



City Council Meeting Amended Agenda

Tuesday, May 15, 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 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

[18-721](#) See separate agenda.

Attachments [Closed Session Agenda](#)

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

3:00 p.m.- Joint Meeting of the San José City Council and the Retirement Boards, W118-120, City Hall

- Invocation (District 5)

Corina Herrera-Loera and Gerardo Loera

- Pledge of Allegiance

- Orders of the Day

The City Council will recess at 2:45 p.m. and reconvene at 3:00 p.m. for the Joint Meeting of the San Jose City Council and the Retirement Boards.

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 recognizing May 11-18, 2018 as Affordable Housing Week in the City of San José. (Arenas)

1.2 Presentation of a proclamation to honor and recognize May 2018 as Older Persons Month. (Khamis)

1.3 Presentation of a proclamation recognizing May 2018 as Mental Health Awareness Month in the City of San José. (Arenas)

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.

[18-675](#)

Approval of City Council Minutes.

Recommendation:

(a) Regular City Council Meeting Minutes of January 23, 2018.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

2.2 Final Adoption of Ordinances.

[18-671](#)

Final Adoption of Ordinances.

Recommendation:

(a) ORD NO. 30092 - An ordinance of the City of San José amending Sections 2.08.080, 2.08.090, 2.08.130, and 2.08.150 of Chapter 2.08 of Title 2 of the San José Municipal Code relating to the establishment of the Voluntary Employees Beneficiary Association Advisory Committee.

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

(b) ORD NO. 30093 - An ordinance of the council of the City of San José dedicating as public right-of-way approximately 6,483 square feet of the City-owned property at the northernmost terminus of 21st Street. CEQA: Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File No. PP18-049.

(c) ORD NO. 30096 - An ordinance of the City of San José amending Chapter 17.38 of Title 17 of the San Jose Municipal Code to establish mandatory registration of vacant or abandoned buildings and storefronts in downtown.

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

(d) ORD. NO. 30099 - An ordinance of the City of San José adding a new chapter 20.190 to Title 20 of the San Jose Municipal Code and amending Section 5.08.450 of Chapter 5.08 of Title 5 of the San José Municipal Code to implement California Government Code Sections 695615 Et. Seq. (State Housing Density Bonuses and Incentives Law) and provide affordable housing incentives consistent with the San José General Plan.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (EIR) (Resolution No. 76041) and Envision San José 2040 General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto, and does not involve new significant impacts beyond those analyzed in the aforementioned documents.

(e) ORD. NO. 30100 - An ordinance of the City of San José amending various sections in Titles 9,11,17, and 19 and adding a new chapter 13.05 to Title 13 of the San José Municipal Code to implement the San José Complete Streets Design Standards and Guidelines.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (EIR)

(Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto, and does not involve new significant impacts beyond those analyzed in the aforementioned documents.

(f) 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.

DEFERRED FROM 5/8/18 ITEM 2.2 TO 5/15/18

Attachments [Ord No. 30089](#)

2.3 Approval of Council Committee Minutes.

[18-637](#)**Approval of Council Committee Minutes.****Recommendation:**

- (a) Ad-Hoc Committee for Development Service Minutes of March 23, 2017. (Davis)
- (b) Ad-Hoc Committee for Development Service Minutes of April 27, 2017. (Davis)
- (c) Smart Cities and Service Improvements Committee Minutes of May 4, 2017. (Jones)
- (d) Ad-Hoc Committee for Development Service Minutes of May 25, 2017. (Davis)
- (e) Smart Cities and Service Improvements Committee Minutes of June 1, 2017. (Jones)
- (f) Rules and Open Government Committee Minutes of June 14, 2017. (Mayor)
- (g) Rules and Open Government Committee Minutes of June 21, 2017. (Mayor)
- (h) Public Safety, Finance and Strategic Support Committee Minutes of August 17, 2017. (Peralez)
- (i) Community and Economic Development Committee Minutes of August 28, 2017. (Khamis)
- (j) Rules and Open Government Committee Minutes of November 1, 2017. (Mayor)
- (k) Rules and Open Government Committee Minutes of November 8, 2017. (Mayor)
- (l) Rules and Open Government Committee Minutes of November 15, 2017. (Mayor)
- (m) Rules In-Lieu Meeting Minutes of November 21, 2017. (Mayor)
- (n) Rules and Open Government Committee Minutes of November 29, 2017. (Mayor)
- (o) Ad-Hoc Committee for Development Service Minutes of November 30, 2017. (Davis)
- (p) Rules and Open Government Committee Minutes of December 6, 2017. (Mayor)
- (q) Smart Cities and Service Improvements Committee Minutes of December 7, 2017. (Jones)
- (r) Neighborhood Services and Education Committee Minutes of December 14, 2017. (Rocha)
- (s) Rules In-Lieu Meeting Minutes of December 20, 2017. (Mayor)
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** [\(a\) Ad-Hoc Committee for Development Service Minutes of 3/23](#)
[\(b\) Ad-Hoc Committee Minutes of 4/27/17](#)
[\(c\) Smart Cities & Service Improvements Committee Minutes of](#)
[\(d\) Ad-Hoc Committee Minutes of 5-25-17](#)
[\(e\) Smart Cities & Service Improvements Committee Minutes of](#)
[\(g\) Rules & Open Government Committee Minutes of 6/21/17](#)
[\(h\) Public Safety, Finance & Strategic Support Minutes of 8/17/1](#)

2.4 Mayor and Council Excused Absence Requests.

[18-709](#) **Mayor and Council Excused Absence.**

Recommendation: Request for a retroactive excused absence for Councilmember Sergio Jimenez from the Special Council Meeting on Citywide Education and Digital Literacy Strategy and the Regular Meeting of the Transportation and Environment Committee on May 7, 2018 due to illness.
CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment. (Jimenez)
[Rules Committee referral 5/9/18 - 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 [18-664](#) **Ordinance Modifying the Definition of Compensation to Exclude Non-Pensionable Wage Increases for the Federated City Employees' Retirement System.**

Recommendation: Approve an ordinance amending Section 3.28.030.05 of Chapter 3.28 of Title 3 of the San José Municipal Code to modify the definition of "Compensation" to exclude non-pensionable wage increases in the Federated Employees Retirement Plan.
CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Manager)

Sponsors: City Council

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

2.8 [18-631](#) **Agreement with Magical Bridge Foundation for the Emma Prusch Farm Park All-Inclusive Playground Grant Project.**

Recommendation:

Adopt a resolution authorizing the City Manager to:

(a) Negotiate and execute an Agreement with Magical Bridge Foundation to provide consulting design services and fundraising for a new all-inclusive play area at Emma Prusch Farm Park. The park's improvements will include new universally-accessible play equipment to replace existing equipment, new restrooms, and related improvements; and

(b) Submit a grant application and, if awarded, negotiate, and execute a grant agreement with the Santa Clara County Open Space Authority for an amount up to \$600,000 in funding to plan, design, and construct a new all-inclusive play area at Emma Prusch Farm Park.

CEQA: Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File No. PP18-022. (Parks, Recreation and Neighborhood Services)

DEFERRED FROM 5/15/18 ITEM 2.8 TO 6/12/18 PER ADMINISTRATION

Sponsors: City Council

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

2.9 [18-577](#) **Actions Related to the Vacation of a Setback Easement Located at 4940 Gattuccio Drive.**

Recommendation:

(a) Adopt a resolution of intention to vacate the 25-foot and 12.5-foot light and air easements located at 4940 Gattuccio Drive.

(b) Set a Public Hearing on Tuesday, June 19, 2018, at 1:30 p.m., for consideration of the vacation.

(c) Direct the City Clerk to file the vacation map and advertise said public hearing.

CEQA: Categorically Exempt, CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitation, File No. PP18-039. Council District 9. (Public Works)

Sponsors: City Council

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

2.10 [18-670](#) **Retiree Representative Appointment to the Board of Administration for Federated City Employees' Retirement System.**

Recommendation: Appoint Lawrence Jay Castellano as the Retiree Representative to the Board of Administration for Federated City Employees' Retirement System for the term ending November 30, 2020.
CEQA: Not a Project, File No. PP17-010, City Administrative Activities resulting in in no changes to the physical environment. (City Clerk)

Attachments [Memorandum](#)
 [Application - Jay Lawrence Castellano](#)
 [Supplemental Memorandum from City Attorney](#)
 [Letter\(s\) from the Public](#)

2.11 [18-665](#) **Retroactive Approval and Approval of Community Events Sponsored By Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

Recommendation:

As recommended by the Rules and Open Government Committee on May 2, 2018:

(a) Retroactively approve the Meet and Greet with Tuscan Hills HOA on Saturday, April 28, 2018 at Viera Park as a City Council Sponsored Special Event and approve the expenditure of funds.

(b) Retroactively approve the Clean Up With Tam on Saturday, April 28, 2018 at College Connection Academy at Yerba Buena High School as a City Council Sponsored Special Event and approve the expenditure of funds;

(c) Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:

(1) Ice Cream Social at Casa Real Apartments on Thursday, May 3, 2018 at Casa Real Apartments;

(2) Cinco De Mayo at Santee on Friday, May 4, 2018 at Franklin McKinley Children's Initiative;

(3) District 7 Youth Commission Appreciation BBQ on Sunday, May 6, 2018 at Emma Prusch Farm Park;

(4) Clean Up With Tam on Saturday, June 23, 2018 at Fontaine Road Neighborhood;

(5) Dump Your Junk on Saturday, August 18, 2018 at Windmill Springs Elementary School;

(6) Dump Your Junk on Saturday, September 29, 2018 at Dahl Elementary School; and

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

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

[Rules Committee referral 5/2/18 - Item G.1.a]

Attachments [Memorandum](#)

2.12 [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

Sponsors: City Council

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

2.13 [18-624](#) **Actions Related to the 2016-2017 Annual Development In-Lieu Fee Report.**

Recommendation: Adopt a resolution:
(a) Accepting the Fiscal Year 2016-2017 Annual Development In-Lieu Fee Report regarding in-lieu fees collected by the City from developers in lieu of construction of public improvements; and
(b) Making certain findings as required by Government Code Section 66001 (d) (1).
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)

Sponsors: City Council

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

2.14 [18-711](#) **Retroactive Approval of D1 Decides Participatory Budgeting Voting Day Sponsored By Council District 1 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 May 9, 2018:

(a) Retroactively approve the D1 Decides Voting Day scheduled on May 14, 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. (Jones)

[Rules Committee referral 5/9/18 - Item G.1.c]

Attachments [Memorandum](#)

2.15 [18-710](#) **Retroactive Approval of Silver Leaf Neighborhood Dumpster Day and Approval of Additional Events Sponsored By Council District 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Events.**

Recommendation: As recommended by the Rules and Open Government Committee on May 9, 2018:

(a) Retroactively approve the Silver Leaf Neighborhood Dumpster Day scheduled on May 5, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Approve the Roundtable Neighborhood Dumpster Day scheduled on May 19, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.

(c) Approval of the District 2 Spring Fling Resource Fair scheduled for June 2, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.

(d) Approve the District 2 Village Fest scheduled on June 23, 2018 as a City Council sponsored Special Event, approve the expenditure of funds and approve the purchase of gift cards and other items as raffle prizes.

(e) 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. (Jimenez)

[Rules Committee referral 5/9/18 - Item G.1.d]

Attachments [Memorandum](#)

3. STRATEGIC SUPPORT

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

3.2 Labor Negotiations Update.

3.3 [18-636](#) Public Hearing on the Proposed Operating and Capital Budgets and the Proposed Fees and Charges Report for Fiscal Year 2018-2019.

Recommendation: Conduct a Public Hearing on the City's Proposed Operating and Capital Budgets for the Fiscal Year 2018-2019, the Proposed Five-Year Capital Improvement Program for 2019-2023, and the Proposed Fees and Charges Report for the Fiscal Year 2018-2019.

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

Sponsors: City Council

Attachments [2018-2019 Proposed Operating Budget](#)
[2018-2019 Proposed Capital Budget](#)
[2018-2019 Proposed Fees and Charges](#)

3.4 Actions Related to the 2016 2017 Annual Development In Lieu Fee Report.

4. COMMUNITY & ECONOMIC DEVELOPMENT

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 [18-632](#) **Award of a Construction Contract for the 2018 Street Sealing Project.****Recommendation:**

(a) Approve award of a construction contract for the 2018 Street Sealing Project to the low bidder, Pavement Coatings Co., in the amount of \$10,495,286.

(b) Approve a 5% contingency in the amount of \$524,764.

CEQA: Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File No. PP14-069. (Transportation)

Sponsors: City Council

Attachments [Memorandum](#)
[Attachment](#)

7. ENVIRONMENTAL & UTILITY SERVICES**8. PUBLIC SAFETY****9. REDEVELOPMENT – SUCCESSOR AGENCY**

**CONVENE THE MEETING OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY OF THE CITY OF SAN JOSE**

9.1 [18-633](#) **Termination of the Retirement Plans of the Former Redevelopment Agency of the City of San Jose.**

Recommendation:

Board of the Successor Agency to the Redevelopment Agency adopt the following resolutions:

(a) Authorizing the termination of the Redevelopment Agency of the City of San Jose Retirement Plan and Trust Agreement (the “401(a) Plan”) effective June 30, 2018 and authorizing the Executive Officer to execute all future instruments related to the termination of the 401(a) Plan.

(b) Authorizing the termination of the Redevelopment Agency of the City of San Jose 457 Public Employee Deferred Compensation Plan (the “457 Plan”) effective June 30, 2018 and authorizing the Executive Officer to execute all future instruments related to the termination of the 457 Plan.

(c) Authorizing the termination of the Redevelopment Agency of the City of San Jose Retirement Plan and Trust Agreement (the “Group Variable Annuity Contract”) effective June 30, 2018 and authorizing the Executive Officer to execute all future instruments related to the termination of the Group Variable Annuity Contract.

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

Sponsors: City Council

Attachments [Memorandum](#)

[\(a\) Resolution](#)

[\(b\) Resolution](#)

[\(c\) Resolution](#)

9.2 [18-646](#) **Approval of the Purchase and Sale Agreement for Property Located at 525 South Market Street.**

Recommendation: Successor Agency Board approve the Purchase and Sale Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San José, as seller and the County of Santa Clara as buyer to allow the sale of 525 South Market Street for a purchase price of \$2,635,000.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Successor Agency)

Sponsors: City Council

Attachments [Memorandum Agreement](#)

9.3 [18-647](#) **Approval of the Purchase and Sale Agreement for Property Located at 490 South First Street.**

Recommendation: Successor Agency Board approve a Purchase and Sale Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San José, as seller and the San Jose Stage Company as buyer to allow the sale of 490 South First Street for a purchase price of \$2,300,000.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Successor Agency)

Sponsors: City Council

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

ADJOURN THE MEETING OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

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. Land Use - Regular Agenda

- **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**

JOINT MEETING OF THE CITY OF SAN JOSE CITY COUNCIL AND THE FINANCING AUTHORITY AGENDA

1:30 p.m.

May 15, 2018

CHAMBERS

- Call to Order and Roll Call

[18-634](#)

Actions Related to the City of San José Financing Authority Lease Revenue Bonds, Series 2008CD - Hayes Mansion Refunding Project.

Recommendation:

(a) City Council adopt a resolution approving and authorizing the negotiation, execution, and delivery of a Second Amendment to the Continuing Covenant Agreement with U.S. Bank National Association relating to the City of San José Financing Authority Lease Revenue Bonds, Series 2008C (Hayes Mansion Refunding Project) and the City of San José Financing Authority Taxable Lease Revenue Bonds, Series 2008D (Hayes Mansion Refunding Project), and authorizing other related actions.

(b) City of San José Financing Board adopt a resolution approving and authorizing the negotiation, execution, and delivery of a Second Amendment to the Continuing Covenant Agreement with U.S. Bank National Association relating to the City of San José Financing Authority Lease Revenue Bonds, Series 2008C (Hayes Mansion Refunding Project) and the City of San José Financing Authority Taxable Lease Revenue Bonds, Series 2008D (Hayes Mansion Refunding Project), approving and authorizing the execution and delivery of a Fourth Amendment to the Amended and Restated Indenture of Trust, and authorizing other related actions.

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

Sponsors: City Council

Attachments [Memorandum](#)
[City Council Resolution](#)
[Financing Authority Resolution](#)
[Second Amendment](#)
[Fourth Amendment](#)

- Open Forum

**ADJOURN THE JOINT MEETING OF THE CITY COUNCIL AND THE FINANCING
AUTHORITY AND RECONVENE THE MEETING OF THE CITY COUNCIL**

- Council will recess until 3:00 p.m.

JOINT MEETING OF THE CITY OF SAN JOSE CITY COUNCIL AND THE RETIREMENT BOARDS AGENDA

3:00 p.m.

May 15, 2018

WING 118-120

- Call to Order and Roll Call

[18-635](#)

STUDY SESSION PRESENTATION: Joint Meeting of the San José City Council and Retirement Boards.

Recommendation:

(a) Accept the staff presentation on the role of the Retirement Boards and Council, investment strategy of the Boards, and investment risk tolerance.

(b) Discuss the role of the Retirements Boards and City Council, investment strategy, and the level of risk tolerance expected in the Boards' investment strategy.

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

Sponsors: City Council

Attachments [What the Board Does Presentation](#)
[City Council Joint Meeting Presentation](#)
[ERT Analysis Presentation](#)

**ADJOURN THE JOINT MEETING OF THE CITY COUNCIL AND THE RETIREMENT
BOARDS**

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

**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.