



# **City Council Meeting Agenda**

**Tuesday, February 5, 2019**

SAM LICCARDO, MAYOR  
CHAPPIE JONES, VICE MAYOR, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
RAUL PERALEZ, DISTRICT 3  
LAN DIEP, DISTRICT 4  
MAGDALENA CARRASCO, DISTRICT 5  
DEV DAVIS, DISTRICT 6  
MAYA ESPARZA, DISTRICT 7  
SYLVIA ARENAS, DISTRICT 8  
PAM FOLEY, 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. The City Council, or less than a quorum, may adjourn any regular, special or adjourned meeting to a later date, time and place specified in the order of adjournment. If all members are absent, the City Clerk may declare the meeting adjourned to a stated date, time and place. 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

[18-1772](#) Closed Session Agenda

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

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

- Invocation (District 2)

Dazzling Divas

- Pledge of Allegiance

- Orders of the Day

To be heard after Ceremonial Items

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

- Closed Session Report

To be heard after Ceremonial Items

## **1. CEREMONIAL ITEMS**

1.1 Ceremony to announce the beginning of the Chinese New Year. (Khamis)

1.2 Presentation of a commendation to Lynn Brown for serving as a positive role model and pillar of her community of San José, and for her unwavering kindness to animals. (Khamis)

1.3 Presentation of a proclamation recognizing February 2019 as Teen Dating Violence 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.

## 2.2 Final Adoption of Ordinances.

### [18-1893](#) Final Adoption of Ordinances.

**Recommendation:** (a) Ord No. 30208 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 5.97 Gross Acres Situated on the East Side of Evans Lane Approximately 170 Feet Northerly of Canoas Garden Avenue (0 Evans Lane) from the A(PD) Planned Development Zoning District and Light Industrial Zoning District to the R-M(PD) Planned Development Zoning District.

## 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 [18-1856](#) Emergency Operations Plan.

**Recommendation:** Adopt a resolution amending the City of San José Emergency Operations Plan, Base Plan.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager)

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

- 2.8**     [18-1855](#)     **Lateral Tie-Back Agreement and Consent to Use Cranes Related with ICS Corporate Yard Multifamily, LLC for Construction of Japantown Square Project Located at 685 North 7th Street.**

**Recommendation:**     Approve a Lateral Tie-Back Agreement and Consent to Use of Cranes with ICS Corporate Yard Multifamily, LLC to provide the developer with certain rights to use the City-owned property located at 685 North 7th Street for an amount of \$50,000, for the construction of the adjacent Japantown Square project.

CEQA: Addendum to the Japantown Corporation Yard Redevelopment Project Final Environmental Impact Report (Resolution No. 74384), File No. PDC15-018. Council District 3. (Economic Development)

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

- 2.9**     [18-1871](#)     **Retroactive Approval of Holocaust Remembrance Day 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 Event.**

**Recommendation:**     As recommended by the Rules and Open Government Committee on January 23, 2019:

(a) Retroactively approve the Holocaust Remembrance Day scheduled on January 29, 2019 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. (Jimenez)  
[Rules Committee referral 1/23/19 - Item G.1.a]

**Attachments**     [Memorandum](#)

**2.10**    [18-1894](#)            **Retroactive Approval of the 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 January 30, 2019:  
(a) Retroactively approve the Pancake Breakfast scheduled on January 26, 2019 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 1/30/19 - Item G.1.a]

**Attachments**    [Memorandum](#)

**2.11**    [18-1890](#)            **Approval of Dumpster Day at East Valley Pentecostal Church Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 30, 2019:  
(a) Approve the Dumpster Day at East Valley Pentecostal Church scheduled on February 9, 2019 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 1/30/19 - Item A.1.a]

**Attachments**    [Memorandum](#)

**2.12**    [18-1891](#)            **Approval of Tet Celebration Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on January 30, 2019:  
(a) Approve the Tet Celebration scheduled on February 8, 2019 through February 10, 2019 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 1/30/19 - Item A.1.a]

**Attachments**    [Memorandum](#)

### **3. STRATEGIC SUPPORT**

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

**3.2 Labor Negotiations Update.**

Accept Labor Negotiations Update.  
TO BE HEARD AT 9:30 A.M.

**3.3**    [18-1857](#)            **Agreement with FUSE Corps for Placement Services.**

**Recommendation:**    Adopt a resolution authorizing the City Manager to negotiate and execute a Master Agreement for Placement Services between the City of San José and FUSE Corps from July 1, 2019 through June 30, 2022 in an amount not to exceed \$950,000 per year for a total contract amount not to exceed \$2,850,000, subject to City Council appropriation of funds.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Manager)

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



**3.4**     [18-1858](#)     **Actions Related to the 7786 - Almaden-Vine Safety Improvement Project Located between Grant Street and W. Alma Avenue, Federal Project No. Cml-5005(142).**

**Recommendation:**     (a) Report on bids and award of contract for the 7786 - Almaden-Vine Safety Improvement Project to the low bidder, JJR Construction, Inc., for the base bid and the Add Alternate No. 1 in the total amount of \$1,324,156.  
   (b) Approve a 10% contingency in the amount of \$132,416.  
   (c) Adopt the following 2018-2019 Appropriation Ordinance amendments in the Construction Excise Tax Fund:  
  (1) Increase the Almaden/Vine Downtown Couplet (OBAG) appropriation to the Transportation Department in the amount of \$90,000; and  
  (2) Decrease the Ending Fund Balance by \$90,000.  
CEQA: Categorically Exempt, CEQA Guidelines Section 15301(c), Existing Facilities, File No. PP18-029. Council Districts 3 & 7. (Public Works/Transportation/City Manager)

**Attachments**     [Memorandum](#)  
[Memorandum from Peralez and Esparza, February 1, 2019](#)

**3.5**     [18-1859](#)     **Actions Related to the 8379-City Hall Building HVAC Controls Upgrade Project - Rebid.**

**Recommendation:**     (a) Report on bids and award of a construction contract for the 8379 - City Hall Building Heating, Ventilation, and Air Conditioning (HVAC) Controls Upgrade to the low bidder, Sunbelt Controls Corporation, in the amount of \$5,290,000 and approval of a fifteen percent contingency in the amount of \$793,500.  
   (b) Adopt a resolution authorizing the Director of Public Works to negotiate and execute any single and/or multiple change orders for the 8379-City Hall Building HVAC Controls Upgrade Project in excess of \$100,000 up to the amount of the contingency of \$793,500.  
CEQA: Categorically Exempt, CEQA Guidelines Section 15301 (a), Existing Facilities, File No. PP19-009. Council District 3. (Public Works)

**Attachments**     [Memorandum](#)

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

**4.1**     [18-1860](#)     **TEFRA Hearing for California Statewide Communities Development Authority's Issuance of Tax-Exempt Multifamily Revenue Bonds to Acquire and Rehabilitate the Valley Palms Apartments.**

**Recommendation:**

(a) Allow under Section I, B. of the City Council Policy 1-16, Policy for the Issuance of Multifamily Housing Revenue Bonds, to permit the California Statewide Community Development Authority to issue private-activity bonds for the acquisition and rehabilitation of the Valley Palms Apartments, a 354-unit apartment complex located at 2155 and 2245 Lanai Avenue in San José.

(b) Hold a Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") public hearing for the issuance not to exceed \$120,000,000 in tax-exempt private-activity bonds by the California Statewide Community Development Authority to finance the Project and to pay certain expenses incurred in connection with the issuance of the bonds.

(c) Adopt a resolution approving the issuance of Tax-Exempt Revenue Bonds by CSCDA in a principal amount not to exceed \$120,000,000 to be used to finance the Project and to pay certain expenses incurred in connection with the issuance of the tax-exempt private activity bonds.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. Council District 7. (Housing/Finance)

**Attachments**     [Memorandum](#)

[\(c\) Resolution](#)

[Memorandum from Esparza, 2/5/2019](#)

4.2 [18-1861](#) **TEFRA Hearing for California Statewide Communities Development Authority's Issuance of Tax-Exempt Multifamily Revenue Bonds to Acquire and Rehabilitate the Parkside Terrace Apartments.**

**Recommendation:** (a) Allow under Section I. C. of the City Council policy 1-16, Policy for the Issuance of Multifamily Housing Revenue Bonds ("Policy"), the California Statewide Communities Development Authority to issue private-activity bonds for the acquisition and rehabilitation of the Parkside Terrace Apartments, a 201-apartment complex located at 463 Wooster Avenue in San José (the "Project").

(b) Hold a Tax Equity and Fiscal Responsibility Act ("TEFRA") public hearing for the issuance of up to \$85,000,000 in tax-exempt private-activity bonds by CSCDA to finance the Project.

(c) Adopt a resolution approving the issuance of Tax-Exempt Revenue Bonds by CSCDA in an aggregate principal amount not to exceed \$85,000,000 to be used to finance the Project and to pay certain expenses incurred in connection with the issuance of the tax-exempt private activity bonds.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. Council District 3. (Housing/Finance)

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

4.3 [18-1862](#) **Rent Stabilization Program Implementation Update.**

**Recommendation:** As recommended by the Neighborhood Services & Education Committee on November 8, 2018, accept the Rent Stabilization Program implementation report, including the Rent Stabilization Program 2017-2018 Annual Report.

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)

[Neighborhood Services & Education Committee referral 11/8/18 - Item (d)3]

**Attachments** [Memorandum](#)  
[Presentation](#)  
[Attachment](#)  
[Memorandum from Mayor and Jones, 2/1/2019](#)

4.4 [18-1863](#) **Actions Related to the Affordable Housing and Sustainable Communities Grant for the Balbach Street, Page Street, and Roosevelt Park Sites.**

**Recommendation:**

Adopt a resolution:

(a) Authorizing the City Manager or his designee to submit the following joint applications under Round 4 of the Affordable Housing and Sustainable Communities (“AHSC”) program to fund new affordable housing, infrastructure and programs that help reduce greenhouse gas emissions in San José, with:

(1) Satellite Affordable Housing Associates (“SAHA”) for the Balbach Street site (“Balbach Site”) to the California Strategic Growth Council (“SGC”) and/or California Department of Housing and Community Development (“HCD”) in an amount not to exceed \$20,000,000;

(2) Charities Housing Development Corporation of Santa Clara County (“Charities”) for the Page Street site located at 329-353 Page Street (“Page Site”) to SGC and/or HCD in an amount not to exceed \$11,000,000; and

(3) First Community Housing (“FCH”) for the Roosevelt Park site located at 21 North 21st Street (“Roosevelt Site”) to SGC and/or HCD in an amount not to exceed \$17,000,000.

(b) Authorizing the City Manager or his designee to enter into, execute, and deliver the following agreements:

(1) State of California Standard Agreement (“Standard Agreement”) in a total amount not to exceed \$20,000,000 for the Balbach Site, and all other documents required or deemed necessary or appropriate to secure the AHSC Program funds;

(2) Standard Agreement in a total amount not to exceed \$11,000,000 for the Page Site, and all other documents required or deemed necessary or appropriate to secure the AHSC Program funds; and

(3) Standard Agreement in a total amount not to exceed \$17,000,000 for the Roosevelt Site, and all other documents required or deemed necessary or appropriate to secure the AHSC Program funds.

(c) Authorizing the City Manager or his designee to execute in the name of the City, the AHSC Program Application Packages and the AHSC Program Documents as required by HCD for participation in the AHSC Program.

(d) Authorizing the City Manager or his designee to negotiate and execute an agreement as co-applicants with SAHA for the Balbach Site, with Charities for the Page Site, and with FCH for the Roosevelt Site; to allocate responsibilities and liabilities between the City and SAHA, the City and Charities, and the City and FCH if the AHSC grants and loans are awarded to the City and SAHA, the City and Charities and the City and FCH.

(e) Authorizing the City Manager or his designee to execute an agreement with the Valley Transportation Authority as a non-applicant for the Balbach and Roosevelt Sites in order to operate enhanced transit services using electric buses and installing and maintaining transportation amenities.

CEQA: Balbach Affordable Housing: Addendum to the Downtown Strategy 2040 Environmental Impact Report (Resolution No. 78942), Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), 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 above EIRs, File No. SP18-024; Page Street Housing Project: Mitigated Negative Declaration for the Page Street Housing Project, File Nos. SP17-037 and AT18-012; Roosevelt Park Apartments Mixed Use Development: Mitigated Negative Declaration for the Roosevelt Park Apartments Mixed-Use Development, File No. SP17-027. Council District 3 & 6. (Housing/Transportation)

TO BE HEARD AFTER ITEM 4.7 (18-1866)

**Attachments**    [Memorandum](#)  
[Presentation](#)  
[\(a\) Resolution](#)  
[\(e\) Agreement 1](#)  
[\(e\) Agreement 2](#)

4.5 [18-1864](#) **Actions Related to the Loan Commitment to Charities Housing Development Corporation of Santa Clara for Development of Page Street Apartments Located at 329-353 Page Street.**

**Recommendation:**

(a) Adopt a resolution:

(1) Approving a total commitment of up to \$7,176,640 in Low and Moderate Income Housing Asset Funds for a Construction-Permanent Loan to Charities Housing Development Corporation of Santa Clara County, or an affiliated entity, for the Page Street Apartments, a new affordable development to be located at 329-353, in order to offer rent- and income-restricted apartments for 81 extremely low-income and very low-income households, and one unrestricted manager's unit ("Project"); and

(2) Authorizing the Director of Housing to negotiate and execute loan documents, amendments, and all other documents related to City financing for the Project; and

(3) Approving a loan-to-value ratio of greater than 100% for this loan.

(b) Adopt the following 2018-2019 Appropriation Ordinance Amendments in the Low and Moderate Income Housing Asset Fund:

(1) Decrease the Housing Project Reserve appropriation in the amount of \$7,176,640; and

(2) Increase the appropriation to the Housing Department for Housing Loans and Grants in the amount of \$7,176,640.

CEQA: Mitigated Negative Declaration for the Page Street Housing Project, File Nos. SP17-037 and AT18-012. Council District 6.  
(Housing/City Manager)

**Attachments**

[Memorandum](#)

[Presentation](#)

[Resolution](#)

[Letters from the Public](#)

4.6 [18-1865](#) **Actions Related to the Loan Commitment to First Community Housing for Development of Roosevelt Park Apartments Located at 21 North 21st Street.**

**Recommendation:**

(a) Adopt a resolution adopting the Mitigated Negative Declaration for the Roosevelt Park Apartments Mixed-Use Development (File No. SP17-027), for which an Initial Study was prepared, all in accordance with the California Environmental Quality Act (CEQA), as amended, and adopting a related Mitigation Monitoring and Reporting Program.

(b) Adopt a resolution:

(1) Approving a total commitment of up to \$9,415,000, with \$8,915,000 in Low and Moderate Income Housing Asset Funds and \$500,000 in Inclusionary Housing Policy funds; for a Construction-Permanent Loan to First Community Housing, or an affiliated development entity, and the capitalization of up to \$665,000 in construction period interest for the Roosevelt Park Apartments, a new affordable development to be located at 21 North 21st Street, in order to offer rent- and income-restricted apartments for 79 extremely low-income, very low-income, low-income, and moderate income households, and one unrestricted manager's unit ("Project");

(2) Authorizing the Director of Housing to negotiate and execute loan documents and all other documents related to City financing for the Project; and

(3) Approving a loan-to-value ratio of greater than 100% for this loan.

(c) Adopt the following 2018-2019 Appropriation Ordinance Amendment in the Low and Moderate Income Housing Asset Funds:

(1) Decrease the Housing Project Reserve appropriation in the amount of \$8,915,000; and

(2) Increase the Committed Projects Reserve in the amount of \$8,915,000.

(d) Adopt the following 2018-2019 Appropriation Ordinance Amendments in the Multi-Source Housing Fund:

(1) Decrease the Housing Project Reserve appropriation in the amount of \$500,000; and

(2) Establish a Committed Projects Reserve appropriation in the amount of \$500,000.

CEQA: Mitigated Negative Declaration for the Roosevelt Park Apartments Mixed-Use Development, File No. SP17-027. Council District 3. (Housing/City Manager)



- Attachments**
- [Memorandum](#)
  - [Presentation](#)
  - [\(a\) Resolution](#)
  - [\(b\) Resolution](#)
  - [Letters from the Public](#)

4.7 [18-1866](#) **Actions Related to the Loan Commitment to Satellite Affordable Housing Associates for Development of an Affordable Apartment Community Located at 226 Balbach Street.**

**Recommendation:**

(a) Adopt a resolution:

(1) Approving up to a total commitment of up to \$11,623,320 in Low and Moderate Income Housing Asset Funds for a Construction-Permanent Loan to Satellite Affordable Housing Associates, or an affiliated development entity, and capitalization of up to \$533,320 in construction period interest for the 226 Balbach Ave Apartments project. The property located at 226 Balbach Ave is a City-owned property, that is being developed to offer 86 affordable, rent restricted, apartments, and one unrestricted manager's unit ("Project");

(2) Authorizing the Director of Housing to negotiate and execute loan documents and all other documents related to City financing for the Project; and

(3) Approving a loan-to-value ratio of greater than 100% for this loan.

(b) Adopt the following 2018-2019 Appropriation Ordinance Amendments in the Low and Moderate Income Housing Asset Fund:

(1) Decrease the Housing Project Reserve appropriation in the amount of \$11,623,320; and

(2) Increase the Committed Project Reserve appropriation in the amount of \$11,623,320.

CEQA: Addendum to the Downtown Strategy 2040 Environmental Impact Report (EIR) (Resolution No. 78942), the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), 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 above EIRs, File No. SP18-024. Council District 3. (Housing/City Manager)

**Attachments** [Memorandum](#)  
[Presentation](#)  
[Resolution](#)  
[Letters from the Public](#)

## **5. NEIGHBORHOOD SERVICES**

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

**6.1**    [18-1867](#)        **San José Diridon Integrated Station Concept Plan.**

**Recommendation:**    Accept the report on progress to date on the Diridon Integrated Station Concept Plan.  
CEQA: Not a Project, File No. PP17-001, Feasibility and Planning Studies with no commitment to future actions, and File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. Council Districts 3 & 6. (Transportation)

**Attachments**    [Memorandum Presentation](#)  
[Memorandum from Mayor, Jimenez, Peralez, Davis, Esparza, 2/1](#)  
[Memorandum from Mayor, 2/4/2019](#)  
[Letter from the Public](#)

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

- Open Forum

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

- Adjournment

---

## 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. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
- 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.