



City Council Meeting

Amended Agenda

Tuesday, September 19, 2017

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 Services** - 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.
- **Environment and Utility Services** - Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Public Safety Services** - 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 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 or (408) 294-9337 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.

[17-144](#) Closed Session Agenda

Attachments [Closed Session Agenda - September 19, 2017](#)

- Call to Order and Roll Call

9:00 a.m.- Closed Session, Call to Order in Council Chambers

Open Session, Labor Negotiations Update (See Item 3.2)

Adjourn to Closed Session in Council Chambers Conference Room, W133

See Separate Agenda

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

- Invocation (District 8)

Pastor Tim Wood, Evergreen Valley Church

- Pledge of Allegiance

- Orders of the Day

To be heard after Ceremonial Items

ADJOURNMENT:

This meeting is adjourned in memory of Ann Woo, who dedicated her life to bringing the art of Chinese dance to local communities and most recently served as cofounder and Executive Director of the Chinese Performing Artists of America Center. (Jones)

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

Items marked with an asterisk denote changes or additions to the previously published agenda.

- Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

- 1.1 [17-096](#) Presentation of a proclamation declaring the month of September 2017 as "Hispanic Heritage Month" in the City of San José. (Carrasco)

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.

2.3 Approval of Council Committee Minutes.

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

[17-160](#) SPUR Holland and France Study Tour.

Attachments [Travel Report](#)

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 [17-064](#) Agreement between the City of San José and Smarte Carte, Inc. for FIS Facility Luggage Carts.

Recommendation: Approve the First Amendment to the Agreement between the City of San José and Smarte Carte, Inc. to provide for a maximum Cart Fee compensation amount payable by the City to Smarte Carte in an amount not to exceed \$850,000 for FIS Facility Luggage Carts through the remaining four-year term of the Agreement. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Airport)

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

2.8 [17-080](#) Councilmember Diep's Travel to Atlanta, GA.

Recommendation:

(a) Authorize domestic travel for Councilmember Lan Diep to Atlanta, GA from October 7, 2017 to October 11, 2017 to join the Valley Transportation Authority at the Annual Meeting of the American Public Transportation Association in his role as a member of the VTA Board of Directors. Source of Funds: Valley Transportation Authority and District 4 Office Budget.

(b) Approve the receipt of gifts of air travel, ground travel, hotel and meals received in an official capacity as a representative of the City in accordance with San José Municipal Code Section 12.08.040(c).

(c) Authorize the use of District 4 funds for incidental expenses related to official travel.

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

Attachments [Memorandum](#)

2.9 [17-075](#) 2016-2017 Stormwater Permit Annual Report.

Recommendation:

Adopt a resolution authorizing certification and submittal of the FY 2016-2017 Stormwater Permit Annual Report to the San Francisco Bay Regional Water Quality Control Board by September 30, 2017, in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City actions. (Environmental Services)

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

- 2.10** [17-076](#) Purchase Order with Pierce Manufacturing, Inc. for Purchase of Tractor Drawn Aerial Ladder Fire Truck.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute a Purchase Order with Pierce Manufacturing, Inc. (Appleton, WI) for the purchase of one new Tractor Drawn Aerial Ladder Fire Truck for the Fire Department, in an amount not-to-exceed \$1,364,490, including applicable sales tax and license fees.
- (b) Approve a contingency of \$120,000 to fund any additional costs for final design or configuration changes.

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

Attachments [Memorandum](#)

- 2.11** [17-079](#) Actions Related to Councilmember Khamis' Travel to Atlanta, GA.

Recommendation: (a) Authorize travel by Councilmember Khamis to Atlanta, Georgia, USA from October 7, 2017 to October 11, 2017 as an official representative of the City of San José and a Valley Transportation Authority (VTA) Boardmember for the 2017 American Public Transportation Association (APTA) EXPO Transportation Premier Showcase. Source of Funds: VTA Board Office Account, Division 11005, Boardmember Expenses #509010.

(b) Authorize an excused absence for Councilmember Khamis from the following meetings due to Authorized City Business:

- (1) The October 11, 2017 meeting of the Rules and Open Government Committee and Committee of the Whole.

(c) Approve the receipt of gifts of air travel and meals received in an official capacity as a representative of the City in accordance with the San José Municipal Code Section 12.08.040(c). While the City could reimburse for the meals, they will be provided as a gesture to foster a positive working relationship between the City of San José and VTA. CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Khamis)

Attachments [Memorandum](#)

2.12 [17-081](#) Actions Related to Councilmember Khamis' Travel to Washington, District of Columbia.

Recommendation: (a) Authorize travel by Councilmember Khamis to Washington, District of Columbia, USA on September 26 and 27, 2017 as an official representative of the City of San José for the re-scheduled 2017 Silicon Valley Leadership Group Washington, D.C. Advocacy Trip. Source of Funds: Mayor and Council Travel Funds.
(b) Authorize an excused absence for Councilmember Khamis from the following meetings due to Authorized City Business:
 (1) September 26, 2017 afternoon and evening meetings of the San José City Council.
 (2) September 27, 2017 meeting of the Rules and Open Government Committee and Committee of the Whole.
CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Khamis)

Attachments [Memorandum](#)

2.13 [17-063](#) Request for Approval for International Travel.

Recommendation: Approve international travel for Aleta Dimas, Senior Librarian, and Adrian Barrientos, Librarian to travel to Guadalajara, Mexico, to attend the Guadalajara International Book Fair November 24-30, 2017.
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Library)

Attachments [Memorandum](#)

2.14 [17-102](#) Actions Related to Mayor Liccardo's Travel to Washington, District of Columbia.

Recommendation: (a) Authorize travel by Mayor Liccardo to Washington, District of Columbia, USA on September 26 and 27, 2017 as an official representative of the City of San José for the re-scheduled 2017 Silicon Valley Leadership Group Washington, D.C. Advocacy Trip. Source of Funds: Mayor/Council Travel Budget.

(b) Authorize an excused absence for Mayor Liccardo from the following meetings due to Authorized City Business:

(1) September 26, 2017 afternoon and evening meetings of the San José City Council.

(2) September 27, 2017 meeting of the Rules and Open Government Committee and Committee of the Whole.

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

Attachments [Memorandum](#)

2.15 [17-077](#) Contingency Increase for 8288 - Mineta San José International Airport Jetbridges for Gate 29 and Gate 30.

Recommendation: Approve an increase to the contingency for the 8288-Mineta San José International Airport Jetbridges at Gate 29 and Gate 30 project in the amount of \$704,080 for a total contingency amount of \$1,584,180.

CEQA: Determination of Consistency with the Final Environmental Impact Report, as supplemented, for the San José International Airport Master Plan Update (Resolution Nos. 67380 and 71451), File No. PP16-089. (Public Works/Airport)

Attachments [Memorandum](#)

2.16 [17-124](#) Amendment to the Agreement with California High Speed Rail Authority.

Recommendation: Approve Amendment No. 2 to the Agreement with the California High Speed Rail Authority to extend the expiration date from September 30, 2017 until June 30, 2018 and to make corresponding changes to the deliverable dates. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New and Amended) resulting in no physical changes to the environment. (Economic Development)

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

2.17 [17-125](#) Boys & Girls Club Grant Announcement.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017:
(a) Approve the Boys & Girls Club grant announcement event scheduled on September 21, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
(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. (Diep)
[Rules Committee referral 9/13/17 - Items G.1.a.]

Attachments [Memorandum](#)

2.18 [17-126](#) District 3 Fall Festival.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017:
(a) Approve the Fall Festival scheduled on September 28, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
(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. (Perez)
[Rules Committee referral 9/13/17 - Items G.1.b.]

Attachments [Memorandum](#)

2.19 [17-127](#) District 10 5th Annual July 4th Family Fun Festival and Firework Show.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017:
(a) Approve the 5th Annual July 4th Family Fun Festival and Firework Show scheduled on Wednesday, July 4, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
(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. (Khamis)
[Rules Committee referral 9/13/17 - Items G.1.c.]

Attachments [Memorandum](#)

2.20 [17-128](#) District 1 Shred-A-Thon and E-Waste Collection Day.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017:
 (a) Retroactively approve the Shred-A-Thon and E-Waste Collection Day held on Saturday, September 16, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
 (b) Retroactively 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. (Jones)
 [Rules Committee referral 9/13/17 - Items G.1.d.]

Attachments [Memorandum](#)

2.21 [17-129](#) Mexican Flag Raising.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017:
 (a) Retroactively approve the Mexican Flag Raising held on September 15, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
 (b) Retroactively 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/Peralez/Jimenez/Arenas/Rocha)
 [Rules Committee referral 9/13/17 - Items G.1.e.]

Attachments [Memorandum](#)

2.22 [17-130](#) District 9 Grant.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017, approve a grant for \$5,000 to Cambrian School District to support the student health and wellness programs at all six schools in the Cambrian district. To be paid by Council District 9 funds. CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Rocha)
 [Rules Committee referral 9/13/17 - Items G.2.]

Attachments [Memorandum](#)

2.23 [17-131](#) Resolution Condemning the Rescission of DACA.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017:

- (a) Adopt a resolution condemning President Donald Trump's rescission of the Deferred Action for Childhood Arrivals Program (DACA).
- (b) Direct the City Attorney's Office to support the State of California in any and all legal actions against the Trump administration for its abrupt termination of the DACA program.

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Jimenez/Peralez)
[Rules Committee referral 9/13/17 - Items G.4.]

Attachments [Memorandum](#)
 [Resolution - Part \(a\)](#)

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, Norberto Dueñas (Verbal Report)

3.2 Labor Negotiations Update. Accept Labor Negotiations Update.

TO BE HEARD AT 9:00 A.M.

3.3 [17-066](#) Approval of Citywide Insurance Renewals.

Recommendation:

Adopt a resolution authorizing the Director of Finance to select and purchase City property and liability insurance policies for the period October 1, 2017 to October 1, 2018, at a total cost not to exceed \$1,850,000, including a 12.6% contingency for additional property or assets scheduled, with the following insurance carriers:

- (a) American Home Assurance Company for Property & Casualty Insurance, including Boiler & Machinery.
 - (b) Old Republic Aerospace, Phoenix Aviation Managers, for Airport Owners and Operators Liability including War Risks & Extended Perils Coverage (Primary and Excess) and Police Aircraft Hull & Liability including War Risks & Extended Perils.
 - (c) The Travelers Indemnity Company of CT for Automobile Liability, or other insurance carriers that the City is currently in negotiations with, (Airport fleet vehicles including Shuttle Buses, Regional Wastewater Facility fleet vehicles, and Airport Shuttle Bus physical damage).
 - (d) QBE Specialty Insurance Company for Secondary Employment Law Enforcement Professional Liability.
 - (e) National Union Fire Insurance Company of Pittsburgh, PA for Life/Accidental Death and Dismemberment Policy for the Police Air Support Unit.
 - (f) Berkley Regional Insurance Company for Government Fidelity/Crime Coverage.
 - (g) Hudson Insurance Company, for Fiduciary Liability Coverage for the VEBA Health Savings Trust.
- CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Finance)

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

3.4 [17-099](#) Amendments to the City Pay Plan for Assistant Director & Chief Investment Officer Classification.

Recommendation: Adopt a resolution to:

- (a) Accept the Chief Investment Officer (CIO) Compensation study results;
- (b) Amend the City of San José Pay Plan effective November 1, 2017, to create a salary range for the classification of Assistant Director & Chief Investment Officer with a new pay range of salary range of \$220,000-\$295,000 annually;
- (c) Approve and include standard Executive Package for the Senior Staff of the City of San José.

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

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

3.5 [17-132](#) Opportunity to Work.

Recommendation: As recommended by the Rules and Open Government Committee on September 13, 2017:

- (a) That staff be directed to analyze the administrative and budget implications of implementing the Opportunity to Work rules within the City organization and return to City Council with the results of their analysis and an implementation plan for Council consideration.
- (b) That the City Attorney be directed to provide an explanation of why the Opportunity to Work ordinance does not apply to the City of San José, along with an explanation whether it applies to other public agencies within San José.

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

[Rules Committee referral 9/13/17 - Items G.5.]

Attachments [Memorandum](#)
 [Supplemental Memorandum](#)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 [17-082](#) Residential High-Rise Development Audit.

Recommendation: As recommended by the Community and Economic Development Committee on August 28, 2017, accept the Audit of Residential High-Rises: Considerations for a City with a Growing Number of Tall Buildings. CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (City Auditor)
[Community and Economic Development Committee referral 8/28/17 - Item (d)(2)]

Attachments [Memorandum](#)
 [Supplemental Memorandum](#)

4.2 [17-086](#) Actions Related to the Affordable Housing Impact Fee and Inclusionary Housing Programs.

Recommendation: (a) Accept the status report regarding potential changes to the Affordable Housing Impact Fee and Inclusionary Housing Programs.
 (b) Adopt a resolution that amends Resolution No. 77218 as previously amended by Resolution No. 708010 (collectively, “Housing Impact Fee Resolution”) to:
 (1) Revise the definition of “dwelling unit” to clarify the distinguishing characteristics of a unit subject to the Affordable Housing Impact Fee; and
 (2) Allow developers of qualifying projects with Affordable Rental Apartments to apply for a different method of calculating their required Affordable Housing Impact Fee.
 (c) Direct the City Attorney and Housing Department to return with a new ordinance imposing an inclusionary housing obligation on for-sale projects with three (3) to nineteen (19) homes.
 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)

Attachments [Memorandum](#)
 [Memorandum from CMs Jones and Khamis](#)
 [Resolution - Part \(b\)](#)
 [Letters from the Public](#)

- 4.3 [17-078](#) Actions Related to the Historic Preservation Survey Structures for City Historic Designation.

Recommendation: (a) Accept the Administration's plan to use \$487,500 in fees, fines, and donations collected by the City to procure consulting services to survey structures that are potentially eligible for historic designation in the City and hire staffing with historic preservation experience to serve as the Historic Preservation Officer and manage the survey; and
 (b) Authorize adding 1.0 limit-dated Principal Planner position, to the Planning, Building and Code Enforcement Department, through June 30, 2019.
 CEQA: Not a Project, File No. PP17 010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Planning, Building and Code Enforcement)

Attachments [Memorandum](#)

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 [17-083](#) BART Phase II Priorities and Preferred Alternatives.

Recommendation:

Approve the following City of San José priorities and locally preferred alternatives for the BART Phase II project, as guidance to the City's VTA Board members in determining the final project description, completion of environmental clearance, and initiation of final design:

(a) Support the West Station Option for the Downtown Station location.
(b) Support the North Station Option for the Diridon San José Central Station location.

(c) Support continued efforts by VTA, with the collaboration and support of BART, to determine a way to enable the Single Bore Tunnel method to be used in construction of the subway tunnel under Downtown San Jose to partially mitigate the significant construction impacts associated with Twin Bore, cut and cover construction methods.

(d) Emphasize the need for VTA to continue detailed levels of coordination of the City of San José on station access planning, integration with surrounding urban areas, and final station design to ensure that the stations and station areas appropriately represent San José.

(e) Establish as a priority the effective integration of the BART project, station location and portal entrances into Diridon San Jose Central Station planning and area development.

(f) Emphasize the importance for VTA to develop an extensive Construction Outreach and Management Program.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. Council Districts 3, 4 & 6. (Transportation/Economic Development)

Attachments

[Memorandum](#)

[Memorandum from Mayor Liccardo and CMs Peralez, Diep, Dav](#)

[Memorandum from Vice Mayor Carrasco](#)

[Letters from the Public](#)

[Letters from the Public #2](#)

[SPUR Letter](#)

[Sharks Sports & Entertainment Letter](#)

[G.Lebrun Public Letter](#)

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY

8.1 [17-047](#) Safe Communities Multi-Family Housing Pilot Program.

Recommendation: Accept the final report of the one-year Safe Communities Multi-Family Housing Pilot Program in the Hoffman/Via Monte area. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memo that involve no approvals of any City action. Council District 10. (Police)

Attachments [Memorandum](#)
 [Memorandum from Councilmember Khamis](#)

9. REDEVELOPMENT – SUCCESSOR AGENCY

- 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.

10. LAND USE

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

10.1 Land Use on Consent Calendar

No Land Use items on Consent Calendar.

- 10.2 17-084** Analysis of Proposed General Plan Land Use Overlay Amendments for Mobilehome Parks and Review of Recommendations from The Law Foundation of Silicon Valley Regarding Protection of Mobilehome Park Residents. DEFERRED

Recommendation: Accept staff analysis of a proposed General Plan amendment to create overlay designations for mobilehome parks with residential designations with a recommendation of no action to amend the General Plan. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Planning, Building and Code Enforcement/Housing)
NOT TO BE HEARD BEFORE 4:00 P.M.
DEFERRED TO 10/3/17 PER ADMINISTRATION

Attachments Memorandum
Supplemental Memorandum

- Open Forum

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

- Adjournment

This meeting is adjourned in memory of Ann Woo, who dedicated her life to bringing the art of Chinese dance to local communities and most recently served as cofounder and Executive Director of the Chinese Performing Artists of America Center. (Jones)

**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.