



# **City Council Meeting Amended Agenda**

**Tuesday, May 8, 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

See Separate Agenda

[18-692](#)

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

- Invocation (District 5)

Pastor Danny Sanchez

- 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 Presentation of a proclamation declaring May 6, 2018 through May 12, 2018 as “Municipal Clerks Week” in the City of San José. (Mayor/Clerk)

1.2 Presentation of a commendation to Jerry Broyles and Cyndy Broyles for their dedicated leadership and commitment to the Alma neighborhood. (Nguyen)

1.3 Presentation of a proclamation declaring May 2018 as National Melanoma Awareness Month. (Carrasco)

1.4 Presentation of a proclamation declaring May 2018 as Lupus Awareness Month. (Jimenez)

1.5 Presentation of a commendation to Filipino-American City Employees of San Jose for their efforts in building solidarity and fundraising for Typhoon Haiyan victims in 2014. (Diep)

## **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.**

[18-623](#)

**Approval of City Council Minutes.**

**Recommendation:**

- (a) Digital Inclusion and Broadband Strategy Council Study Session of November 13, 2017.
  - (b) Regular Council Meeting of December 5, 2017.
  - (c) Regular Council Meeting of December 19, 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**

- [\(a\) Digital Inclusion and Broadband Strategy Council Study Sess:](#)
- [\(b\) Regular City Council Meeting Minutes of 12/5/17](#)
- [\(c\) Regular City Council Meeting Minutes of 12/19/17](#)

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

18-626**Final Adoption of Ordinances.****Recommendation:**

(a) ORD. NO. 30087- An ordinance of the City of San José amending Section 3.24.2290 of Chapter 3.24, Sections 3.28.1980 and 3.28.1990 of Chapter 3.28, and Sections 3.36.1930 and 3.36.1940 of Chapter 3.36 of Title 3 of the San José Municipal Code

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

(b) ORD. NO. 30088 - An ordinance of the City of San José amending Part 11 of Chapter 17.23 of Title 17 of the San José Municipal Code to add three unit buildings, to modify re-control provisions, and to provide that other multifamily units are deemed to have met obligations under this part after compliance with notice and relocation specialist obligation.

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

(c) ORD. NO. 30089 - An ordinance of the City of San José amending Part 12 to Chapter 17.23 of Title 17 of the San José Municipal Code to add a criminal activity cause for eviction and to add protection from retaliation related to immigration status.

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

RECOMMEND DEFERRAL TO 5/15/18 PER ADMINISTRATION

(d) ORD.NO. 30090 - An ordinance of the City of San José amending Part 3 of Chapter 17.23 of Title 17 of the San José Municipal Code to expressly prohibit pass through of utility charges and to provide for a one-time rent increase for units with existing pass through agreements.

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

(e) ORD. NO. 30091 - An ordinance of the City of San José rezoning certain real property of approximately 0.14-gross acre situated on the south side of Wabash Street, approximately 400 feet westerly of Archer Street (APN: 015-05-080), from the CN Commercial Neighborhood Zoning District to the R-1-8 single-family residential zoning district  
CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041), and Supplemental Impact Report (Resolution No. 77617), and Addenda thereto.

**Attachments**   [Ord. No. 30088](#)  
[Ord No. 30089](#)  
[Ord No. 30090](#)

**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     [18-617](#)            Amendment to the Agreement with Axon Enterprise, Inc. for Police Body Worn Camera and Evidence Management System.**

**Recommendation:**    Adopt a resolution authorizing the City Manager to:  
                                  (a) Execute the First Amendment to the Agreement with Axon Enterprise, Inc. for a Body Worn Camera and Evidence Management System to increase the compensation by \$387,871 for a maximum compensation of \$5,205,555 to purchase 143 additional body worn cameras and related services, subject to the appropriation of funds; and  
                                  (b) Execute additional change orders to the Agreement to purchase additional cameras and services as required, subject to the same unit pricing, terms, and conditions and subject to the appropriation of funds.  
                                  CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
                                  (Finance)  
                                  DEFERRED FROM 5/8/18 ITEM 2.7 TO 6/5/18 PER  
                                  ADMINISTRATION

**Attachments**   [Agreement](#)

**2.8     [18-616](#)     Annual Status Reports on the Safe Neighborhood Parks and Recreation Bond Projects, and the Branch Library Bond Projects for FY 2016-2017.**

**Recommendation:**     Accept the Fiscal Year 2016-2017 Safe Neighborhood Parks and Recreation Bond Projects and the Branch Library Bond Projects audit reports.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Public Works)  
DEFERRED FROM 5/8/18 ITEM 2.8 TO 5/15/18 ITEM 2.12 PER ADMINISTRATION

**Attachments**     [Memorandum](#)  
                          [Attachment 1](#)  
                          [Attachment 2](#)  
                          [Attachment 3](#)  
                          [Attachment 4](#)

**2.9     [18-579](#)     Report on Bids and Award of Contract for the 8730-Sanitary Sewer Repairs 2017-18 Package IV Project.**

**Recommendation:**     Report on bids and award of contract for the 8730-Sanitary Sewer Repairs 2017-18 Package IV Project to the low bidder, JMB Construction Inc., in the amount of \$1,410,045, and approve a contingency in the amount of \$141,005.  
CEQA: Categorically Exempt, CEQA Guidelines Section 15301(b), Existing Facilities and Section 15302(c), Replacement or Reconstruction, File No. PP17-029. Council Districts 1 & 6. (Public Works)

**Attachments**     [Memorandum](#)



**2.10    [18-627](#)            Approval of Dumpster Day Sponsored By Council District 9 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 April 25, 2018:  
(a) Approve the Dumpster Day scheduled on May 12, 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. (Rocha)  
[Rules Committee referral 4/25/18 - Item G.1.a]

**Attachments**    [Memorandum](#)

**2.11    [18-628](#)            Approval of Chynoweth Avenue Green Streets Project Ribbon Cutting Event Sponsored By Council District 10 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on April 25, 2018:  
(a) Approve the Chynoweth Avenue Green Streets Project Ribbon Cutting Event scheduled on May 31, 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 4/25/18 - Item G.1.b]

**Attachments**    [Memorandum](#)

**2.12     [18-520](#)                    Agreement with History San José for Maintenance of City-Owned Historical Facilities.**

**Recommendation:**     Adopt a resolution authorizing the City Manager to negotiate and execute an Agreement with History San José, from July 1, 2018 to June 30, 2038, for the operations and maintenance of the City-owned historical facilities within History Park at Kelley Park and the Peralta Adobe - Fallon House Historic Site, as well as management of the City's historic collections for an annual amount not to exceed \$784,000, subject to annual appropriations as approved by City Council.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
Council Districts 3 and 7. (Economic Development)  
DEFERRED FROM 5/1/18 ITEM 2.15 TO 5/8/18 ITEM 2.12 PER ADMINISTRATION

**Attachments**     [Memorandum](#)  
[Memorandum from Mayor Liccardo, CMS Peralez, Rocha, & Kh](#)

**2.13     [18-648](#)                    Actions Related to Mayor's Staff Travel to New York, NY.**

**Recommendation:**     Authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Khanh Russo and Nicholas Almeida, as the City's representatives to attend the Cities of Service Engaged Cities Award Summit from May 15-18, 2018 in New York, NY. Source of Funds: Cities of Service; Mayor's Office Budget  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor)  
[Rules Committee referral 5/2/18 - Item A.1.a]

**Attachments**     [Memorandum](#)

**2.14     [18-663](#)                    Actions Related to Councilmember Diep's Travel to Washington, D.C.**

**Recommendation:**     Authorize domestic travel for Councilmember Lan Diep to Washington, D.C. from May 14-16, 2018 and excuse his absences from the May 14, 2018 Budget Study Session and the May 15, 2018 City Council Meeting. Source of funds: Personal funds (airfare and travel) and Asian Pacific American Institute for Congressional Studies (airfare and hotel)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Diep)  
[Rules Committee referral 5/2/18 - Item A.1.a]

**Attachments**     [Memorandum](#)

**2.15    [18-666](#)                    SB 818 (Beall) Homeowner Bill of Rights Act 2018.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on May 2, 2018, re-affirm a position of support for SB 818 (Beall) Homeowners Bill of Rights 2018.  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Housing)  
[Rules Committee referral 5/2/18 - Item G.2]

Attachments    [Memorandum](#)

**3. STRATEGIC SUPPORT****3.1 Report of the City Manager, David Sykes (Verbal Report)****3.2 Labor Negotiations Update.**

Accept Labor Negotiations.

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

**4. COMMUNITY & ECONOMIC DEVELOPMENT**

**4.1**     [18-615](#)**Actions Related to the Inclusionary Housing Rental In-Lieu Fee and the Affordable Housing Impact Fee.****Recommendation:**

(a) Adopt a resolution that amends Resolution No. 77218 as previously amended by Resolutions No. 78010, 78392 and 78473 (collectively the “Housing Impact Fee Resolution”) by updating Section 13 regarding the transition between the Affordable Housing Impact Fee and Inclusionary Housing Ordinance Programs to (1) replace the requirement for issuance of Building Permits with a requirement for submittal of final approved building plans; (2) to add a transition process for rental projects that have not recorded an affordable housing agreement but were eligible for the AHIF Pipeline Exemption; (3) to add a transition process for rental projects with tentative maps approved prior to June 30, 2018; (4) allow Downtown High-Rise projects that fail to obtain Certificates of Occupancy by the applicable due date to pay the housing impact fee rather than meet the inclusionary housing ordinance requirements if they have obtained Building Permits; and (5) clarify that the AHIF continues to apply to projects with less than 20 units; and

(b) Accept the Housing Department’s staff report regarding the transition from the Affordable Housing Impact Fee (AHIF) to the Inclusionary Housing Ordinance (IHO) program for new rental developments in San José.

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

**Attachments**     [Memorandum](#)  
                         [Supplemental Memorandum](#)  
                         [\(a\) Resolution](#)  
                         [Letter\(s\) from the Public](#)  
                         [Presentation](#)

**5. NEIGHBORHOOD SERVICES****6. TRANSPORTATION & AVIATION SERVICES****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**

#### **Open Second City Initiated General Plan Hearing Cycle**

- (a)     [18-614](#)           **C17-055 - Conforming Rezoning for Real Property Located at 12329 Mabury Road.**

**Recommendation:**     Consideration of an ordinance of the City of San José rezoning a 15.12-gross acre site located at 12329 Mabury Road from the A -Agricultural Zoning District 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 Final Program Environmental Impact Report (FEIR) (Resolution No. 76041), the Envision San José 2040 General Plan Supplemental Environmental Impact Report (EIR)(Resolution No. 77617), and Addenda thereto; and does not involve new significant impacts beyond those analyzed in the FEIR or the Supplemental EIR.  
Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)  
C17-055 - Council District 4

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

- (b) [18-611](#) **PDC16-041/PD16-027/PT16-037 - Planned Development Rezoning, Planned Development Permit, and Vesting Tentative Map for Real Property Located at 645 Horning Street.**

**Recommendation:**

- (a) Adopt a resolution adopting the 645 Horning Street Gas Station, Food and Storage Project Mitigated Negative Declaration, for which an Initial study was prepared, in accordance with the California Environmental Quality Act, as amended, and adopting a related mitigation monitoring and reporting program.
- (b) Consideration of an ordinance of the City of San José rezoning an approximately 3.26-gross acre site, located on the northwest corner of Horning Street and Oakland Road (645 Horning Street) from the LI Light Industrial Zoning District to the CIC(PD) Planned Development Zoning District to allow a ministorage, retail store, gasoline station with six fuel dispensers and canopy, drive-through carwash, and drive-through restaurant uses (Rubnitz James E Et Al, Owner).
- (c) Adopt a resolution approving a Vesting Tentative Map, subject to conditions, to subdivide one lot into three lots.
- (d) Adopt a resolution approving a Planned Development Permit, subject to conditions, to allow the demolition of an existing warehouse and car repair building structures and allow the construction of a new retail store (3,814 square feet), gasoline station with six fuel dispensers and canopy (3,870 square feet), drive-through carwash (1,086 square feet), a drive-through restaurant (2,494 square feet) with late-night use to 2:00 a.m., and mini-storage buildings (total of 92,116 square feet).
- CEQA: Mitigated Negative Declaration for the 645 Horning Street Gas Station, Food and Storage Project. Planning Commission recommends approval (6-0-1, Ballard absent).
- (Planning, Building and Code Enforcement)
- PDC16-041/PD16-027/PT16-037 - Council District 3

**Attachments** [Memorandum](#)  
[Attachment](#)  
[Memorandum from Councilmember Peralez](#)  
[\(a\) Resolution](#)  
[\(b\) Ordinance](#)  
[\(c\) Resolution](#)  
[\(d\) Resolution](#)

**10 Land Use - Regular Agenda**

**10.2**    [18-622](#)**Urban Village Implementation Framework.****Recommendation:**

Adopt a resolution to establish the Urban Village Implementation (UVI) Framework, which will further implementation of the Urban Village Strategy and the individual Urban Village Plans by 1) outlining a zoning framework that will provide a more streamlined entitlement process for development consistent with the applicable Urban Village Plan; and 2) providing the community and developers with a simplified, transparent and predictable mechanism to have residential and residential mixed-use projects build the amenities and public improvements identified in the Village Plans, for which there are not currently adequate funding mechanisms.

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)

DEFERRED FROM 5/8/18 ITEM 10.2 TO 5/22/18 PER  
ADMINISTRATION

**10.3**    [18-612](#)**GP17-012 - General Plan Amendment: South Bascom (North) Urban Village Plan.****Recommendation:**

Adopt a resolution approving a City-initiated General Plan Amendment associated with the adoption of the South Bascom (North) Urban Village Plan, including modifications to the boundary and changes to General Plan land use designations on properties within the boundaries of the Urban Village Plan as shown on the proposed Urban Village Land Use Plan. This Urban Village Plan will provide a policy framework to guide new job and housing growth within the Urban Village boundaries, as well as, provide a framework for the characteristics of future development, including urban design, open space, public art/placemaking, streetscape and circulation, and implementation. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Environmental Impact Report (FEIR) (Resolution No. 76041) and Envision San José 2040 General Plan Supplemental Environmental Impact Report (EIR) (Resolution No. 77617), and Addenda thereto. Planning Commission recommends approval (6-0-1, Ballard absent). (Planning, Building and Code Enforcement)

GP17-012 - Citywide

**Attachments**[Memorandum](#)[Attachments](#)[Supplemental Memorandum](#)[Memorandum from Davis](#)[Memorandum from Rocha](#)[Attachment 1 - South Bascom Urban Village Open House Comm](#)[Attachment 2 - South Bascom \(North\) Urban Village Complete L  
Resolution](#)[Presentation](#)[Letter\(s\) from the Public](#)



**10.4**   [18-613](#)**GP17-013 - General Plan Amendment: West San Carlos Urban Village Plan.****Recommendation:**

Adopt a resolution approving a City-initiated General Plan Amendment associated with the adoption of the West San Carlos Urban Village Plan, including modifications to the boundary and changes to General Plan land use designations on properties within the boundaries of the Urban Village Plan as shown on the proposed Urban Village land use plan.

This Urban Village Plan will provide a policy framework to guide new job and housing growth within the Urban Village boundaries, as well as, provide a framework for the characteristics of future development, including urban design, open space, public art/placemaking, streetscape and circulation, and implementation.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Environmental Impact Report (FEIR) (Resolution No. 76041) and Envision San José 2040 General Plan Supplemental Environmental Impact Report (EIR) (Resolution No. 77617), and Addenda thereto. Planning Commission recommends approval (6-0-1, Ballard absent). (Planning, Building and Code Enforcement)

GP17-013 - Citywide

**Attachments**

[Memorandum](#)

[Attachments](#)

[Supplemental Memorandum](#)

[Memorandum from Davis](#)

[Attachment 1 - West San Carlos Urban Village Open House Com](#)

[Attachment 2 - West San Carlos Urban Village Complete Draft P  
Resolution](#)

[Presentation](#)

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

**Close Second City Initiated General Plan Hearing Cycle**

- 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

[18-687](#)**Notice of City Engineer's Pending Decision on Final Maps.****Recommendation:**

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

Tract	Location	Council District
10404	S/S of Quimby Rd - West of Capitol Expwy.	8

10405	S/S of Quimby Rd. West of Capitol Expwy.	8
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Developer	Lot/Units	Type	Decision
Civic South Bay LLC	77/76	SFD	Approve
Civic South Bay LLC	86/80	SFD	Approve

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review

Tract	Location	District	Lots/Units
10463	NW/C of Raleigh Rd. & Via Del Oro	2	28/123

Type  
SFA

This notice is to be posted with the City Council's regular agenda for 5/8/18.

## 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.