



City Council Meeting Amended Agenda

Tuesday, November 17, 2020

1:30 PM

Virtual Meeting <https://sanjoseca.zoom.us/j/91325378626>

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.
- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.
- **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.
- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **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.

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 <https://www.sanjoselegistar.com/Calendar.aspx>. 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.

American Disability Act: To request an alternative format agenda under the Americans with Disabilities Act for City-sponsored meetings, events or printer materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Accommodations: Any member of the public who needs accommodations should email the ADA Coordinator at ADA@sanjoseca.gov or by calling (408) 535-8430. The ADA Coordinator will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

On occasion the City Council may consider agenda items out of order.

*** COVID-19 NOTICE ***

Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79485 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the City Council meeting will not be physically open to the public and the City Council will be teleconferencing from remote locations.

How to observe the Meeting (no public comment):

- 1) Cable Channel 26,
- 2) <https://www.sanjoseca.gov/news-stories/watch-a-meeting>, or
- 3) <https://www.youtube.com/CityofSanJoseCalifornia>

How to submit written Public Comment before the City Council Meeting:

- 1) Use the eComment tab located on the City Council Agenda page. eComments are also directly sent to the ilegislare application used by City Council and staff.
- 2) By email to city.clerk@sanjoseca.gov by 10:00 a.m. the day of the meeting. Those emails will be attached to the Council Item under "Letters from the Public." Please identify the Agenda Item Number in the subject line of your email.

How to submit written Public Comment during the City Council Meeting:

- 1) Email during the meeting to councilmeeting@sanjoseca.gov, identifying the Agenda Item Number in the email subject line. Comments received will be included as a part of the meeting record but will not be read aloud during the meeting.

How to provide spoken Public Comment during the City Council Meeting:

- 1) By Phone: (888) 475 4499. Webinar ID is 913 2537 8626. Click *9 to raise a hand to speak. Click *6 to unmute when called.
Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)
- 2) Online at: <https://sanjoseca.zoom.us/j/91325378626>
 - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
 - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
 - c. When the Mayor calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
 - d. When called, please limit your remarks to the time limit allotted.

For Closed Captions, please visit the City's YouTube channel:

<https://www.youtube.com/CityofSanJoseCalifornia>, or website livestream

<https://www.sanjoseca.gov/news-stories/watch-a-meeting>.

Interpretation is available in Spanish and Vietnamese. In your webinar controls, select "Interpretation."

Click the language you would like to hear.

Thông dịch có sẵn bằng tiếng Tây Ban Nha và tiếng Việt. Trong các điều khiển hội thảo trên web của bạn, hãy chọn "Interpretation" (Phiên dịch).

Se dispone de interpretación en español y vietnamita. En los controles de su seminario web, seleccione "Interpretation" (Interpretación).

- **Call to Order and Roll Call**

9:30 a.m. - Closed Session, Call to Order

[20-1452](#)

Closed Session Agenda

Attachments [Closed Session Agenda](#)

1:30 p.m. - Regular Session

6:00 p.m. - Evening Session - CANCELLED

* The previously scheduled Evening Session has been cancelled.

- **Pledge of Allegiance**

- **Invocation (District 10)**

Father Samer Youssef, the Antiochian Orthodox Church of the Redeemer

- **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.

- **Adjournment**

This meeting will be in memory of Alofa Talivaa, former President of the Sierra Neighborhood Association, and longtime community organizer and advocate for communities on the East Side. From her involvement and engagement in the Story and King developments to Lobue Park and countless other amenities, Alofa fought tirelessly to improve our City, and she leaves behind a lasting legacy in a grateful community. Alofa will be missed as a beloved wife, mother, and grandmother to her grandchildren, Feta, Hipa, Bruce, McKay, Kataleia, Tanoa, and Kairo.

- Closed Session Report

1. CEREMONIAL ITEMS

2. CONSENT CALENDAR

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

2.1 Approval of City Council Minutes.

2.2 Final Adoption of Ordinances.

2.3 Approval of Council Committee Minutes.

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 [20-1434](#) **Approval of La Raza Historical Society of Santa Clara Valley's Application for a Restoration Project of Chiechi House at History Park San José.**

Recommendation: Adopt a resolution approving La Raza Historical Society of Santa Clara Valley's application to the County of Santa Clara's Historical Grant Program for the restoration project of Chiechi House at History Park San José.

CEQA: Categorically Exempt, File No. PP18-097, CEQA Guidelines Section 15301 Existing Facilities. Council District 7. (Economic Development)

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

2.8 [20-1435](#) **Approval of IRCC- Viet Museum's Application for a Restoration Project of Greenwalt House at History Park San José.**

Recommendation: Adopt a resolution approving IRCC - Viet Museum's application to the County of Santa Clara's Historical Heritage Grant Program for the restoration project of Greenwalt House at History Park San José.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 7. (Economic Development)

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

2.9 [20-1436](#) **Agreements with Environmental Systems Research Institute, Inc., for Geographic Information System Software.**

Recommendation:

Adopt a resolution authorizing the City Manager to:

- (a) Execute Purchase Orders with Environmental Systems Research Institute, Inc. (Redlands, CA) pursuant to Enterprise and Master License agreements for the purchase of ArcGIS Geographic Information System software licenses, including related maintenance and support services, for an initial three-year term beginning December 31, 2020 through December 30, 2023 with a maximum compensation not to exceed \$1,500,000 for the initial three-year term, subject to the appropriation of funds;
- (b) Negotiate and execute amendments to the Enterprise and Master License agreements for any unanticipated changes and to extend the agreements for up to two additional three-year terms through December 30, 2029, subject to the annual appropriation of funds; and
- (c) Execute Purchase Orders pursuant to amended Enterprise and Master License agreements through December 30, 2029, 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)

Attachments [Memorandum](#)
 [Letters from the Public](#)

2.10 [20-1460](#) **Actions Related to COVID-19 Purchase Orders for Shower and Laundry Trailers, Portable Restrooms and Hand Washing Stations, and Temporary Fencing Rental Services for City Homeless Shelters.**

Recommendation:

Adopt a resolution authorizing the City Manager to:

- (a) Execute purchase orders with AAA Mobile Solutions, Inc. (Visalia, CA) and NorCal Portable Services (San José, CA) for shower and laundry trailers, portable restrooms and hand washing stations, and temporary fencing rental services for the Public Works Department for an initial term starting on or about November 18, 2020 and ending on or about April 30, 2021, for an amount not to exceed \$1,031,250; and
- (b) Exercise up to four (4) one-year options to extend the term of the purchase orders with the last option year ending on or about April 30, 2025, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-008, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

(Finance)

[Rules Committee referral 11/4/2020- Item A.1.a]

Attachments

[Memorandum](#)

[Letters from the Public](#)

2.11 [20-1461](#) **Ratify Purchase Orders for Shower and Laundry Trailers and Plumbing Services for City Homeless Shelters.**

Recommendation:

Adopt a resolution:

- (a) Ratifying an amendment to a COVID-19 purchase order with AAA Mobile Solutions, Inc. (Visalia, CA) for shower and laundry trailer rental services to extend the term of the purchase order from October 1, 2020 to November 30, 2020 and increase compensation by \$400,000, for a revised maximum compensation not to exceed \$1,512,438;
- (b) Ratifying an amendment to a COVID-19 purchase order with Ciari Plumbing for plumbing services to extend the term of the purchase order from June 17, 2020 to November 30, 2020 and increase compensation by \$100,000, for a revised maximum compensation not to exceed \$420,000; and
- (c) Authorizing the City Manager to extend the term of the purchase orders through December 30, 2020 if required, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-008, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

(Finance)

[Rules Committee referral 11/4/2020- Item A.1.a]

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

2.12 [20-1437](#) **Report on Request for Proposal for Medical Advisor Services with Optional Nurse Services.**

Recommendation:

- (a) Accept the Fire Department report on the Request for Proposal for Medical Advisor Services with Optional Registered Nurse Services.
- (b) Adopt a resolution authorizing the City Manager to:
- (1) Negotiate and execute an agreement with Stanford Health Care to provide medical advisor services for an initial three-year term beginning on or about December 1, 2020 through November 30, 2023 for a maximum compensation not to exceed \$495,000 for the initial term (\$165,000 annually), subject to the appropriation of funds;
 - (2) Negotiate and execute amendments as required to add, delete, or modify services to address seasonal variations, budgetary constraints, or unanticipated changes in demand, subject to the appropriation of funds; and
 - (3) Exercise up to 2 one-year options to extend the term of the agreement through November 30, 2025, 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. (Fire)

Attachments [Memorandum](#)

2.13 [20-1433](#) **Approval of National Prematurity Awareness Month Community Event 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 October 28, 2020:
- (a) Approve the National Prematurity Awareness Month to be recognized by the City Council on Tuesday, November 17, 2020 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. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Arenas)
- [Rules Committee referral 10/28/2020- Item G.1.c]

Attachments [Memorandum](#)

- 2.14** [20-1468](#) **Approval of the International Day for the Elimination of Violence Against Women 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 November 4, 2020:

(a) Approve the International Day for the Elimination of Violence Against Women scheduled on November 25, 2020 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. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.
(Arenas)
[Rules Committee referral 11/4/2020- Item G.1.d]

Attachments [Memorandum](#)

3. STRATEGIC SUPPORT

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

- [20-1438](#) (a) City Manager’s COVID 19 Update (Verbal Report)
(b) City Manager’s Report on Other City Matters (Verbal Report)
TO BE HEARD BEFORE CONSENT CALENDAR

Attachments [Presentation](#)
[Letters from the Public](#)

3.2 Labor Negotiations Update.

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

3.3 [20-1439](#) **Extension of Proclamation of Local Emergency Related to COVID-19. - TO BE HEARD AFTER ITEM 3.1**

Recommendation: Adopt a resolution finding the continued existence of a local emergency and extending the March 6, 2020 Director of Emergency Services' proclamation of a local emergency resulting from community spread of the coronavirus, also known as COVID-19, in the City of San José. CEQA: Statutorily Exempt, CEQA Guidelines Section 15269, Emergency Projects Undertaken for Specific Actions Necessary to Prevent or Mitigate an Emergency. (City Manager)
TO BE HEARD AFTER ITEM 3.1

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

3.4 [20-1440](#) **Annual Intergovernmental Relations Report.**

Recommendation: (a) Accept the Annual Intergovernmental Relations Report; and
 (b) Reaffirm all City positions summarized in the Intergovernmental Relations Priority Legislation Log.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)

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

3.5 [20-1441](#) **2021 Legislative Program and the Top Legislative Priorities.**

Recommendation: Adopt the 2021 Legislative Program and the top legislative priorities for 2021.
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](#)
 [Presentation](#)

3.6 [20-1442](#) **Master Agreements with SmartWAVE Technologies LLC, Infinity Communications & Consulting, Inc., and Studio 151, LLC to Support Community WiFi Program.**

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute the following master agreements for the design and support of WiFi infrastructure:

- (a) SmartWAVE Technologies LLC from the date of execution to December 31, 2023 in an amount not to exceed \$1,000,000 for projects funded by Community Development Block Grant (“CDBG”) funds;
- (b) Infinity Communications & Consulting, Inc. from the date of execution to December 31, 2023, in an amount not to exceed \$600,000 for projects funded by CDBG funds;
- (c) SmartWAVE Technologies LLC from the date of execution to December 31, 2023 in an amount not to exceed \$1,500,000 for projects funded by the General Fund;
- (d) Infinity Communications & Consulting, Inc. from the date of execution to December 31, 2023, in an amount not to exceed \$600,000 for projects funded by the General Fund; and
- (e) Studio 151, LLC, from the date of execution to December 31, 2023, in an amount not to exceed \$600,000 for projects funded by the General Fund.

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

Attachments [Memorandum](#)
 [Letters from the Public](#)

3.7 [20-1519](#) **Actions Related to the Collective Impact Grant Program Food and Necessities Distribution by Community Based Organizations.**

Recommendation:

Adopt a resolution authorizing the City Manager to:

(a) Negotiate and execute a grant agreement with the YMCA of Silicon Valley (San José) for an initial term retroactive to October 15, 2020 and ending on or about December 30, 2020 in the amount of \$332,799 with maximum compensation for all agreements in the Collective Impact Grant Program not to exceed \$3,476,780; and

(b) Negotiate and execute amendments and change orders for any unanticipated changes including increasing aggregate amounts exceeding \$320,000, 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. (City Manager)

[Deferred from 11/10/2020 - Item 3.3 (20-1378)]

Attachments

[Memorandum](#)

[Supplemental Memorandum](#)

[Presentation](#)

[Letters from the Public](#)

4. PUBLIC SAFETY SERVICES

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 [20-1443](#) **2021 Power Mix and Rates.****Recommendation:**

Adopt a resolution:

(a) Establishing a power mix of at least 40% renewable energy for San José Clean Energy's (SJCE) GreenSource base product beginning January 1, 2021, provided that:

(1) In 2021 GreenSource is priced at an initial 0.25% discount, with flexibility to vary the discount between 0.0% and 1.0%, for all customers relative to Pacific Gas and Electric Company's (PG&E) generation rates after accounting for the franchise fee surcharge and the Power Charge Indifference Adjustment; and

(2) SJCE's 100% renewable energy TotalGreen product will continue to be 0.5-1 cent per kWh higher than GreenSource.

(b) Authorizing the City Manager or his designee to prepare and submit an Advice Letter to the California Public Utilities Commission to administer the Disadvantaged Communities-Green Tariff program. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Community Energy)

Attachments

[Memorandum](#)

[Resolution](#)

[Presentation](#)

[Letters from the Public](#)

6.2 [20-1444](#) **Master Consultant Agreements with Project Controls Joint Venture LLC and PMA Consultants LLC for Construction Management Controls Services for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.**

Recommendation: Approve Master Consultant Agreements with Project Controls Joint Venture LLC and PMA Consultants LLC for construction management controls services for various capital improvement projects at the San José- Santa Clara Regional Wastewater Facility from the date of execution through June 30, 2026 in amounts not to exceed \$6,000,000 each, 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.
(Environmental Services)

Attachments [Memorandum](#)
[Agreement - PMA Consultants LLC](#)
[Agreement - Project Controls Joint Venture LLC](#)
[TPAC Supplemental, 11/12/20](#)

6.3 [20-1445](#) **Updated Natural Gas Infrastructure Prohibition Ordinance.****Recommendation:**

Approve an ordinance amending Chapter 17.845 of Title 17 of the San José Municipal Code to amend Sections 17.845.010, 17.845.020, 17.845.030, 17.845.040, 17.845.050, and 17.845.060 and add Section 17.845.045 to prohibit natural gas infrastructure in newly constructed buildings effective on August 1, 2021 to:

- (a) Cover all new construction building types;
- (b) Add an exception for Hospitals; and
- (c) Allow limited exemptions on or before December 31, 2022 for:
 - (1) Food Service Establishments; and
 - (2) Manufacturing and Industrial Facilities.

CEQA: Categorically Exempt, File No. ER20-202, CEQA Guideline Section 15308 Actions by Regulatory Agencies for Protection of the Environment. (Environmental Services/Planning, Building and Code Enforcement)

Attachments

[Memorandum](#)

[Supplemental Memorandum](#)

[Attachment](#)

[Ordinance](#)

[Presentation](#)

[Letters from the Public 1 of 2](#)

[Letters from the Public 2 of 2](#)

6.4 [20-1448](#) **Climate Smart San José Plan Semi-Annual Update.****Recommendation:**

As recommended by the Transportation and Environment Committee on October 5, 2020, accept the update on Climate Smart San José activities.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Environmental Services/Community Energy/Transportation/Planning, Building and Code Enforcement) [Transportation and Environment Committee referral 10/5/2020 Item (d)2]

Attachments

[Memorandum](#)

[Memorandum from Mayor, Jimenez, Peralez & Davis, 11/13/202](#)

[Attachment](#)

[Presentation](#)

[Presentation, 10/5/2020](#)

[Letters from the Public](#)

7. NEIGHBORHOOD SERVICES**8. COMMUNITY & ECONOMIC DEVELOPMENT****9. REDEVELOPMENT – SUCCESSOR AGENCY****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.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 [20-1449](#)**H19-039 & T19-033 - Appeal Hearing for Site Development Permit and Tentative Map Permit for Real Property Located at 6805 Almaden Road.****Recommendation:**

(a) Conduct an Administrative Hearing to consider the Appeals of the Planning Director's approvals of (i) the Tentative Subdivision Map File No. T19-033, and (ii) the Site Development Permit File No. H19-039. The Tentative Subdivision Map approves the subdivision of one parcel into six parcels on an approximately 1.3-gross acre site; while the Site Development Permit approves the demolition of an approximately 2,154-square foot single-family residence, a detached secondary unit, multiple sheds, and a swimming pool for the construction of six single-family homes, and the removal of 13 ordinance sized trees located on the West side of Almaden Road, approximately 150 feet northerly of Corvallis Drive (6805 Almaden Road).

(b) Adopt a resolution denying the permit appeal and approving, subject to conditions, Tentative Map File No. T19-033, to subdivide one lot into six lots on an approximately 1.3-gross acre site located on the West side of Almaden Road, approximately 150 feet northerly of Corvallis Drive (6805 Almaden Road).

(c) Adopt a resolution denying the permit appeal and approving, subject to conditions, Site Development Permit File No. H19-039, to allow the demolition of an approximately 2,154-square foot single-family residence, a detached secondary unit, multiple sheds, and a swimming pool for the construction of six single-family homes, the removal of 13 ordinance sized trees on an approximately 1.3- gross acre site located on the West side of Almaden Road, approximately 150 feet northerly of Corvallis Drive (6805 Almaden Road).

CEQA: Exempt pursuant to CEQA Guidelines 15332 for Infill Development Projects. Council District 10. (Planning, Building and Code Enforcement)

Attachments [Memorandum](#)

[Supplemental Memorandum](#)

[Exhibit A - Appealed Tmap T19-033](#)

[Exhibit B - Appealed Site Dev Plan Set H19-039](#)

[Exhibit C - Permit Appeal and Letter](#)

[Exhibit D - Alternative Site Plan by Appellant](#)

[Exhibit E - CEQA Exemption](#)

[Exhibit F - Proposed H19-039 Reso](#)

[Exhibit G - Proposed T19-033 Reso](#)

[Exhibit H - Public Comments](#)

[Presentation](#)

10.3 [20-1450](#) **PDC18-021 & PD18-016 - Planned Development Zoning and Planned Development Permit for Real Property Located at 1661, 1663, 1665 Alum Rock Avenue.**

Recommendation:

(a) Adopt a resolution adopting the Little Portugal Gateway Mixed-Use Project Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Plan, for which an Initial Study was prepared, all in accordance with the California Environmental Quality Act, as amended.

(b) Approve an ordinance rezoning a 0.9 gross acre site on that certain real property located on the north side of Alum Rock Avenue at 1661, 1663, 1665 Alum Rock Avenue from CG Commercial General, CP Commercial Pedestrian, and R2 Two-Family Residence zoning districts to the CP(PD) Planned Development Zoning District.

(c) Adopt a resolution approving a Planned Development Permit to allow demolition of existing on-site residential buildings and construction of a six-story, mixed-use development consisting of 123 apartment units and 13,650 square feet of ground-floor retail space with two underground parking levels on an approximately 0.9-gross acre site located at 1661, 1663, 1665 Alum Rock Avenue.

CEQA: Little Portugal Gateway Mixed-Use Project Mitigated Negative Declaration. Council District 5. Planning Commission recommends approval (7-0). (Planning, Building and Code Enforcement)

Attachments [Memorandum](#)
[Ordinance](#)
[\(a\) Resolution](#)
[\(c\) Resolution](#)
[Presentation](#)

OPEN GENERAL PLAN HEARING (2020 SECOND CYCLE)

10.4 [20-1451](#) **GPT20-002 & PP20-012 - General Plan Text Amendment for Greenhouse Gas Reduction Strategy Update.**

Recommendation:

(a) Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto in conformance with CEQA; and

(b) Adopt a resolution approving (1) amendments to Appendix 8 of the Envision San José 2040 General Plan by replacing the existing Greenhouse Gas Reduction Strategy with the updated 2030 Greenhouse Gas Reduction Strategy; and (2) the General Plan Text Amendments to revise Policy IP-3.7 and delete Action IP-3.10 of Chapter 7 of the Envision San José 2040 General Plan.

CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto in conformance with CEQA. Planning Commission recommends approval (7-0).
(Planning, Building and Code Enforcement)

Attachments [Memorandum](#)
 [\(a\) Resolution](#)
 [\(b\) Resolution](#)
 [Presentation](#)

CLOSE GENERAL PLAN HEARING (2020 SECOND CYCLE)

• **Open Forum**

[20-1564](#) Open Forum

Attachments [Letters from the Public](#)

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

• **Adjournment**

This meeting will be in memory of Alofa Talivaa, former President of the Sierra Neighborhood Association, and longtime community organizer and advocate for communities on the East Side. From her involvement and engagement in the Story and King developments to Lobue Park and countless other amenities, Alofa fought tirelessly to improve our City, and she leaves behind a lasting legacy in a grateful community. Alofa will be missed as a beloved wife, mother, and grandmother to her grandchildren, Feta, Hipa, Bruce, McKay, Kataleia, Tanoa, and Kairo.

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.