Ordinance Amendments in the Housing Trust Fund:

(1) Establish an Employment Initiative Program appropriation to the Housing Department in the amount of \$250,000; and

(2) Decrease the Unrestricted Ending Fund Balance by \$250,000.

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

Ordinance No. 30237 adopted.

(10-0-0-1. Abstain: Esparza.)

4.4 19-119

Actions Related to the Funding Award to LifeMoves to Expand the Safe Parking Pilot Program to Two City-Owned Sites.

(a) Adopt a resolution authorizing the Director of Housing to negotiate and execute an amendment to the Agreement with LifeMoves funded by the Homeless Emergency Aid Program (HEAP) in the amount of \$400,000 to expand the Safe Parking Pilot Program to the following two city-owned sites through June 30, 2021:

(1) Southside Community Center, 5585 Cottle Road, San José, CA 95123 and

(2) Roosevelt Community Center, 901 E. Santa Clara Street, San José, CA 95116

Resolution No. 79024 adopted.

(10-0-1. Absent: Liccardo.)

(b) Adopt the following 2018-2019 Appropriation Ordinance and Funding Source Resolution Amendments in the Multi-Source Housing Fund:

(1) Establish a Crisis Response Interventions appropriation to the Housing Department in the amount of \$400,000; and

(2) Increase the Revenue from the State of California estimate in the amount of \$400,000 to recognize Homeless Emergency Aid Program (HEAP) grant revenue.

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4.4 (Cont'd.)

CEQA: Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File No. PP18-099. (Housing/City Manager)

Ordinance No. 30238 adopted.

Resolution No. 79025 adopted.

Including the memorandum from Councilmember Raul Peralez, dated March 22, 2019, to: Approve staff recommendation and ensure the following is met:

(1) Prioritize outreach to RVs and cars located along St. John Street between 15th and 17th; (2) All vehicles enter and clear the sites within established program hours, so that the community centers can resume normal business operations.

Including the memorandum from Councilmember Sergio Jimenez, dated March 25, 2019, to: Approve staff memorandum dated March 12, 2019 with following additions:

- 1. Direct staff to modify the City of San Jose's contract with LifeMoves to ensure there is flexibility in the language as it relates to the number of cars allowed to park overnight at the Southside Community Center. If possible, extend the current 25 car limit to a more impactful but feasible number.**
- 2. Direct staff to modify the Safe Parking Pilot Program operational guidelines and any corresponding clauses in the contract to clarify that individuals do not need to have their vehicles registered and insured in order to partake in the program.**
- 3. Direct staff to explore leveraging existing city partnerships with Dignity on Wheels for onsite shower services at Southside Community Center in lieu of a need for portable restrooms.**
- 4. Direct staff to explore additional sites for further expansion in Council Districts most needing this program which do not yet have it.**

And including the memorandum from Councilmember Sylvia Arenas, dated March 26, 2019, with amendments as noted:

- 1. Approve staff recommendation and;**
- 2. Direct staff to include Cultural Competency as an area of evaluation for all future Requests for Proposals for City Safe Parking Programs, ~~as well as consider this criteria for all future Housing RFPs.~~ Including current safe city parking providers.**
- 3. Recommend that staff return to NSE this fall with a plan to leverage existing services such as workforce development, case management, and access to other government programs for safe parking sites.**

(10-0-1. Absent: Liccardo.)

4.5 19-120 Hope Village Update. - DROP

- (a) Accept the staff report on the status of Hope Village; and
- (b) Direct staff to return to the City Council with an implementation plan and timeline for a city and county funded development of a new Hope Village.

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

Item Dropped.

5. NEIGHBORHOOD SERVICES

5.1 19-121 Annual BeautifySJ Report. - DEFERRED

As recommended by the Neighborhood Services & Education Committee on December 13, 2018, accept the BeautifySJ Annual report which includes updates pertaining to street landscape maintenance, illegal dumping, anti-graffiti, and anti-litter activities.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Parks, Recreation and Neighborhood Services/Environmental Services/Transportation)

[Neighborhood Services & Education Committee referral - 12/13/18 (d)1]

[Deferred from 2/26/19 - Item 5.1 (18-1941)]

Deferred to 5/7/19 per Administration

5.2 19-123 Actions Related to the Sale Proceeds of the 1123 Coleman Avenue Property.

(a) Accept the proposed use of \$4,722,000 of sale proceeds from the the 1123 Coleman Avenue property on shovel-ready projects.

Accepted.

(10-0-1. Absent: Liccardo.)

(b) Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:

(1) Increase the estimate for Other Revenue in the amount of \$24,844,000;

(2) Establish a Transfer to the Parks and Recreation Bond Projects Fund in the amount of \$4,722,000; and

(3) Increase the 2019-2020 Proposed Budget Planning Reserve in the amount of \$20,122,000.

Ordinance No. 30239 adopted.

Resolution No. 79026 adopted.

(10-0-1. Absent: Liccardo.)

(c) Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution amendments in the Parks and Recreation Bond Projects Fund:

(1) Establish an estimate for Transfers and Reimbursements in the amount of \$4,722,000.

(2) Establish the Iris Chang Park Development appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$728,000.

(3) Establish the River Glen Park Improvements appropriation to the Parks, Recreation and Neighborhood Services Department in the

amount of \$200,000.

(4) Establish the Trail: Yerba Buena Creek Pedestrian Bridge - Preliminary Design appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$144,000.

(5) Establish the Hathaway Park Renovation appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$850,000.

(6) Establish the La Colina Park Playground Renovation appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$300,000.

(7) Establish the Alum Rock Avenue and 31st Street Park Phase II appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$1,000,000.

(8) Establish the Welch Park and Neighborhood Center Improvements appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$200,000.

(9) Establish the Butcher Park Playlot Renovation appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$300,000.

(10) Establish the Playa Del Rey Shade Structure appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$100,000.

(11) Establish the Waterford Park Improvements appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$100,000.

(12) Establish the All-Inclusive Playground - Emma Prusch appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$500,000.

(13) Establish the Seven Trees Community Center Lighting appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$150,000.

(14) Establish the Solari Park Improvements appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$150,000.

Ordinance No. 30240 adopted.

Resolution No. 79027 adopted.

(10-0-1. Absent: Liccardo.)

(d) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Subdivision Park Trust Fund:

(1) Decrease the Iris Chang Park Development appropriation by \$728,000.

(2) Decrease the River Glen Park Improvements appropriation by \$200,000.

(3) Decrease the Trail: Yerba Buena Creek Ped Bridge - Preliminary Design appropriation by \$144,000.

(4) Increase the Future Parkland Dedication Ordinance/Parkland

Impact Ordinance Projects Reserve by \$1,072,000.

Ordinance No. 30241 adopted.
(10-0-1. Absent: Liccardo.)

(e) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District 1:

(1) Decrease the Hathaway Park Renovation appropriation by \$850,000.

(2) Increase the Ending Fund Balance by \$850,000.

Ordinance No. 30242 adopted.
(10-0-1. Absent: Liccardo.)

(f) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District 2:

(1) Decrease the La Colina Park Playground Renovation appropriation by \$300,000.

(2) Increase the Ending Fund Balance by \$300,000.

Ordinance No. 30243 adopted.
(10-0-1. Absent: Liccardo.)

(g) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District 5:

(1) Decrease the Alum Rock Avenue and 31st Street Park Phase II appropriation by \$1,000,000.

(2) Increase the Ending Fund Balance by \$1,000,000.

Ordinance No. 30244 adopted.
(10-0-1. Absent: Liccardo.)

(h) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District 8:

(1) Decrease the Welch Park and Neighborhood Center Improvements appropriation by \$200,000.

(2) Increase the Ending Fund Balance by \$200,000.

Ordinance No. 30245 adopted.
(10-0-1. Absent: Liccardo.)

(i) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District 9:

(1) Decrease the Butcher Park Playlot Renovation appropriation by \$300,000.

(2) Increase the Ending Fund Balance by \$300,000.

Ordinance No. 30246 adopted.

(10-0-1. Absent: Liccardo.)

(j) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District 10:

(1) Decrease the Playa Del Rey Shade Structure appropriation by \$100,000.

(2) Decrease the Waterford Park Improvements appropriation by \$100,000.

(3) Increase the Ending Fund Balance by \$200,000.

CEQA: Addendum to the North San José Development Policies Update Final EIR (Resolution No. 72768), File No. PP16-087; Mitigated Negative Declaration for 31st Street & Alum Rock Avenue Park, File Nos. GP16-008 & PP16-073; Addendum to the Evergreen East Hill Vision Strategy Final EIR (Resolution No. 73570) and Supplemental EIR (Resolution No. 74742), File No. PP14-088; Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File Nos. PP07-116, PP18-022, PP18-031, PP18-065, PP18-066, and PP19-003; and Categorically Exempt, CEQA Guidelines Section 15302, Replacement and Reconstruction, File Nos. PP01-081, PP01-151, and PP02-013; and Categorically Exempt, CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures, File No. PP00-009. (Parks, Recreation and Neighborhood Services/City Manager)

Ordinance No. 30247 adopted.

Item 5.2 was accepted, with the inclusion of Councilmember Sylvia Arenas' memorandum dated March 26, 2019, to:

1. Accept staff report and supplemental, and

2. Recommend that in the budget process the administration consider focusing the \$3.0 million proposed allocation for Re-Use Facilities Capital Improvements and PRNS Strike Team to address the deferred maintenance at the lowest PCA scoring re-use facilities and parks.

3. Recommend that in the budget process the administration consider prioritizing efforts to address the unfunded parks maintenance backlog with the funds currently designated in the supplemental memo as "Other General Fund Priority Projects and Programs"

With an additional amendment that, in the budget process, the administration consider returning with a plan to address how the \$7 million under other General Fund Priorities can be reinvested in the Park System.

(10-0-1. Absent: Liccardo.)

5.3 19-148 Report on Quality Standards for Early Education Programming.

As recommended by the Neighborhood Services & Education Committee on February 14, 2019, accept the staff report and adopt a resolution adopting the Early Education Quality Standards for City programs that serve young children, as specified by the Education and Digital Literacy Strategy.

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

[Neighborhood Services & Education Committee referral 2/14/19 - Item (d)3]

[Deferred from 3/19/19 - Item 5.2 (19-082)]

Resolution No. 79028 adopted, including the joint memorandum from Vice Mayor Chappie Jones and Councilmembers Arenas, Carrasco and Davis, dated March 26, 2019, to accept Staffs report and implementation plan and:

- 1. Recommend that the Human Resources Department explore the reclassification process to create new “Education Series” positions that are needed to support implementation**
 - 2. Request the Library and PRNS return to NSE by 2020 with next steps to expand the adoption of quality standards to other license-exempt and non-traditional childcare providers**
 - 3. Request a Manager’s Budget Addendum on the current cost recovery from existing early childhood programs, and the cost of expanding to additional sites. Recommend staff explore and return to NSE by 2020 with a report on possible sites for license-exempt and licensed child care**
 - 4. Recommend that staff return to NSE by 2020 to report on what resources would be needed to create a more robust scholarship program for early childhood programs**
- (10-0-1. Absent: Liccardo.)**

6. TRANSPORTATION & AVIATION SERVICES

6.1 19-124 2019 Major Streets Remove & Replace Asphalt Concrete Pavement Project.

(a) Approve award of a construction contract for the 2019 Major Streets Remove and Replace Asphalt Concrete Pavement Project, to the low bidder, G. Bortolotto & Company, Inc. in the amount of \$2,601,460.

(b) Approve a ten percent contingency in the amount of \$260,146.

CEQA: Categorically Exempt, File No. PP18-029, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation)

Approved.

(11-0.)

Heard Immediately Following Land Use Consent

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

10.1 Land Use on Consent Calendar

(a) 19-125 PDC19-007 - Planned Development Rezoning for Real Property Located North of Champions Drive.

Approve an ordinance rezoning certain real property, approximately 94.8-gross acre site generally bounded by Coleman Avenue to the north; Union Pacific Right-of-Way to the south; Newhall Street to the east and the City of Santa Clara border, to the west, from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District.

CEQA: Determination of Consistency with the FMC/Coleman Avenue Environmental Impact Report (Resolution No. 71716), the Airport West Stadium and Great Oaks Place Project Environmental Impact Report (Resolution No. 73509), the Envision San José 2040 General Plan Final Environmental Impact Report (Resolution No. 76041), the Envision San José 2040 General Plan Final Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. Council District 3. (Planning, Building and Code Enforcement).

Ordinance No. 30248 passed for publication.
(11-0.)

Heard Immediately Following Regular Consent Calendar.

(b) 19-126 C18-022/CP18-029 - Conforming Rezoning and Conditional Use Permit for Real Property Located at 455 Silicon Valley Road.

(1) Adopt a resolution adopting the San José Behavioral Health Hospital Expansion Project Addendum and a related Mitigation Monitoring and Reporting Program, all in accordance to the California Environmental Quality Act, as amended.

Resolution No. 79029 adopted.
(11-0.)

(2) Approve an ordinance rezoning certain real property, approximately 6.9-gross acre site, located at the southwest corner of Silicon Valley Boulevard and Eden Park Place (455 Silicon Valley Boulevard), from the A(PD) Planned Development Zoning District to the CIC Combined Industrial/Commercial Zoning District.

Ordinance No. 30249 passed for publication.
(11-0.)

(Item Continued on the Next Page)

10.1 Land Use on Consent Calendar

- (b) 19-126 (3) Adopt a resolution approving, subject to conditions, a Conditional Use Permit to allow the expansion of a state licensed behavioral health hospital by up to 59,365 square feet, for a total area of approximately 113,709 square feet, in two phases, and increase the number of patient beds from 80 to up to 168 patient beds, with related site modifications and the removal of 15 ordinance-size trees on an approximately 6.9 -gross acre site.
CEQA: Addendum to the 2000 Edenvale Redevelopment Project EIR (Resolution No. 69699), 2000 Edenvale Redevelopment Project Supplemental EIR (Resolution No. 70021), Envision San José 2040 General Plan EIR (Resolution No. 76041), Envision San José 2040 General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. Council District 2. (Planning, Building and Code Enforcement).
Resolution No. 79030 adopted.
(11-0.)

Heard Immediately Following Regular Consent Calendar.

- (c) 19-127 **PP18-084 - Amendment to Title 23 (Sign Code) for Commercial and Industrial Zoning Districts and Neighborhood Business Districts in the Alviso Master Plan Area.**
(1) Adopt a resolution adopting an Addendum to the Alviso Master Plan EIR (Resolution No. 68577), Envision San José 2040 General Plan EIR (Resolution No. 76041), Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.
Resolution No. 79031 adopted.
(11-0.)
- (2) Approve an ordinance amending Chapter 23.04, Part 1, Commercial and Industrial Zoning Districts and Neighborhood Business Districts, Section 23.04.036, “Business Center Signs,” to allow freeway-facing on-site signs for sites located within the Alviso Master Plan Area, that are developed with office or research and development uses; and to make other non-substantive, ministerial, technical, or typographical changes to Sections of Chapter 23.04 of the Sign Code.
CEQA: Addendum to the Alviso Master Plan EIR (Resolution No. 68577), Envision San José 2040 General Plan EIR (Resolution No. 76041), Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. (Planning, Building, and Code Enforcement)
Ordinance No. 30250 passed for publication.
(11-0.)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

1. 19-128 PP19-010 - Amendment to Title 20 (Zoning Ordinance or Zoning Code). - DEFERRED

Consideration of an ordinance amending Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to amend Section 20.30.150 of Chapter 20.30 to remove average height requirement for secondary units, and modify maximum height requirement for two-story secondary units; amend Section 20.50.100 of Chapter 20.50 to allow Farmers' Market as an enumerated use in the CIC Zoning District; and to make other technical, non-substantive or formatting changes within those sections of Title 20 of the San José Municipal Code.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto. Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs. (Planning, Building, and Code Enforcement).

Deferred to 4/9/19 Per Administration

- Open Forum

None provided.

- Adjournment

The meeting of the San José City Council was adjourned by Vice Mayor Chappie Jones at 8:26 p.m.

**MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JOSÉ HOUSING
AUTHORITY AGENDA**

**The Meeting of the Board of Commissioners of the City of San José Housing Authority was called to
Order at 8:23 p.m.**

1. 19-129 Support for the 2020 Moving to Work Annual Plan.

Board of Commissioners for the Housing Authority of the City of San José authorize the City Housing Authority's Executive Director to submit a letter to the Santa Clara County Housing Authority to support the 2020 Moving to Work Annual Plan.

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment.

(Housing)

Authorized.

(10-0-1. Absent: Liccardo.)

**The Meeting of the Board of Commissioners of the City of San José Housing Authority was adjourned at
8:26 p.m.**