

MINUTES OF THE CITY COUNCIL

SAN JOSÉ, CALIFORNIA

TUESDAY, AUGUST 14, 2018

The Council of the City of San José convened in Regular Session at 9:05 a.m. in the Council Chambers at City Hall.

9:05 a.m. - Closed Session, Call to Order in Council Chambers
Absent Councilmembers: All Present

1:35 p.m. - Regular Session, Council Chambers, City Hall
Absent Councilmembers: All Present. (Carrasco: 2:32 p.m.)

6:03 p.m.- Public Hearings, Council Chambers, City Hall
Absent Councilmembers: All Present

CLOSED SESSION

Upon motion unanimously adopted, Council recessed at 9:07 a.m. to a Closed Session in Room W133; (A) To confer with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): (1) in re: Claim of Blean; Names Of Partie(s) Involved: Workers Compensation Appeals Court; Case No.: ADJ1049128; Amount of Money or Other Relief Sought: Benefits; (2) in re: Claim of Sanchez; Names Of Partie(s) Involved: Workers Compensation Appeals Court; Case No.: ADJ10506264; ADJ8754377; ADJ9457994; ADJ8055716; ADJ7902565; ADJ8741831; ADJ1815721; ADJ7946557; ADJ8754268; Amount of Money or Other Relief Sought: Benefits; (B) to Confer with Legal Counsel, Anticipated Litigation, pursuant to Sections 54956.9(d)(2) and (e)(2) of the Government Code: Number of matter(s) to be discussed: One (1); (C) Public Employment/Public Employee Evaluation Pursuant to Government Code Section 54957: Title: Independent Police Auditor; Name: Aaron Zisser; (D) to Confer with Real Property Designated Representatives Pursuant to Government Code Section 54956.8: Property Street Address, Parcel Number, or other Unique Reference of Property: 200 Edenvale Avenue, San José, California; Negotiation Parties: Nanci Klein for the City of San José and Kevin Morgan for JMA Ventures; Under Negotiation: the direction will concern price and terms of payment; Likely Range of Value of Property: Negotiated price based on appraisal and comparable property values; (E) to Confer with Labor Negotiator Pursuant to Government Code Section 54957.6: City Negotiator: Jennifer Schembri, Director of Employee Relations; Employee Organizations: (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and ABMEI; (2) Association of Engineers & Architects (AEA);

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/city> or <http://www.sanjoseca.gov/civiccentertv>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.

CLOSED SESSION (Cont'd.)

Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AEA. (3) Association of Maintenance Supervisory Personnel (AMSP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AMSP. (4) City Association of Management Personnel Agreement (CAMP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CAMP. (5) Confidential Employees' Organization, AFSCME Local 101 (CEO); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CEO; (6) International Association of Firefighters, Local 230 (IAFF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Association of Firefighters. (7) International Brotherhood of Electrical Workers (IBEW); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and IBEW; (8) Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and MEF; (9) International Union of Operating Engineers, Local No. 3 (OE#3); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Union of Operating Engineers, Local No. 3. (10) San José Police Officers' Association (SJPOA); Nature of negotiations: wages/salaries, hours, working conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement - City of San José and San José Police Association; (11) Association of Legal Professionals of San José (ALP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Web: <http://www.sanjoseca.gov/?nid=186>; Telephone for Employee Relations: 408-535-8150.

By unanimous consent, Council recessed from Closed Session at 12:45 p.m.; Council reconvened to Regular Session at 1:35 p.m. in the Council Chambers.

Present: Councilmembers: Arenas, Carrasco (2:32), Davis, Diep, Jimenez, Jones, Khamis, Nguyen, Peralez, Rocha; Liccardo.

Absent Councilmembers: All Present.

INVOCATION (District 7)

Vietnamese Dance Group, Tuổi Thành Tiên, 'Little Angels', performed a traditional dance for the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Sam Liccardo led the Pledge of Allegiance.

ORDERS OF THE DAY

Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Raul Peralez, and carried unanimously, the Orders of the Day and the Amended Agenda were approved. (10-0-1. Absent: Carrasco.)

CLOSED SESSION REPORT

None provided.

CEREMONIAL ITEMS

- 1.1** Mayor Sam Liccardo and Councilmember Tam Nguyen presented a commendation to Ivy Pham and Alan Pham for providing free tutoring services to thousands of students in the City of San Jose. (Mayor)
- 1.2** Mayor Sam Liccardo and Councilmember Sergio Jimenez presented a proclamation declaring August 2018 as Muslim Appreciation Awareness Month in the City of San José. (Jimenez)
Heard in the Evening
- 1.3** Mayor Sam Liccardo and Councilmember Don Rocha presented a proclamation recognizing the members of the Thousand Oaks Park Conservancy Project for their outstanding commitment to the community with the development of the Thousand Oaks Park Woodland Area. (Rocha)
Heard in the Evening

CONSENT CALENDAR

Upon motion Councilmember Tam Nguyen, seconded by Councilmember Dev Davis and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (10-0-1. Absent: Carrasco.)

2.1 Approval of City Council Minutes.

- a. Special Minutes of the City Council Meeting of October 6, 2017
- b. Special Minutes of the Joint Meeting of the City Council and Santa Clara Valley Water District Board of Directors of November 3, 2017
- c. Special Minutes of the City Council Study Session Public Life in San José of March 22, 2018
- d. Regular Minutes of the City Council of April 3, 2018
- e. Regular Minutes of the City Council of April 10, 2018
- f. Regular Minutes of the City Council of April 17, 2018
- g. Special Minutes of the City Council Study Session Cost of Development in San Jose of April 26, 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 Clerk)

2.1 Approval of City Council Minutes (Cont'd.)

Documents Filed: (1) Special Minutes of the City Council Meeting of October 6, 2017; (2) Special Minutes of the Joint Meeting of the City Council and Santa Clara Valley Water District Board of Directors of November 3, 2017; (3) Special Minutes of the City Council Study Session Public Life in San José of March 22, 2018; (4) Regular Minutes of the City Council, dated April 3, 2018, April 10, 2018 and April 17, 2018; (5) Special Minutes of the City Council Study Session Cost of Development in San Jose of April 26, 2018.

Action: The City Council Minutes were approved. (10-0-1. Absent: Carrasco.)

2.2 Final Adoption of Ordinances.

None provided.

2.3 18-1057 Approval of Council Committee Minutes.

- (a) Ad Hoc Development Services Minutes of October 27, 2017.
(Davis)
- (b) Smart Cities Minutes of September 7, 2017. (Jones)
- (c) Ad Hoc Development Services Minutes of September 28, 2017.
(Davis)

Documents Filed: (1) Ad Hoc Development Services Minutes of October 27, 2017 and September 28, 2019; (2) Smart Cities Minutes dated September 7, 2017.

Action: The Council Committee Minutes were approved.
(10-0-1. Absent: Carrasco.)

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

Mayor Sam Liccardo discussed his meeting with his Mayoral colleagues at the Bloomberg Harvard City Leadership Initiative in New York City. (9-0-2. Absent: Carrasco, Rocha.)

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 18-1045 Agreement with Fall Creek Engineering, Inc. for Engineering Services for the Alum Rock Park Visitor Center and Service Road Projects.

Approve an agreement with Fall Creek Engineering, Inc. to provide consultant and professional engineering services for the Alum Rock Park Visitor Center and Service Road Projects from the date of execution to July 31, 2020, in a maximum total compensation amount of \$480,165, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP18-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 4 & 5. (Public Works)

Documents Filed: Memorandum from Director of Public Works, Matt Cano, dated July 23, 2018, recommending approval of an agreement.

Action: The agreement with Fall Creek Engineering, Inc. was approved. (10-0-1. Absent: Carrasco.)

2.8 18-1063 San Jose Unified School District Coordination and Collaboration for Education.

Adopt a resolution regarding coordination and collaboration with San Jose Unified School District on education issues.

CEQA: Not a Project, File No. PP17-003, Agreements resulting in no changes to the physical environment. (Economic Development)

Documents Filed: Memorandum from Deputy City Manager/Director of Economic Development Kim Walesh, dated August 3, 2018, recommending adoption of a resolution.

Action: Resolution No. 78742, entitled: “A Resolution of the Council of the City of San José Regarding Coordination and Communication with San José Unified School District”, was adopted. (10-0-1. Absent: Carrasco.)

2.9 18-1068 Approval of SVCTBA 2019 Smart City Conference Sponsored by Council District 10 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 August 1, 2018:

1. Approve the SVCTBA 2019 Smart City Conference scheduled on May 31, 2019 as a City Council sponsored Special Event and approve the expenditure of funds.

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

CEQA: Not a Project, File No. PP17-011, (Khamis)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated August 3, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The City Council Sponsored Special Event was approved. (10-0-1. Absent: Carrasco.)

2.10 18-1069 Approval of Indian Independence Day Flag Raising 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 August 1, 2018:

1. Approve the Indian Independence Day Flag Raising scheduled on August 16, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
2. 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 08/01/18 - Item G.1.b]

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated August 3, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The City Council Sponsored Special Event was approved. (10-0-1. Absent: Carrasco.)

2.11 18-1099 Approval of the Dumpster Day Event Sponsored by Council District 4 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 August 8, 2018:

1. Retroactively approve the Dumpster Day event scheduled on August 3, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
2. 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. (Diep)

Documents Filed: Memorandum from Councilmember Lan Diep, dated August 3, 2018, requesting approval for sponsorship of a City Council Sponsored special event.

Action: The City Council Sponsored Special Event was approved. (10-0-1. Absent: Carrasco.)

2.12 18-1100 Approval of the End of Summer Festival Sponsored by Council District 4 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 August 8, 2018:

1. Approve the End of Summer Festival scheduled on August 19, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011. (Diep)
[Rules Committee referral 08/18/18 - Adds]

2.12 (Cont'd.)

Documents Filed: Memorandum from Councilmember Tam Nguyen, dated August 2, 2018, requesting approval for sponsorship of a City Council Sponsored special event.

Action: The City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (10-0-1. Absent: Carrasco.)

2.13 18-1101 **Approval of District 10 Leadership Coalition BBQ Sponsored by District 4 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 August 8, 2018:

1. Retroactively approve the District 10 Leadership Coalition BBQ scheduled on Saturday, July 7, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
2. 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. (Khamis)
[Rules Committee referral 08/18/18 - Item G.1.a]

Documents Filed: Memorandum from Councilmember Johnny Khamis, dated August 1, 2018, requesting approval for sponsorship of a City Council Sponsored special event.

Action: The City Council Sponsored Special Event was approved. (10-0-1. Absent: Carrasco.)

2.14 18-1103 **Approval of Faith Leader Lunch Sponsored By Council District 10 as a City 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 August 8, 2018:

1. Approve the District 10 Faith Leader Lunch scheduled on September 27, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
2. 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. (Khamis)
[Rules Committee referral 08/08/18 - Item G.1.b]

Documents Filed: Memorandum from Councilmember Johnny Khamis, dated August 1, 2018, requesting approval for sponsorship of a City Council Sponsored special event.

Action: The City Council Sponsored Special Event was approved. (10-0-1. Absent: Carrasco.)

2.15 18-1104

Approval of Community Events Sponsored By Council District 7 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on August 8, 2018:

1. Retroactively approve Dumpster Day on Saturday, August 11, 2018 at Dan Lairon Elementary School as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve Summer Festival on Saturday, August 11, 2018 at the Vietnamese American Community Center as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:
 - a. New Crosswalk at Alma and Sanborn Ribbon Cutting Celebration on Saturday, August 18, 2018 at corner of Alma and Sanborn Roads;
 - b. Traffic Safety Meeting on Monday, August 20, 2018 at Richardson Park;
 - c. Grand Opening of William Manly Park on Thursday, August 23, 2018 at Communications Hill;
 - d. Dumpster Day on Saturday, August 25, 2018 at Dahl Elementary School;
 - e. Dumpster Day on Saturday, September 8, 2018 at Windmill Springs Elementary School;
 - f. Ice Cream Social on Wednesday, September 9, 2018 at Tropicana;
 - g. 7th Annual Asian American Women's Alliance Career Seminar on Friday, September 21, 2018 at City Hall Rotunda;
 - h. Internet Freedom Day Rally on Friday, September 28, 2018 at City Hall Rotunda;
 - i. Clean Up with Tam on Saturday, September 29, 2018 at Midfield and Havana Avenue;
 - j. Mid-Autumn Festival on Saturday, October 6, 2018 at the Vietnamese American Community Center;
4. Approve and accept donations from various individuals, businesses, or community groups to support the events.

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

[Rules Committee referral 08/08/18 - Item G.1.c]

Documents Filed: Memorandum from Councilmember Tam Nguyen, dated August 2, 2018, requesting approval for sponsorship of a City Council Sponsored special event.

Action: The City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (10-0-1. Absent: Carrasco.)

2.16 18-1105 Approval of the McKinley Bonita and Rosemary Gardens Dumpster Days Sponsored by Mayor Liccardo's Office and the Office of Councilmember Peralez 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 August 8, 2018:

1. Approve the McKinley Bonita and Rosemary Gardens Dumpster Days scheduled on August 11, 2018 and September 29, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
2. 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. (Liccardo, Peralez)
[Rules Committee referral 08/08/18 - Item G.1.d]

Documents Filed: Joint memorandum from Mayor Sam Liccardo and Councilmember Raul Peralez, dated July 30, 2018, requesting approval for sponsorship of a City Council Sponsored special event.

Action: The City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (10-0-1. Absent: Carrasco.)

STRATEGIC SUPPORT

3.3 18-1023 Actions Related to the City Healthcare Program.

Adopt a resolution to:

(a) Approve the terms of a Side Letter Agreement (attached to the memorandum to Council) related to the City's healthcare program between the City of San José (City) and the bargaining units listed below:

- (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI)
- (2) Association of Engineers and Architects, IFPTE Local 21 (AEA)
- (3) Association of Legal Professionals (ALP)
- (4) Association of Maintenance Supervisory Personnel, IFPTE Local 21 (AMSP)
- (5) City Association of Management Personnel, IFPTE Local 21 (CAMP)
- (6) Confidential Employees' Organization, AFSCME Local No. 101 (CEO)
- (7) San José Fire Fighters, IAFF Local 230 (IAFF)
- (8) International Brotherhood of Electrical Workers, Local No. 332 (IBEW)
- (9) Municipal Employees' Federation, AFSCME Local No. 101 (MEF)
- (10) International Union of Operating Engineers, Local No. 3 (OE#3)
- (11) San José Police Officers' Association (POA)

(b) Approve benefit and cost sharing changes for executive management and professional employees in Unit 99 and other unrepresented employees consistent with the terms of the Side Letter Agreement with the City's bargaining units related to the City's healthcare program.

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

3.3 (Cont'd.)

Documents Filed: Memorandum from Director of Employee Relations, Jennifer Schembri, dated July 24, 2018, recommending adoption of a resolution.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Lan Diep and carried unanimously, Resolution No. 78743, entitled: "A Resolution of the Council of the City of San José Approving the Terms of Agreement between the City of San José and Bargaining Units Related to the City's Healthcare Program", was adopted. (10-0-1. Absent: Carrasco.)

COMMUNITY & ECONOMIC DEVELOPMENT

- 4.1 18-1041** Actions Related to the Community Facilities District No. 17 (Capitol Expressway - Evergreen Place).
Conduct a Public Hearing, a special election, and take the following actions related to the formation of Community Facilities District No. 17 (Capitol Expressway - Evergreen Place):
- (a) Adopt a resolution:
 - (1) Establishing Community Facilities District No. 17 (Capitol Expy - Evergreen Place);
 - (2) Authorizing the levy of a special tax;
 - (3) Preliminarily establishing an appropriations limit; and
 - (4) Submitting the levy of special tax to the qualified electors.
 - (b) Adopt a resolution:
 - (1) Declaring the results of the special election; and
 - (2) Contingent upon two-thirds qualified voter approval, determining to form Community Facilities District No. 17 (Capitol Expy - Evergreen Place); and
 - (3) Directing the City Clerk to record a notice of special tax lien.If approved by the qualified voters in Community Facilities District No. 17 (Capitol Expressway - Evergreen Place):
 - (c) Approve an ordinance imposing the levy of special taxes for Community Facilities District No. 17 (Capitol Expressway - Evergreen Place).
CEQA: Addendum to the Evergreen East Hills Vision Strategy Final Environmental Impact Report (EIR) (Resolution No. 08-084) and Supplemental EIR (Resolution No. 74742), and Addenda thereto, File No. PDC10-022. (Public Works)

Documents Filed: Memorandum from Director of Public Works, Matt Cano, dated August 3, 2018, recommending conducting a public hearing, adoption of resolutions and approval of an ordinance.

City Clerk Toni J. Taber, CMC stated the results of the tabulation, indicating property owner ballots have been received and results tabulated, with a total of 141 returned votes to support the levy of special tax; therefore the ballot submitted by the property owners within facilities District 17 of the levy of special taxes constitutes 2/3 or more of the votes and the City Council may proceed with the vote of the imposition of the special tax.

4.1 (Cont'd.)

Mayor Sam Liccardo opened the public hearing.

Public Comments: Blair Beekman spoke off topic.

Mayor Sam Liccardo closed the public hearing.

Mayor Sam Liccardo, indicating that since the property owners have supported the proposal of the special tax, asked that City Council look at three actions, the resolution of the District 17 levy, the declaration of the results of the special result with the Clerk to record the special tax lien and the adoption of the ordinance of levy of the taxing within the community facilities of District 17, and called for a motion.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Tam Nguyen and carried unanimously, Resolution No. 78744, entitled: “A Resolution of the Council of the City of San José of Formation of Community Facilities District No. 17 (Capitol Expressway – Evergreen Place), Authorizing the Levy of a Special Tax Therein, Preliminarily Establishing an Appropriations Limit Therefore and Submitting Levy of the Special Tax and the Establishment of the Appropriations Limit to the Qualified Electors Thereof”; Resolution No. 78745, entitled: “A Resolution of the Council of the City of San José Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien for Community Facilities”, were adopted; and Ordinance No. 30140, entitled “An Ordinance of the City of San José Levying Special Taxes Within Community Facilities District No. 17 (Capitol Expressway – Evergreen Place)”, was passed for publication. (10-0-1. Absent: Carrasco.)

TRANSPORTATION & AVIATION SERVICES

6.1 18-1046 **Actions Related to the 8393 - Mineta San José International Airport - Airfield Electrical System Rehabilitation Project.**

Adopt a resolution authorizing the Director of Public Works to:

- (a) Award and execute the 8393 - Mineta San José International Airport - Airfield Electrical System Rehabilitation Project to the low bidder, St. Francis Electric, LLC in an amount of \$5,296,591.50, contingent upon the award and execution of an Airport Improvement Program (AIP) grant from the Federal Aviation Administration (FAA) in a minimum amount of \$5,293,000;
- (b) Establish a construction contingency of ten percent (10%) of the amount of the construction contract for the Project; and
- (c) Issue any change orders up to the amount of the contingency.

CEQA: Determination of Consistency with the Norman Y. Mineta San José International Airport Master Plan Update Project Final Environmental Impact Report (EIR) (Resolution No. 67380), and Final Supplemental EIR, (Resolution No. 71451), and Addenda thereto, File No. PP 17-079. (Public Works/Airport)

6.1 (Cont'd.)

Documents Filed: Joint memorandum from Director of Public Works, Matt Cano and Director of Aviation, John Aitken, A.A.E., dated July 23, 2018, recommending adoption of a resolution.

Public Comment: Blair Beekman offered comments regarding the streetlight program.

Director of Aviation, John Aitken, A.A.E. responded to questions from Council.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Sergio Jimenez and carried unanimously, Resolution No. 78746, entitled: “A Resolution of the Council of the City of San José Authorizing the Director of Public Works to (1) Award and Execute the 8393 Mineta San José International Airport Airfield Electrical System Rehabilitation Project to St Francis Electric, LLC in an Amount of \$5,296, 591.50, Contingent to Certain Conditions; (2) Establish a Construction Contingency of 10% of the Amount of the Construction Contract for the Project; and (3) Issue any Change Orders up to the Amount of the Contingency”, was adopted. (10-0-1. Absent: Carrasco.)

6.2 18-1070 **Cities Association of Santa Clara County--Santa Clara/Santa Cruz Airport Roundtable.**

As recommended by the Rules and Open Government Committee on August 1, 2018, Council discussion, with possible action, on the recommendations from the Santa Clara County Cities Association to form a Santa Clara/Santa Cruz Airport Roundtable.

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Jones) [Rules Committee referral 08/01/18 - Item G.2]

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco and Councilmembers Jones, Khamis and Peralez, dated August 10, 2018, recommending approval of staffs’ recommendations with modifications as indicated. (2) Supplemental memorandum from Director of Aviation, John Aitken, A.A.E. dated August 10, 2018, indicating concerns as expressed during the roundtable. (3) Letter from the Cities Association of Santa Clara County, dated August 14, 2018, noting perceived inaccuracies in the proposal.

Mayor Sam Liccardo offered opening remarks and included a fifth condition to the memorandum he coauthored, dated August 10, 2018, and requested this be included in the motion to be made.

Public Comments: Andi Jordan, representing the Cities Association of Santa Clara County, brought attention to the letter provided to Council by his organization, and Chris Moylan, representing Congressman Ro Khanna’s office, expressed similar concerns regarding perceived inaccuracies in the report.

Motion: Vice Mayor Chappie Jones moved approval of the memorandum he coauthored with Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco and Councilmembers Johnny Khamis and Raul Peralez, dated August 10, 2018, including a fifth condition on clear constraints on time expenditures by San José City staff, as indicated below in “Action”. Councilmember Sylvia Arenas seconded the motion.

6.2 (Cont'd.)

Action: On a call for the question, the staffs' recommendations were approved, including the joint memorandum from Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco and Councilmembers Chappie Jones, Johnny Khamis and Raul Peralez, dated August 10, 2018, with additional direction by Mayor Sam Liccardo as noted: (1) Directing staff to continue exploring utilization of the Regional Airport Planning Committee, or RAPC, within MTC rather than the creation of a new entity; (2) Defer consideration of joining the Santa Clara / Santa Cruz Airport Roundtable being formed by the Cities Association of Santa Clara County until the City receives a response from the FAA to the recommendations of the Airport Ad Hoc Advisory Committee on South Flow Arrivals; (3) Adopt the position that future participation in the Santa Clara / Santa Cruz Airport Roundtable be conditioned on the following changes to the governance and structure of the body:

- a) Proportional representation based on population for member jurisdictions.
- b) Recommendations from the Roundtable require a 2/3 majority to ensure consensus.
- c) Amending the bylaws of the Roundtable so that no recommendations will be made that would only result in shifting noise to another community.
- d) Recommendations from the Roundtable that require a significant change in operations at the San Jose Airport, as determined by City staff, require approval by the San Jose City Council.

Also, including a fifth condition, that clear constraints on time expenditures by San José City staff on the amount of time spent preparing for and attending meetings.

(11-0.)

ENVIRONMENTAL & UTILITY SERVICES

7.1 18-1054 Actions Related to the Agreements for Resource Adequacy Supply.

(a) Adopt a resolution authorizing the Director of Community Energy or her designee to negotiate and execute energy supply contracts for Resource Adequacy ("RA") for November 2018 through February 2019 to support Phase 1 (City accounts) using the Edison Electric Institute ("EEI") Agreement or the Western Systems Power Pool ("WSPP") Agreement in an amount not to exceed \$270,000 in aggregate.

(b) Energy supply contracts for Resource Adequacy for March 2019 through December 2019 using the Edison Electric Institute Agreement or the Western Systems Power Pool Agreement in an amount not to exceed \$35,000,000 in aggregate subject to approval of the Risk Oversight Committee for contracts over \$1,000,000.

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

Documents Filed: Memorandum from Director, Community Energy Department, Lori Mitchell, dated August 1, 2018, recommending adoption of a resolution.

Director, Community Energy Department, Lori Mitchell provided a presentation.

7.1 (Cont'd.)

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, Resolution No. 78747, entitled: “A Resolution of the Council of the City of San José Authorizing the Director of Community Energy or Her Designee to Negotiate and Execute Energy Supply Contracts for Resource Adequacy Using Either the Edison Electric Institute Agreement or the Western Systems Power Pool Agreement, for November 2018 through February 2019 in an Amount Not to Exceed \$270,000 in Aggregate, and for March 2019 through December 2019 in an Amount not to Exceed \$35,000,000 in Aggregate Subject to Approval of the Risk Oversight Committee for Contracts over \$1,000,000”, was adopted. (11-0.)

PUBLIC SAFETY

8.1 18-1036 Audit of Police Activities League.

As recommended by the Neighborhood Services and Education Committee on June 14, 2018, accept the report on the audit of the Police Activities League.

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

[Neighborhood Services and Education Committee Referral from 6/14/18, Item D.1]

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo and Vice Mayor Magdalena Carrasco, dated August 20, 2018. (2) Memorandum from Councilmember Sylvia Arenas, dated August 24, 2018, recommending adoption of the joint memorandum from Mayor Sam Liccardo and Vice Mayor Magdalena Carrasco with additional direction. (3) Memorandum from City Auditor Sharon Erickson, dated June 7, 2018, recommending acceptance of the Audit of Police Activities League. (4) Supplemental memorandum from Chief of Police Edgardo Garcia, dated August 8, 2018, regarding fingerprint background check information as requested.

City Auditor Sharon Erickson provided a presentation, and Chief of Police Edgardo Garcia and Director of Parks, Recreation and Neighborhood Services Angel Rios, Jr. offered additional information.

Public Comments: Aaron Resendez, Jamal Newborn and J Baca-Lamanna (P.A.L. Board); Steven DeLao (P.A.L. parent/volunteer) and Ray Perez offered comments regarding the audit report.

Extensive Council discussion ensued. Members of the P.A.L. Board responded to questions from Council.

Motion: Vice Mayor Magdalena Carrasco moved approval of the memorandum she coauthored with Mayor Sam Liccardo dated August 20, 2018. Councilmember Sylvia Arenas seconded the motion and requested a friendly amendment that her memorandum of August 24, 2018 be included. The Vice Mayor accepted the friendly amendment.

8.1 (Cont'd.)

Director of Parks, Recreation and Neighborhood Services Angel Rios, Jr. responded to questions and asked that modifications be made to the direction outlined in the Mayor's and Councilmembers' memoranda as indicated below in "Action". These changes were agreed to as noted.

Action: On a call for the question, the motion carried unanimously, and the report was accepted, including the joint memorandum from Mayor Sam Liccardo and Vice Mayor Magdalena Carrasco, dated August 20, 2018, with modification on item #1 as noted, to:

1. Direct the City Manager to return to the City Council within ~~60~~ 90 days with a short-term operations and management plan that includes:

a. An outreach plan to inform the Police Activities League (PAL) families and neighborhood about the management transition of PAL and what they can expect moving forward with registration, operations, and continuity;

i. The information should be posted clearly on the PAL website.

b. A proposal to address near-term maintenance needs that require immediate attention at the PAL sports complex;

c. A timeline for the removal of all unauthorized branding/sponsorships from the PAL site by January 2019;

d. A plan to ensure reservations are handled in a transparent and fair manner.

2. Direct the City Manager to return by Spring 2019 with a long-term operations model for Council consideration and feedback that includes:

a. A timeline for the transition of operations from the San Jose Police Department (SJPD) staff to Parks Recreations and Neighborhood Services (PRNS) staff, or to a culturally and managerially competent non-profit organization;

b. A proposal for a new fundraising model;

c. A maintenance plan and an assessment of the capital needs for repair and replacement of fields and surrounding infrastructure of the PAL sports complex.

And including the memorandum from Councilmember Sylvia Arenas, dated August 13, 2018, with changes as noted, to:

1. Adopt Mayor Liccardo and Vice Mayor Carrasco's memo, including their outreach and transition plan, with the addition of community and stakeholder input and feedback for the future of the Police Activity League (PAL) program.

2. Identify families that were overcharged PAL registration fees in all sports and all Districts in Fiscal Year 2017-2018 (*providing restitution where possible*) and offer a reduction of fees for future enrollment in PAL programs for Fiscal Year 2018-2019.

3. Report updates on the outreach and transition plans to Neighborhood Services and Education Committee (NSE) on a quarterly basis until a new model has been successfully adopted and implemented. Additionally, present to NSE the operations and fundraising models, as outlined in Mayor and Vice Mayor's memo, before the by Spring 2019 presentation to Council - including updates regarding item 2 of this memo.

(11-0.)

Councilmember Tam Nguyen left the meeting at approximately 5 p.m.

REDEVELOPMENT – SUCCESSOR AGENCY

- 9.1 18-1064** Purchase and Sale Agreement for Property Located at 435 South Market Street (Convention Center South Hall)
Successor Agency Board approve a Purchase and Sale Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San Jose, as seller and the City of San José as buyer to allow the sale of 435 South Market Street for a purchase price of \$47,000,000.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Successor Agency)

Note: Item heard concurrently with SJFAI

Documents Filed: Memorandum from Successor Agency Managing Director Richard A. Keit, dated August 2, 2018, recommending approval of a Purchase and Sale Agreement.

Public Comment: Sarah McDermott, representing Unite Here L19, offered support to the project.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis and carried unanimously, Purchase and Sale Agreement for Property Located at 435 South Market Street and Escrow Instructions, were approved. (10-0-1. Absent: Nguyen.)

OPEN FORUM

1. Tim Gildersleeve encouraged support of Proposition 13, the Affordable Housing Act.
2. Blair Beekman spoke on community outreach, Bigbelly trash at the airport and the need for transparency.

The City Council recessed at 5:20 p.m. from the afternoon Council Session and reconvened at 6:03 p.m. in the Council Chambers, City Hall.

Present: Councilmembers: Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, Nguyen, Peralez, Rocha; Liccardo.

Absent Councilmembers: All Present.

10. LAND USE

10.1 Land Use on Consent Calendar

- (a) 18-1040** **C18-013 - Conforming Rezoning of Real Property Located at 995, 949, and 937 Oakland Road.**
Consideration of an ordinance of the City of San José rezoning a 2.66-gross acre site located on the southwest corner of Oakland Road and Horning Street at 995, 949, and 937 Oakland Road (APNs

10.1 Land Use on Consent Calendar (Cont'd.)

235-16-011, 235-16-012, 235-16-013, 235-16-014) from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District (J.E.V. Properties Inc., Owner).

**CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (EIR) (Resolution No. 76041) and Envision San José 2040 General Plan Supplemental EIR (Resolution No. 77617) and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)
C18-013 - Council District 3**

Documents Filed: (1) Memorandum from Planning Commission Secretary, Rosalynn Hughey, transmitting the City Council Staff Report, dated August 3, 2018. (2) Proof of Publication of Notice of Public Hearing, executed on February 8, 2018, submitted by the City Clerk.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Johnny Khamis and carried unanimously, Ordinance No. 30141, entitled “An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 2.66 Acres situated on the Southwest Corner of Oakland Road and Horning Street from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District”, was passed for publication. (10-0-1. Absent: Nguyen.)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

- 10.2 18-1047 C16-041 & H16-032 - Conforming Rezoning and Site Development Permit for Real Property Located at 1090 South De Anza Boulevard.**
- (a) Adopt a resolution approving the 1090 South De Anza Boulevard Hotel Project Mitigated Negative Declaration, for which an Initial Study was prepared, in accordance with the California Environmental Quality Act, as amended, and adopting a related Mitigation Monitoring and Reporting Plan.
- (b) Consideration of an ordinance of the City of San José rezoning a 0.61 gross acre site located on the northeasterly corner of Via Vico and South De Anza Boulevard (1090 South De Anza Boulevard) from the CP(PD) Commercial Pedestrian Planned Development Zoning District to the CP Commercial Pedestrian Zoning District for commercial uses (Cupertino De Anza Hospitality, Owner).
- (c) Adopt a resolution approving a Site Development Permit, subject to conditions, to allow the demolition of a gas station and accessory structures and the removal of six ordinance-size trees, and to allow the construction of a four-story, 90-room hotel with one level of underground parking utilizing Transportation Demand Management (TDM) measures to reduce the parking requirements by 50 percent.
- CEQA: Mitigated Negative Declaration for 1090 South De Anza Boulevard Hotel Project, File Nos. C16-041 & H16-032. Planning, Building and Code Enforcement Director recommends approval. (Planning, Building and Code Enforcement)
C16-041 & H16-032 - Council District 1

10.2 18-1047 (Cont'd.)

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo and Councilmember Dev Davis, dated August 10, 2018, offering support to staffs' recommendations with modifications. (2) Joint memorandum from Councilmember Chappie Jones and Councilmember Raul Peralez, dated August 10, 2018, recommending denial of the proposal. (3) Memorandum from Planning Commission Secretary, Rosalynn Hughey, transmitting the City Council Staff Report, dated June 26, 2018. (4) Supplemental memorandum from Rosalynn Hughey, Director, Planning, Building and Code Enforcement, dated June 22, 2018, noting a discrepancy on an earlier notice.

Mayor Sam Liccardo opened the public hearing.

Public Comments: Nineteen members of the public expressed disagreement with the proposal, citing traffic and parking issues, garbage pickup and environmental concerns. Jim Rato, representing the Applicant, Jerry Kwok, spoke to the merits of the project.

Mayor Sam Liccardo closed the public hearing.

Motion: Vice Mayor Chappie Jones moved approval of his memorandum, dated August 10, 2018, recommending denial of the proposal. Councilmember Raul Peralez seconded the motion.

Councilmember Dev Davis offered a substitute motion, moving the memorandum she cosigned with Mayor Sam Liccardo dated August 10, 2018, with the exception of Item #2 and with the caveat that staff work with garbage pickup and delivery issues. Councilmember Sylvia Arenas seconded the motion.

Extensive discussion followed.

Action: On a call for the question, the substitute motion carried, including the joint memorandum from Mayor Sam Liccardo and Councilmember Dev Davis dated August 10, 2018, with the exception of Item #2 and with the caveat that staff work with garbage pickup and delivery issues; Resolution No. 78748, entitled: "A Resolution of the Council of the City of San José Adopting the 1090 South De Anza Boulevard Hotel Project Mitigated Negative Declaration, for which an Initial Study was Prepared, all in Accordance with the California Environmental Quality Act, as Amended, and Adopting a Related Mitigation Monitoring and Reporting Program"; and Resolution No. 78749, entitled: "A Resolution of the Council of the City of San José approving a Site Development Permit, Subject to Conditions, to Allow the demolition of an Existing Gas Station Building and Fueling Dispensers, the Removal of Six Ordinance-Size Trees, the Construction of a 4-Story, 90-Room Hotel, and the Utilization of Transportation Demand Management (TDM) Measures to Reduce the Parking Requirements by 50 Percent on a 0.61 Gross Acre Site Located at the Northeast Corner of South De Anza Boulevard and Via Vico (1090 South De Anza Boulevard); Ordinance No. 30142, entitled "An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.61-Gross Acre Situated at the Northeast Corner of South De Anza Boulevard and Via Vico (1090 South De Anza Boulevard) from the CP(PD) Planned Development Zoning District to the CP Commercial Pedestrian Zoning District", was passed for publication.

(9-2. Noes: Jones, Peralez.)

10.3 18-1039

Amendment to the General Plan Land Use Policy CD-10.4, City Council Policy 6-4, and Title 23 of the San José Municipal Code (the Sign Code).

Consideration of signs on City-owned property, including Billboards, Programmable Electronic Signs, and Signs Displaying Off-site Commercial Speech, the following is being proposed: 1) Amend General Plan Land Use Policy CD-10.4; 2) Amend City Council Policy 6-4; 3) Amend Title 23 of the Municipal Code (the Sign Code), specifically Sections 23.02.870, 23.02.1310 and 23.04.500; and 4) make other technical, formatting or non-substantive changes within the Sign Code. CEQA: Negative Declaration for General Plan Text, Municipal Code and City Council Policy Amendments for consideration of signs on City-owned property, including Billboards, Programmable Electronic Signs and Signs Displaying Off-site Commercial Speech, File No. PP18-058. (Planning, Building and Code Enforcement)
PP18-058 - Citywide

Deferred to 9/25/18 Afternoon Session per Administration

OPEN FORUM

None provided.

ADJOURNMENT

The meeting of the City Council of the City of San José was adjourned at 8:28 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

DRAFT

Toni J. Taber, CMC
City Clerk

rmk/08-14-2018 MIN

JOINT CITY OF SAN JOSE CITY COUNCIL/SAN JOSE FINANCING AUTHORITY

MINUTES

AUGUST 14, 2018

Note: This item was heard concurrently with Council Item 9.1

SJFA 18-1065 Actions Related to the Purchase of the San Jose Convention Center South 1Hall Property and City of San José Financing Authority’s Commercial Paper Program.

(a) City Council take the following actions:

(1) Conduct a Public Hearing for the approval of the issuance by the City of San José Financing Authority of commercial paper notes in order to finance the purchase of the San José Convention Center South Hall property (“South Hall”).

(2) Adopt a resolution to approve the issuance of commercial paper notes pursuant to the previously established commercial paper program designated as "City of San José Financing Authority Lease Revenue Commercial Paper Notes" to provide financing for the purchase of the South Hall in an amount not to exceed \$47 million and to state the City Council's determination that there will be significant public benefits accruing from such financing; authorize the negotiation, execution, and delivery of amendments to two Letter of Credit and Reimbursement Agreements and authorizing other related action in connection with the City of San José Financing Authority’s Lease Revenue Commercial Paper Notes in order to increase the not-to-exceed aggregate principal amount thereof from \$85 million to \$125 million and to extend the stated expiration dates and commitments available under such Letter of Credit Reimbursement Agreements.

(3) Approval of a Purchase and Sale Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San Jose, as seller and the City of San José as buyer to allow the purchase of South Hall for a price of \$47,000,000, plus closing costs.

(4) Adopt the following 2018-2019 Funding Sources Resolution and Appropriation Ordinance Amendments in the Convention and Cultural Affairs Capital Fund (560):

(1) Establish a revenue estimate for Financing Proceeds in the Amount of \$42,400,000;

SJFA 18-1065 (Cont'd.)

- (a) (4) (2) Increase the Convention Center Expansion appropriation to the Office of Economic Development in the amount of \$40,100,000;
 - (3) Establish the South Hall Site Acquisition Debt Service appropriation to the Finance Department in the amount of \$1,750,000; and
 - (4) Increase the Unrestricted Ending Fund Balance in the amount of \$550,000.

- (b) City of San José Financing Authority Board take the following actions:
 - (1) Adopt a resolution to approve the issuance of commercial paper notes pursuant to the previously established commercial paper program designated as "City of San Jose Financing Authority Lease Revenue Commercial Paper Notes" to provide financing for the purchase of the South Hall in an amount not to exceed \$47 million and to state Authority Board's determination that there will be significant public benefits accruing from such financing; authorize the negotiation, execution, and delivery of amendments to two Letter of Credit and Reimbursement Agreements and authorizing other related action in connection with the City of San José Financing Authority's Lease Revenue Commercial Paper Notes in order to increase the not-to-exceed aggregate principal amount thereof from \$85 million to \$125 million and to extend the stated expiration dates and commitments available under such Letter of Credit and Reimbursement Agreements.
CEQA: Exempt, File No. PP18-073, CEQA Guidelines Section 15312, Surplus Government Property Sales. (Finance/City Manager)

Documents Filed: Joint memorandum from Director of Finance Julia H. Cooper, Deputy City Manager/Director of Economic Development Kim Welsh and Budget Director Margaret McCahan, dated August 3, 2018.

Deputy City Manager/Director of Economic Development Kim Welsh offered a presentation, and Assistant Director of Finance, Lisa Taitano gave an overview of the commercial paper overview program.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis and carried unanimously, Resolution No. 78750, entitled: "A Resolution of the Council of the City of San José Approving and Authorizing the Execution and Delivery of Amendments to Certain Financing Documents, Including Amendments to Letter of Credit and Reimbursement Agreements, and Authorizing Other Related Actions in Connection with the City of San José Financing Authority Lease Revenue Commercial Paper Notes in Order to Increase the Not-to-Exceed Aggregate Principal Amount Thereof to \$125,000,000 and to Extend the Stated Expiration Dates and Commitments Available Under Such Letter of Credit and Reimbursement Agreements, and Approving the Issuance of Commercial Paper Notes in an Amount not to Exceed \$47,000,000 to Finance the Purchase of the San José Convention Center South Hall and Determining that there will be Significant Public Benefits Accruing from Such Financing"; Ordinance No.
(Item Continued on the Next Page)

SJFA 18-1065 (Cont'd.)

30143, entitled “An Ordinance of the City of San José Amending Ordinance No. 30124 to Appropriate Moneys in the Convention and Cultural Affairs Capital Fund for the Convention Center Expansion and South Hall Site Acquisition Debt Service; Providing that this Ordinance Shall Become Effective Immediately Upon Adoption”; Resolution No. 78751, entitled: “A Resolution of the Council of the City of San José Amending Resolution No. 78672 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2018-2019 to Adjust Revenues in the Convention and Cultural Affairs Capital Fund”; and San José Financing Authority Resolution No. 144, entitled: “A Resolution of the City of San José Financing Authority Approving and Authorizing the Execution and Delivery of Amendments to Certain Financing Documents, Including Amendments to Letter of Credit and Reimbursement Agreements, and Authorizing Other Related Actions in Connection with the City of San José Financing Authority Lease Revenue Commercial Paper Notes in Order to Increase the Not-to-Exceed Aggregate Principal Amount Thereof to \$125,000,000 and to Extend the Stated Expiration Dates and Commitments Available Under Such Letter of Credit and Reimbursement Agreements, and Approving the Issuance of Commercial Paper Notes in an Amount not to Exceed \$47,000,000 to Finance the Purchase of the San José Convention Center South Hall and Determining that there will be Significant Public Benefits Accruing from Such Financing”, were adopted. (10-0-1. Absent: Nguyen.)

Minutes Recorded, Prepared and Respectfully Submitted by,

draft

Toni J. Taber, CMC
City Clerk

rmk/08-14-18 MIN