



# **City Council Meeting Amended Agenda**

**Tuesday, January 9, 2018**

SAM LICCARDO, MAYOR

CHAPPIE JONES, DISTRICT 1

SERGIO JIMENEZ, DISTRICT 2

RAUL PERALEZ, DISTRICT 3

LAN DIEP, DISTRICT 4

MAGDALENA CARRASCO, VICE MAYOR, DISTRICT 5

DEV DAVIS, DISTRICT 6

TAM NGUYEN, DISTRICT 7

SYLVIA ARENAS, DISTRICT 8

DONALD ROCHA, DISTRICT 9

JOHNNY KHAMIS, DISTRICT 10



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

Welcome to the San José City Council meeting!

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

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

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Successor Agency to the Redevelopment Agency Board. If you wish to speak to the City Council, please refer to the following guidelines:

- o **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- o When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.

- o Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- o To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

**The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.**

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?NID=3549>. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- Call to Order and Roll Call

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

Open Session, Labor Negotiations Update (See Item 3.2)

Adjourn to Closed Session in Council Chambers Conference Room, W133

[18-065](#)

See Separate Agenda

**Attachments** [Closed Session Agenda](#)

1:30 p.m.- Regular Session, Council Chambers, City Hall

6:00 p.m.- Public Hearings, Council Chambers, City Hall - CANCELLED

- Invocation (District 1)

Pastor Mark Averill, Westgate Church

- Pledge of Allegiance

- Orders of the Day

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

- Closed Session Report

## **1. CEREMONIAL ITEMS**

- 1.1 [17-391](#) Presentation of a proclamation recognizing January 16, 2018 as Martin Luther King, Jr. Day in the City of San José. (Jones)

## **2. CONSENT CALENDAR**

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

### **2.1 Approval of City Council Minutes.**

### **2.2 Final Adoption of Ordinances.**

[18-023](#)

**Final Adoption of Ordinances.**

**Recommendation:**

(a) Ordinance No. 30055 - An ordinance of the City of San José amending Chapter 2.08 of Title 2 of the San José Municipal code to add a new part 49 for the local implementation of the Women's Bill of Rights. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Attorney)

(b) Ordinance No. 30056 - An ordinance of the City of San José amending various sections of Chapter 4.70 of Title 4 of the San José Municipal Code to extend the cap program for the telecommunications users tax through December 31, 2022 and change the 2% annual increase increment to an annual increase of 3%, to take effect retroactively on January 1, 2018. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Finance)

(c) Ordinance No. 30057 - An ordinance of the City of San José amending Chapter 13.32 of Title 13 of the San José Municipal Code to revise and add provisions pertaining to tree removal controls on private property, including amending Section 13.32.020 to add definitions of the terms "invasive tree," "hazardous condition," and "imminently dangerous condition," revise how height, tree diameter and circumference are measured to trigger application of tree removal controls, and expand the definition of "unsuitable tree" to include trees that create and imminently hazardous condition, certain trees on land use types beyond one family dwelling, amending Sections 13.32.090 and 13.32.120 to streamline the process for review of applications for removal of all trees that are not unsuitable trees, so that a Director's Hearing will only be held upon request and allowing an appeal to be filed only where a Director's hearing has been requested, amending Sections 13.32.041, 13.32.110 and 13.32.130 to clarify tree removal permit requirements included as part of another planning permit, requirements for tree replacement as a condition of approval for tree removal and provisions for safeguarding trees during construction, and making other technical, non-substantive, or formatting changes within Chapter 13.32 of Title 13 to add and amend regulations pertaining to tree removal controls. CEQA: Pursuant to Section 15168 (c) (2) of the CEQA Guidelines, the City of San José has determined that the project described below is pursuant to or in furtherance of the Final Program Environmental Impact Report (Final Program EIR) and Supplemental Program Environmental Impact Report (Supplemental Program EIR) for the Envision San José 2040 General Plan and addenda thereto, and does not involve new significant impacts beyond those analyzed in the

above EIRs. Therefore, the City of San José may take action on the project as being within the scope of both the Final and Supplemental Program EIRs. Planning Commission recommends approval (7-0). (Planning, Building and Code Enforcement)

**Attachments**    [\(b\) Ordinance No.30056](#)  
[\(c\) Ordinance No.30057](#)

### 2.3 Approval of Council Committee Minutes.

### 2.4 Mayor and Council Excused Absence Requests.

### 2.5 City Council Travel Reports.

### 2.6 Report from the Council Liaison to the Retirement Boards.

#### 2.7    [17-529](#)            **Calling for Municipal Elections on June 5, 2018 and November 6, 2018.**

**Recommendation:**    Adopt a resolution calling for a Regular Municipal Election on June 5, 2018 and a Run-Off Municipal Election on November 6, 2018, if necessary, for the purpose of electing a Mayor and Council Members for Districts 1, 3, 5, 7, and 9 and requesting consolidation with the County of Santa Clara. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Clerk)

**Attachments**    [Memorandum](#)  
[Resolution](#)

#### 2.8    [17-537](#)            **City Manager's Travel to Fort Worth, Texas.**

**Recommendation:**    Authorize travel for City Manager David Sykes to Fort Worth, Texas on January 18 - 21, 2018 to participate in the Large Cities Executive Forum. Source of Funds: City Manager's Non-Personal Appropriation. CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (City Manager)

**Attachments**    [Memorandum](#)

**2.9**    [18-005](#)                    **Actions Related to Mayor's Staff Travel to Las Vegas, NV.**

**Recommendation:**    Accept travel payments and authorize travel for Mayor's staff, Shireen Santosham, to Las Vegas from January 9 - 11, 2018, for the Consumer Electronics Show. Source of Funds: CityLab. CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor)

**Attachments**    [Memorandum](#)

**2.10**    [18-032](#)                    **Retroactive Approval of Community Meeting Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 3, 2018:  
1) Retroactively approve the Community Meeting scheduled on December 6, 2017 as City Council sponsored Special Events and approve the expenditure of funds; and  
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. (Carrasco)  
[Rules Committee referral 01/03/18 - Item G.1.a ]

**Attachments**    [Memorandum](#)

**2.11**    [18-033](#)                    **Retroactive Approval of Literacy Month Event Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 3, 2018:  
1) Retroactively approve Literacy Month Event scheduled on November 30, 2017 as City Council sponsored Special Events and approve the expenditure of funds; and  
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. (Carrasco)  
[Rules Committee referral 01/03/18 - Item G.1.b ]

**Attachments**    [Memorandum](#)



**2.12**    [18-034](#)            **Retroactive Approval of Community Events Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 3, 2018:

- 1) Retroactively approve the following District 7 events as a City Council sponsored special events and approve the expenditure of funds:
  - a. Santee Neighborhood Association Gift Give Away with Santa scheduled on December 18, 2017 at the Franklin McKinley Children's Initiative;
  - b. Alma Neighborhood Association Family Tree Gift Give Away scheduled on December 18, 2017 at the Alma Community Center;
  - c. Valley Palms Neighborhood Association Christmas Celebration scheduled on December 20, 2017 at the Paseo Center Community Room; and
- 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. (Nguyen)  
[Rules Committee referral 01/03/18 - Item G.1.c]

**Attachments**    [Memorandum](#)

**2.13**    [18-035](#)            **Retroactive Approval of Community Events 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.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 3, 2018:

- 1) Retroactively approve the following District 8 events as City Council sponsored Special Events and approve the expenditure of funds:
  - a. Holiday Cookies and Coats Drive on Sunday, December 10, 2017;
  - b. Holiday Cookies and Coats Drive from Thursday, December 21, 2017 to Friday, December 22, 2017; and
- 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 01/03/18 - Item G.1.d]

**Attachments**    [Memorandum](#)

**2.14**    [18-036](#)            **Approval of East San Jose Leadership Reception Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 3, 2018:  
1) Approve the East San Jose Leadership Reception event scheduled on January 18, 2018 as City Council sponsored Special Events and approve the expenditure of funds; and  
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. (Carrasco)  
[Rules Committee referral 01/03/18 - Item G.1.e]

**Attachments**    [Memorandum](#)

**2.15**    [18-037](#)            **Approval of District 8 Grant for Laurelwood Elementary School.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 3, 2018:  
Approve grant for Laurelwood Elementary School for their Walk'n'Roll program to help promote parent involvement and encourage students to participate to walk to school.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)  
[Rules Committee referral 01/03/18 - Item G.2]

**Attachments**    [Memorandum](#)

### **3. STRATEGIC SUPPORT**

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

#### **3.2 Labor Negotiations Update.**

Recommendation: Accept Labor Negotiations Update.

**TO BE HEARD AT 9:30 A.M.**

**3.3**    [17-281](#)        **Retirement Services Audit.****Recommendation:**

As recommended by the Public Safety, Finance, and Strategic Support Committee on October 19, 2017, accept the audit of Retirement Services. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City actions. (City Auditor) [Public Safety, Finance, and Strategic Support Committee referral 10/19/17 - Item (d)5]  
(Deferred from 11/7/17 - Item 3.3 and 11/28/17 - Item 3.3)

**Attachments**[Memorandum](#)[Supplemental Memorandum](#)[Memorandum from Mayor Liccardo](#)[Memorandum from Mayor Liccardo, CM Khamis, Diep, Jones, a](#)[Response to Audit](#)[Staff Perspective on the SIEPR Analysis](#)

3.4 [18-007](#) **Worker's Compensation Program: Evaluation of Service Delivery Options.  
DEFERRED**

**Recommendation:**

As recommended by the Public Safety, Finance and Strategic Support Committee on December 14, 2017:

(a) Accept the evaluation of service delivery options for administering workers' compensation claims, including providing services In-House with City staff, through a Third-Party Administrator, and a Hybrid Model that includes both In-House and Third Party claims administration.

(b) Direct the City Manager to:

(1) Continue the current Worker's Compensation Pilot Program (Hybrid Model) through the completion of the State audit of the In-House program;

(2) Develop a work plan for bringing the entire worker's compensation program In-House in stages upon successful completion of the State audit; and

(3) Return through the budget process with funding recommendations for bringing the program In-House in stages beginning in 2019-2020.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Human Resources) [Public Safety, Finance and Strategic Support Committee referral 12/14/17 - Item (d)1]

DEFERRED TO 1/30/18 PER ADMINISTRATION

**Attachments** [Memorandum](#)

**3.5**    [17-540](#)            **Retirement Plans Investments Annual Report.****Recommendation:**

As recommended by the Public Safety, Finance and Strategic Support Committee on December 14, 2017, accept the Annual Pension and Healthcare Fiscal Year-End Investment Performance Report for the Police and Fire Department Retirement Plan (P&F Plan) and the Federated City Employees' Retirement System (Federated System) for Fiscal Year 2016-2017. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Retirement Services)  
[Public Safety, Finance and Strategic Support Committee referral 12/14/17 - Item (d)3]

**Attachments**

[Memorandum](#)  
[PSFSS Presentation](#)

**3.6**    [17-539](#)            **Amendment to Title 4 - Business Tax.****Recommendation:**

Approve an ordinance amending Section 4.76.290.5 to Chapter 4.76 of Title 4 of the San José Municipal Code to further extend the deadline from December 15, 2017 to June 29, 2018 for residential landlords of 1 or 2 units to register with the City and pay the Business Tax owed as of July 1, 2017 without incurring interest or penalties, to take effect retroactively on December 15, 2017. CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Finance)

**Attachments**

[Memorandum](#)  
[Ordinance](#)

**3.7**     [17-524](#)**Actions Related to the Agreement with City and County of San Francisco for the 2017 Bay Area Urban Areas Security Initiative Grant Allocation.****Recommendation:**

(a) Adopt a resolution authorizing the City Manager to execute an Agreement between the City of San José and the City and County of San Francisco, acting as fiscal agent for the Bay Area Urban Areas Security Initiative (UASI), to accept the 2017 UASI grant allocation in the amount of \$1,377,130, and to negotiate and execute additional amendments and related documents without further City Council action.

(b) Adopt the following 2017-2018 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:

(1) Establish a City-Wide Expenses appropriation to the Police Department for the Urban Areas Security Initiative Grant - Police 2017 in the amount of \$720,000;

(2) Establish a City-Wide Expenses appropriation to the City Manager's Office/Office of Emergency Management (OEM) for the Urban Areas Security Initiative Grant - OEM 2017 in the amount of \$192,263;

(3) Establish a City-Wide Expenses appropriation to the Fire Department for the Urban Areas Security Initiative Grant - Fire 2017 in the amount of \$130,825; and

(4) Increase the estimate for Revenue from Federal Government by \$1,043,088.

CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application and File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Police/Fire/City Manager)

**Attachments**     [Memorandum](#)  
[Agreement](#)

**3.8**     [17-523](#)            **Amendment to Title 6 Administrative Citation Schedule of Fines for the Cannabis Regulatory Program.**

**Recommendation:**     Adopt a resolution amending the Administrative Citation Schedule of Fines to add and update fines for violations of Chapter 6.88 of Title 6 of the San José Municipal Code related to the City’s Cannabis Regulatory Program, and repealing Resolution 77772. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Police)

**Attachments**     [Memorandum](#)  
                              [Resolution](#)

## **4. COMMUNITY & ECONOMIC DEVELOPMENT**

**4.1**     [17-520](#)            **Agreement with Silicon Valley Creates for the Creative Center for the Arts.**

**Recommendation:**     (a) Conduct a Public Hearing regarding an economic development subsidy in connection with a below-market Ground Lease Agreement for a privately-funded cultural and arts facility at the former Japantown Corporation Yard in the amount of \$5,749,920 over the 55-year term.  
(b) Adopt a resolution authorizing the City Manager or his designee to execute a Ground Lease Agreement with Silicon Valley Creates, a non-profit organization, for a 0.75-acre, City-owned parcel (APN: 249-39-044) at the former Japantown Corporation Yard site (between Jackson Street and Taylor Street at N. 7th St.) for the construction and operation of the Creative Center for the Arts, for a term of 55 years and for an amount of \$1 per year.  
CEQA: Japantown Corporation Yard Redevelopment Project Final Environmental Impact Report and addenda thereto, Resolution No. 74384. Council District 3. (Economic Development)

**Attachments**     [Memorandum](#)  
                              [Agreement](#)

4.2 [17-521](#) **Actions Related to the Quetzal Gardens Affordable Apartment Community Located at 1695 Alum Rock Avenue.**

**Recommendation:**

(a) Adopt a resolution:

(1) Approving up to a total commitment of \$9,984,212 in Low and Moderate Income Housing Asset Funds for a Construction-Permanent Loan to Resources for Community Development, or an affiliated development entity, for the Quetzal Gardens Apartments, a new affordable development to be located at 1695 Alum Rock Avenue, in order to offer rent- and income-restricted apartments for 70 extremely low-income and low-income households (“Project”), and authorizing the Director of Housing to negotiate and execute loan documents and all other documents regarding City financing for the Project;

(2) Approving a loan-to-value ratio of greater than 100% for this loan; and

(3) Approving a change in the affordability mix of the Project to allow more flexibility without compromising the intent of providing affordable and supportive housing: 47 units will be income-restricted at 30% of Area Median Income (“AMI”); 23 units will be income-restricted to 60% of AMI; and one unit will be an unrestricted manager’s unit. All units shall be at 60% AMI for new tenants after the 55th anniversary of the filing of the Notice of Completion or the expiration of the initial term of the restriction.

(b) Adopt the following Fiscal Year 2017-2018 Appropriation Ordinance Amendments in the Low and Moderate Income Housing Asset Fund:

(1) Decrease the Housing Project Reserve appropriation by the amount of \$8,984,212; and

(2) Establish the Committed Projects Reserve in the amount of \$8,984,212.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. Council District 5. (Housing/City Manager)

**Attachments** [Memorandum](#)  
[Resolution](#)



4.3 [17-522](#) **Actions Related to the Affordable Housing and Sustainable Communities (AHSC) Grant for the Quetzal Gardens Project.**

**Recommendation:**

Adopt a resolution:

- (a) Authorizing the City Manager or his designee to submit a joint application, with Resources for Community Development (“RCD” or “Developer”), to the California Strategic Growth Council and/or California Department of Housing and Community Development in an amount not to exceed \$12,551,400 under Round 3 of the Affordable Housing and Sustainable Communities (“AHSC”) program to fund new affordable housing, infrastructure and programs that help reduce greenhouse gas emissions in San José;
- (b) Authorizing the City Manager or his designee to enter into, execute, and deliver a State of California Standard Agreement in a total amount not to exceed \$12,551,400 (\$8,000,000 for the AHSC Loan and \$4,551,400 for the AHSC Grant), and any and all other documents required or deemed necessary or appropriate to secure the AHSC Program funds;
- (c) Authorizing the City Manager or his designee to execute in the name of the City the AHSC Program Application Package and the AHSC Program Documents as required by the HCD for participation in the AHSC Program;
- (d) Authorizing the City Manager or his designee to negotiate and execute an agreement with RCD to allocate responsibilities and liabilities between the City and the RCD in the event the grant and loan are awarded to the City and RCD as co-applicants; and
- (e) Authorizing the City Manager or his designee to negotiate and execute an agreement with the Valley Transportation Authority as a non-applicant for the purpose of operating enhanced transit services using an electric bus and installing and maintaining transportation amenities.

CEQA: Exempt per CEQA Guidelines Section 15332 for Infill Development Projects (File No. CP17-009); CEQA Guidelines Section 15301, Existing Facilities, and 15304, Minor Alteration to Land (File No. PP17-006). Council District 5. (Housing/Parks, Recreation and Neighborhood Services/Transportation)

**Attachments** [Memorandum](#)  
[Resolution](#)

**4.4**     [18-028](#)            **Actions Related to the Airport Agreement with United States Soccer Federation, Inc., United Bid Committee 2026.**

**Recommendation:**

Adopt a resolution to authorize the City Manager to:

- (a) Negotiate and execute the Airport Agreement between the City of San José and the United States Soccer Federation, Inc., United Bid Committee 2026, or other appropriate entity, regarding participation in hosting and staging the 2026 FIFA World Cup; and
- (b) Cooperate in the negotiation and execution of documents necessary for the City of San José's participation in the United 2026 Bid for the 2026 FIFA World Cup.

CEQA: Exempt, File No. PP17-001, Feasibility and Planning Studies with no commitment to future actions, and Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Economic Development)

**Attachments**     [Memorandum](#)

## **5. NEIGHBORHOOD SERVICES**

**5.1**     [17-512](#)            **Actions Related to the Vietnamese American Cultural Center at the Shirakawa Community Center.**

**Recommendation:**

- (a) Accept the report of the feasibility study for the future Vietnamese American Cultural Center ("VACC");
- (b) Authorize the Parks, Recreation and Neighborhood Services Department to utilize the entire Shirakawa Community Center for the Interim VACC after the Work2Future program moves out on or before June 30, 2018; and
- (c) Authorize Parks, Recreation and Neighborhood Services Department to move forward with the design and improvements of the Interim VACC at the Shirakawa Community Center as described in Option Shirakawa S-1.

CEQA: Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility, and Planning Studies. Council District 7. (Parks, Recreation and Neighborhood Services)

**Attachments**     [Memorandum](#)

**5.2**    [18-006](#)            **Los Lagos Golf Course Update. DEFERRED**

**Recommendation:**    As recommended by the Neighborhood Services and Education Committee on December 14, 2017, accept the status report and provide feedback on the guiding principles and results of the Los Lagos Golf Course community engagement process. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, Information Memos that involve no approvals of any City action. (Parks, Recreation, and Neighborhood Services)  
[Neighborhood Services and Education Committee referral 12/14/17 - (d)3]

DEFERRED TO 2/6/18 PER ADMINISTRATION

Attachments    [Memorandum](#)

**6. TRANSPORTATION & AVIATION SERVICES****7. ENVIRONMENTAL & UTILITY SERVICES****8. PUBLIC SAFETY****9. REDEVELOPMENT – SUCCESSOR AGENCY****10. LAND USE**

- Open Forum

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

- Adjournment

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

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

1. Public Meeting Decorum:

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

2. Signs, Objects or Symbolic Material:

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

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN  
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

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

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

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