



# **City Council Meeting Amended Agenda**

**Tuesday, March 13, 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

9:00 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

[18-386](#) 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

NOTICE OF PARTICIPATION OF COUNCILMEMBER JIMENEZ BY TELECONFERENCE IN THE EVENING SESSION OF THE CITY COUNCIL MEETING MARCH 13, 2018

Councilmember Jimenez intends to participate via Teleconference from Wardman Tower Lobby at the Marriott Wardman Park Hotel at 2660 Woodley Rd. NW, Washington, District of Columbia 20008

- Invocation (District 3)

Maestro, Sergio Ocelocoatl Ramirez

- 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 [18-317](#) Presentation of a commendation to the District 1 Leadership Group Board for their efforts to support neighborhood development, share best practices, and promote the interests of District 1 residents. (Jones)  
**TO BE HEARD IN THE EVENING**

- 1.2 [18-350](#) Presentation of a proclamation recognizing the week of March 12, 2018 as “Science Fair Week” 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.**

[18-309](#) Approval of City Council Minutes.

**Recommendation:** Regular Council Meeting Minutes of August 22, 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.

**Attachments** [Regular Council Meeting Minutes of 8/22/17.](#)

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

[18-208](#)**Final Adoption of Ordinances.****Recommendation:**

(a) ORD. NO. 30067 - An ordinance of the City of San José rezoning certain real property of approximately 63 gross acres situated at the terminus of America Center Drive, (APNs: 015-45-013, 024, 032, 048, 049, 050, 051, 051, 052, and 053) from the A(PD) Planned Development Zoning District.

CEQA: Subsequent Environmental Impact Report to the Legacy Terrace Development Planned Development Rezoning and Prezoning Final EIR (Resolution No. 69392). Planning Commission Recommends approval (5-0-1-1, Bit-Badal absent, Vora abstained). (Planning, Building and Code Enforcement)  
(Deferred from 2/13/18 - Item 2.2)  
TO BE HEARD AS ITEM 10.2(c)

(b) ORD. NO. 30076 - An ordinance of the City of San José amending Part 13 of Chapter 4.80 of Title 4 of the San Jose Municipal Code to establish the General Purpose Parking Capital Fund and to make technical and clarifying changes.

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

**2.3 Approval of Council Committee Minutes.**[18-330](#)**Approval of City Council Committee Minutes.****Recommendation:**

(a) Public Safety, Finance, and Strategic Support Minutes of February 15, 2018. (Peralez)

(b) Public Safety, Finance, and Strategic Support Minutes of December 14, 2017. (Peralez)

(c) Public Safety, Finance, and Strategic Support Minutes of November 16, 2017. (Peralez)

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

**Attachments**

[02/15/18 PSFSS Meeting Minutes](#)

[12/14/17 PSFSS Meeting Minutes](#)

[11/16/17 PSFSS Meeting Minutes](#)

## 2.4 Mayor and Council Excused Absence Requests.

[18-306](#)

### Mayor and Council Excused Absences Requests.

**Recommendation:**

Request for an excused absence for Councilmember Dev Davis from the Community and Economic Development Meeting on February 26, 2018 due to illness.

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

[Rules Committee referral 3/7/18 - Item A.1.a]

**Attachments** [Memorandum](#)

## 2.5 City Council Travel Reports.

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

2.7 [18-291](#)

### Actions Related to the Purchase Order with Long's Custom Discing, Inc. for Weed Abatement Services.

**Recommendation:**

Adopt a resolution authorizing the City Manager to:

(a) Execute a Purchase Order with Long's Custom Discing, Inc. (San José, CA) for weed abatement services at the San José/Santa Clara Regional Wastewater Facility buffer lands for an initial twelve-month period, starting on or about March 14, 2018 and ending on or about March 13, 2019, for an amount not-to-exceed \$166,300; and

(b) Execute up to four one-year options to extend the term of the Purchase Order, with the last option year ending on or about March 13, 2023, subject to the annual appropriation of funds.

CEQA: Exempt, File No. PP13-097, CEQA Guidelines Section 15301, Existing Facilities. (Finance)

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

**2.8**    [18-289](#)            **Actions Related to the Resolution Establishing Speed Limits.****Recommendation:**

Adopt a resolution to repeal Resolution No. 78275 and set forth speed limits in the City of San José in compliance with State law to:

- (a) Re-establish speed limits with changes to three roadways; including portions of Alum Rock Avenue, Autumn Street, and Capitol Avenue;
- (b) Establish speed limits on portions of the following three roadways: Campbell Avenue, Gurdwara Avenue, and Raleigh Road; and
- (c) Make administrative corrections as described in the memorandum to Council.

CEQA: Exempt, File No. PP14-017, CEQA Guidelines Section 15301, Existing Facilities. Council Districts 2, 3, 4, 5, 6, and 8.  
(Transportation)

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

**2.9**    [18-290](#)            **Actions Related to the Resolution Repealing the Schedule of Parking Penalties and Late Payment Penalty for Parking Violations.****Recommendation:**

Adopt a resolution to repeal Resolution 77830 and set forth the Schedule of Parking Penalties and Late Payment Penalty for Parking Violations to increase the fee assessed by the Department of Motor Vehicle (DMV) for placement of vehicle registration holds for unpaid delinquent parking citations, effective March 15, 2018.

CEQA: Exempt, File No. PP17-005, CEQA Guidelines Section 15273 - Rates, Tolls, Fares and charges. (Transportation)

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



**2.10**    [18-313](#)            **Actions Related to the One Bay Area Grant Cycle 2 - 2017 Priority Development Area Planning Grant Acceptance.**

**Recommendation:**

Adopt a resolution to:

(a) Authorize the City Manager or designee to accept grant funding and negotiate and execute all documents necessary to fund and complete the following projects:

    (1) Downtown San José Mobility, Streetscape, and Public Life Plan (\$813,000 grant award with a local match of \$144,000);

    (2) East Side Alum Rock Urban Village Plan (\$400,000 grant award with a local match of \$51,824); and

(b) Make the certifications and assurances required under the grant program.

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. Council Districts 3, 5, & 6. (Transportation/Planning, Building and Code Enforcement)

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

**2.11**    [18-311](#)            **Actions Related to Councilmember Khamis's Travel to Tokyo-Okayama, Japan.**

**Recommendation:**

Authorize travel for Councilmember Khamis to Tokyo-Okayama, Japan on April 5, 2018 to April 15, 2018 for the Okayama Sister Cities Delegations Trip, and excuse his absence from the Smart Cities and Service Improvements Committee on April 5, 2018, regular meetings of the City Council on April 10, 2018, and the Rules and Open Government Committee on April 11, 2018. Source of Funds: Councilmember Khamis' personal funds.

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

[Rules Committee referral 3/7/18 - Item A.1.a]

**Attachments**    [Memorandum](#)

**2.12**    [18-354](#)            **Retroactive Approval of Volunteer Appreciation Breakfast 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 March 7, 2018:  
(a) Retroactively approve the Volunteer Appreciation Breakfast scheduled on March 3, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and  
(b) Approve and accept donations from various individuals, businesses or community groups to support the event.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)  
[Rules Committee referral 3/7/18 - Item G.1.b]

**Attachments**    [Memorandum](#)

**2.13**    [18-355](#)            **Retroactive Approval of Kollmar Neighborhood Association 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 March 7, 2018:  
(a) Retroactively approve the Kollmar Neighborhood Association Community Meeting scheduled on February 28, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and  
(b) Approve and accept donations from various individuals, businesses or community groups to support the event.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Carrasco)  
[Rules Committee referral 3/7/18 - Item G.1.d]

**Attachments**    [Memorandum](#)

**2.14**    [18-357](#)            **Approval of Community Pancake Breakfast 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 March 7, 2018:  
(a) Approve the Community Pancake Breakfast scheduled on March 17, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and  
(b) Approve and accept donations from various individuals, businesses or community groups to support the event.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Carrasco)  
[Rules Committee referral 3/7/18 - Item G.1.e]

**Attachments**    [Memorandum](#)

**2.15**    [18-358](#)            **Approval of Persian Nowruz Festival Sponsored By Council District 10 in Cooperation with the Iranian Federated Women's Club, 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 March 7, 2018:  
(a) Approve the Persian Nowruz Festival scheduled on March 29, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and  
(b) Approve and accept donations from various individuals, businesses or community groups to support the event.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Khamis)  
[Rules Committee referral 3/7/18 - Item G.1f]

**Attachments**    [Memorandum](#)

**2.16**    [18-360](#)            **Approval of the Display of the Flags of the Republic of Ireland and the City of Dublin, Ireland Sponsored By Council District 10 as a City Council Sponsored Special Event to Expend City Funds for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on March 7, 2018, approve the raising of the flags of the Republic of Ireland and City of Dublin, Ireland on March 16, 2018 and display of the flags through March 19, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.

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

[Rules Committee referral 3/7/2018 - Item G.1.g]

**Attachments**    [Memorandum](#)

**2.17**    [18-359](#)            **Retroactive Approval of Dumpster Day Sponsored By the Mayor and Council District 3 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 March 7, 2018:

(a) Retroactively Approve the Dumpster Day scheduled on September 30, 2017 as a City Council sponsored Special Event and approve the expenditure of funds; and

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

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

[Rules Committee referral 3/7/18 - Item G.1.h]

**Attachments**    [Memorandum](#)

### **3. STRATEGIC SUPPORT**

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

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

**3.3**     [18-307](#)     **Public Member Appointment to the Board of Administration for Federated City Employees' Retirement System.**

**Recommendation:**     Interview applicant(s) for appointment to the Public Member Seat; and appoint one (1) applicant to the Public Member Seat on the Board of Administration for the Federated City Employees' Retirement System through November 30, 2020.

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

(Deferred from 3/13/18 - Item 3.3)

TO BE HEARD IMMEDIATELY FOLLOWING CONSENT

**Attachments**     [Memorandum](#)  
                          [Code Review Memorandum](#)  
                          [Conflict of Interest Memorandum](#)  
                          [Application](#)

**3.4**     [18-288](#)**Actions Related to the Agreements with East Side Union High School District and SmartWAVE Technologies LLC for a Community Wireless Network.****Recommendation:**

(a) Adopt a resolution authorizing the City Manager to:

(1) Execute the First Amendment to the Agreement between the City of San José and East Side Union High School District to increase funding by \$2,000,000 for a total funding of \$4,700,000, expanding the Community Wireless Network to add the William C. Overfelt High School attendance area, and to provide ongoing maintenance and support for the James Lick and William C. Overfelt High School attendance areas.

(2) Execute the First Amendment to the Agreement between the City of San José and SmartWAVE Technologies LLC (Suwanee, GA) to increase maximum compensation by \$1,323,811 for a revised maximum compensation amount not to exceed \$2,961,051 to expand the East Side Union High School District Community Wireless Network, to add the William C. Overfelt High School attendance area, including all required hardware, software, materials, professional services, maintenance and support, and applicable sales tax through December 31, 2021.

(3) Negotiate and execute amendments and change orders to the Agreement with SmartWAVE Technologies LLC for contingency to cover any unanticipated changes in requirements or specifications, not to exceed \$200,000 and subject to the appropriation of funds.

(4) Negotiate and execute amendments to the Agreement with the East Side Union High School District to increase funding, as needed, to expand the Community Wireless Network including adding the Yerba Buena High School attendance area.

(5) Negotiate and execute amendments and change orders to the Agreement with SmartWAVE Technologies LLC to expand the Community Wireless Network including adding the Yerba Buena High School attendance area and ongoing system maintenance and support of all attendance areas, subject to the appropriation of funds.

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

(1) Increase the East Side Union High School District Community Wireless Network Project appropriation to the Department of Public Works by \$2,000,000.

(2) Increase the estimate for Revenue from Local Agencies from \$2,000,000.

CEQA: Exempt, File No. PP16-085, CEQA Guidelines Section 15303, New Construction or Conversion of Small Structure. (City Manager/Finance)

**Attachments**    [Memorandum](#)  
                          [\(a\) Agreement](#)  
                          [\(b\) Agreement](#)

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

### **4.1    [18-304](#)            Mobilehome Opt-in Update.**

**Recommendation:**    As recommended by the Community and Economic Development Committee on November 27, 2017, accept the report and provide direction on whether staff should continue with public meetings and the development of an Opt-In/Stay-In-Business ordinance.  
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)  
[Community and Economic Development Committee referral 11/27/17 - Item (d)(7)]  
TO BE HEARD FIRST IN THE EVENING FOLLOWING CEREMONIALS

**Attachments**    [Memorandum from Mayor Liccardo; VM Carrasco; CMs Jones,\]](#)  
                          [Memorandum from CMs Jimenez, Peralez, & Rocha](#)  
                          [11/27/17 CED Memorandum](#)  
                          [11/27/17 CED Attachment A](#)  
                          [11/27/17 CED Attachment B](#)  
                          [11/27/17 CED Attachment C](#)  
                          [11/27/17 CED Attachment D](#)  
                          [11/27/17 CED Attachment E](#)  
                          [11/27/17 CED Letter\(s\) from the Public](#)  
                          [11/27/17 CED Letter from the Law Foundation of Silicon Valley](#)  
                          [11/27/17 CED Presentation](#)  
                          [Letter\(s\) from the Public](#)

## **5. NEIGHBORHOOD SERVICES**

## **6. TRANSPORTATION & AVIATION SERVICES**

**6.1**     [18-292](#)            **Approval of Award of Contract for the 2018 Remove and Replace Asphalt Concrete Pavement Project - South.**

**Recommendation:**     (a) Approve award of a construction contract for the 2018 Remove and Replace Asphalt Concrete Pavement Project - South, to the lowest responsive bidder, O’Grady Paving, Inc. in the amount of \$3,453,664.00.  
(b) Approve a 10% contingency in the amount of \$345,366.40.  
CEQA: Exempt, File No. PP14-069, CEQA Guidelines Section 15301, Existing Facilities. (Transportation)

**Attachments**     [Memorandum](#)

**6.2**     [18-293](#)            **Approval of Award of Contract for the 2018 Remove and Replace Asphalt Concrete Pavement Project - North.**

**Recommendation:**     (a) Approve award of a construction contract for the 2018 Remove and Replace Asphalt Concrete Pavement Project - North, to the lowest responsive bidder, O’Grady Paving, Inc. in the amount of \$3,635,307.50.  
(b) Approve a 10% contingency in the amount of \$363,530.75.  
CEQA: Exempt, File No. PP14-069, CEQA Guidelines Section 15301, Existing Facilities. (Transportation)

**Attachments**     [Memorandum](#)

## **7. ENVIRONMENTAL & UTILITY SERVICES**

## **8. PUBLIC SAFETY**

## **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.

- Council will recess until 6:00 p.m.

## **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****(a) [18-218](#) Conforming Rezoning for Real Property Located at 86 North 17th Street.****Recommendation:**

Consideration of an ordinance of the City of San José rezoning an approximately 1.86-gross acre site located on the northeast corner of East Santa Clara and North 17th Street (86 North 17th Street) from the CG-Commercial General and LI- Light Industrial Zoning Districts to the PQP- Public/Quasi-Public Zoning District (San Jose Water Works, Owner).

CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041), Supplemental EIR to Envision San José General Plan EIR (Resolution No. 77617), and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)  
C17-037 - Council District 3  
[Deferred from 2/27/18 - Item 10.1(a)]

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

**(b) [18-286](#) Conforming Rezoning for Real Property Located at 1302 North 4th Street.****Recommendation:**

Consideration of an ordinance of the City of San José rezoning a 1.2 gross acre site located northeast of the intersection of North 4th Street and East Rosemary Street (1302 North 4th Street) from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District on (Green Valley Corporation, Owner).

CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041), and Supplemental EIR to Envision San José 2040 General Plan EIR (Resolution No. 77617), and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)  
C18-004 - Council District 3

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

(c) [18-279](#) **Conforming Rezoning for Real Property Located at 1102 Lick Avenue.**

**Recommendation:**

Consideration of an ordinance of the City of San José rezoning a 0.46-gross acre site, located on the southeast corner of Lick Avenue and Goodyear Street (1102 Lick Avenue) from the LI Light Industrial Zoning District to the R-2 Two-Family Residential Zoning District (Garcia Enterprise LLC, Owner).

CEQA: Determination of Consistency with Envision San José 2040 General Plan EIR (Resolution No. 76041), Supplemental EIR to the Envision San José 2040 General Plan Program EIR (Resolution No. 77517), and Addenda thereto. Planning Commission recommends approval (6-0-1; Vora absent). (Planning, Building and Code Enforcement)

C17-041 - Council District 3

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

**END OF CONSENT CALENDAR**

10.2 [18-287](#)

**Reconsideration of the Certification of the America Center Phase III  
Project Final Subsequent Environmental Impact Report.**

**Recommendation:**

(a) Conduct a Hearing to reconsider the City Council's certification of the America Center Phase III Project Subsequent Environmental Impact Report adopted on January 23, 2018 (Resolution No. 78493) for a Planned Development Rezoning (File No. PDC15-058) from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to allow an additional 190,000 square feet of commercial and office/research and development uses; and a Planned Development Permit (File No. PD15-053) to allow the construction of an approximately 192,350-square foot, six-story office building, associated amenity space, expansion of the existing parking garage on the eastern portion of the site, and removal of 101 ordinance and non-ordinance sized trees on an approximately 63-gross acre site located on the north side of California State Route (SR) 237 at the terminus of Great America Parkway.

(b) Adopt a resolution affirming City Council Resolution No. 78493 certifying the America Center Phase III Project Subsequent Environmental Impact Report adopted on January 23, 2018, and City Council Resolution No. 78494 approving Planned Development Permit File No. PD15-053, and finding that:

(1) The City Council has read and considered the America Center Phase III Project Subsequent Environmental Impact Report and related administrative record in connection with Planned Development Rezoning File No. PDC15-058 and Planned Development Permit File No. PD15-053;

(2) The America Center Phase III Project Subsequent Environmental Impact Report was prepared and completed in compliance with the California Environmental Quality Act of 1970, as amended, together with state and local implementation guidelines; and

(3) Certification of the America Center Phase III Project Subsequent Environmental Impact Report for Planned Development Rezoning File No. PDC15-058 and Planned Development Permit File No. PD15-053 reflects the independent judgment and analysis of the City of San José.

(c) Final adoption of ORDINANCE NO. 30067. An ordinance of the City of San José rezoning certain real property of approximately 63 gross acres situated at the terminus of America Center Drive (APNs: 015-45-013, 024, 032, 048, 049, 050, 051, 051, 052, & 053) from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District.

CEQA: The America Center Phase III Project Subsequent  
Environmental Impact Report adopted by City Council Resolution  
No. 78493. (Planning, Building and Code Enforcement)  
PDC15-058 & PD15-053 - Council District 4

**Attachments** [Memorandum](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)  
[Attachment 5](#)  
[Attachment 6](#)  
[Letter\(s\) from the Public](#)

**10.3**    [18-294](#)            **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.**

**Recommendation:**

(a) Accept staff analysis of proposed General Plan land use overlay amendments for mobilehome parks.

(b) Refer to the next Council Priority Setting Session consideration of General Plan land use amendments for the two mobilehome parks with high density residential land use designations that are most at risk of redevelopment.

(c) Accept staff review of the recommendations proposed by the Law Foundation of Silicon Valley, in its letter dated May 11, 2017, and direct staff to bring to City Council three minor General Plan text amendments identified in the analysis of the staff memorandum to Council for consideration as part of a future General Plan hearing cycle.

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)

TO BE HEARD IMMEDIATELY FOLLOWING ITEM 4.1 (18-304)

**Attachments**

[Memorandum](#)

[Memorandum from Mayor Liccardo; VM Carrasco; CMs Jones, \]](#)

[Memorandum from CMs Jimenez, Peralez, & Rocha](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Letter\(s\) from the Public](#)

- 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

- Notice of City Engineer's Pending Decision on Final Maps

## **MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JOSE HOUSING AUTHORITY AGENDA**

1:30 p.m.

March 13, 2018

CHAMBERS

- Call to Order and Roll Call

1. [18-260](#) Notice of Termination of Agreement with the Housing Authority of the City of San José and the Santa Clara County Housing Authority Regarding Administration of City Housing Authority Programs.

**Recommendation:**

Board of Commissioners of the City of San José Housing Authority adopt a resolution:

- (a) Directing the Executive Director of the Housing Authority of the City of San José (“City Housing Authority”) to give the Santa Clara County Housing Authority (“SCCHA”) a one year written notice of termination of the Agreement dated April 1, 1996, if the Board of Supervisors votes to become the SCCHA governing board; and
- (b) Authorizing the Executive Director to commence negotiations for a new Agreement with the SCCHA and to return to the Board of Commissioners of the City Housing Authority with a report on the progress on the negotiation of the new Agreement, or if there is no progress, with other options for administering the programs of the City Housing Authority.

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

**Attachments** [Memorandum](#)  
[Memorandum from CM Nguyen](#)  
[Resolution](#)

- Open Forum
- 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.