

# ORDER OF ADJOURNMENT

## CITY COUNCIL OF THE CITY OF SAN JOSE

The City of San José City Council held their Regular meeting of Tuesday June 30, 2020 virtually, to discuss the items listed on the posted agenda for that meeting.

NOTICE IS HEREBY GIVEN that said meeting was adjourned to **Wednesday, July 1, 2020** at the hour of **9:00 a.m.** virtually at <https://sanjoseca.zoom.us/j/91562053469>, Cable Channel 26, <https://www.sanjoseca.gov/news-stories/watch-a-meeting>, and <https://www.youtube.com/CityofSanJoseCalifornia>.

The following items have been continued to Wednesday, July 1, 2020.

### Regular Session:

#### **3.10 20-809**

#### **Potential Ballot Measure to Amend the City Charter.**

##### **Recommendation:**

As recommended by the Rules and Open Government Committee on June 24, 2020:

(a) Consideration of a potential November 2020 ballot measure, to amend the Charter to enhance accountability of City Hall through campaign finance reform, and clearer alignment of mayoral authority and responsibilities, or in the alternative, establish and convene a Charter Revision Commission to review mayoral authority and responsibilities for a future election.

(b) If direction is for a potential November 2020 measure, direct the City Clerk to establish an additional meeting date(s) in the final week of July and/or first week of August, if necessary, for public discussion and input on this measure.

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. (Mayor)

[Rules Committee referral 6/24/2020 - Item G.9]

#### **4.1 20-740**

#### **Report on Bids and Award of Contract for Construction of the 9071 - Fire Station No. 37 Project.**

##### **Recommendation:**

(a) Report on bids and award of the construction contract for the 9071 - Fire Station No. 37 Project to the lowest responsive bidder Gonsalves & Stronck, Inc., for the base bid and the Bid Alternates Nos. 1 and 2 in the amount of \$8,715,600 and approval of a 10 percent contingency in the amount of \$871,560.

(b) Adopt the following 2020-2021 Appropriation Ordinance amendments in the Public Safety and Infrastructure Bond Fund:

(1) Increase the Measure T - Fire Station 37 appropriation to the Public Works Department in the amount of \$1,995,000;

(2) Decrease the Measure T - Fire Station 36 appropriation by \$1,118,000; and

(3) Decrease the Measure T - Program Reserves (Public Safety) appropriation by \$877,000.

CEQA: Mitigated Negative Declaration, File No. PP09-150. Council District 6. (Public Works/City Manager)

#### **5.1 20-741**

#### **Actions Related to the 9005 - Mineta San José International Airport - Airfield Electrical System Rehabilitation - Phase 2 Project.**

##### **Recommendation:**

Adopt a resolution authorizing the Director of Public Works to:

(a) Report on bids and award a construction contract for 9005 - Mineta San José International Airport - Airfield Electrical System Rehabilitation - Phase 2 Project (Project) to the low bidder, Vellutini Corporation dba Royal Electric Company, in an amount of \$4,989,989, contingent upon

the award and execution of an Airport Improvement Program grant from the Federal Aviation Administration in a minimum amount of \$5,000,000; and

(b) Establish a construction contingency of ten percent of the amount of the construction contract for the Project.

CEQA: San José International Airport Master Plan EIR Amendment (Resolution No. 79497), File No. PP18-103. (Public Works/Airport)

**8.1      20-742**

**Public Hearing on the Levy of the Proposed Downtown Business Improvement District Assessments for Fiscal Year 2020-2021.**

**Recommendation:**

Conduct a public hearing and adopt a resolution to:

(a) Approve the Downtown Business Improvement District budget report for Fiscal Year 2020-2021 as filed or modified by Council;

(b) Levy the Downtown Business Improvement District assessments for Fiscal Year 2020-2021; and

(c) Suspend collection of the Downtown Business Improvement District assessments for businesses that qualify for a Business Tax financial hardship exemption under the City's General Business Tax Ordinance.

CEQA: Exempt, File No. PP08-048, CEQA Guidelines Section 15061(b), Review for Exemption. Council District 3. (Economic Development)

**8.2      20-743**

**Public Hearing on the Levy of the Proposed Japantown Business Improvement District Assessments for Fiscal Year 2020-2021.**

**Recommendation:**

Conduct a public hearing and adopt a resolution to:

(a) Approve the 2020-2021 Budget Report as filed by the Japantown Business Improvement District Advisory Board, or as modified by Council; and

(b) Levy the annual Japantown Business Improvement District assessments for Fiscal Year 2020-2021.

CEQA: Exempt, File No. PP08-048, CEQA Guidelines Section 15061(b), Review for Exemption. Council District 3. (Economic Development)

**8.3      20-744**

**Acquisition of Property at North 13th Street and East Santa Clara Street.**

**Recommendation:**

Adopt a resolution authorizing the City Manager to negotiate and execute:

(a) A Purchase and Sale Agreement, and all other documents necessary to effectuate the Property transfer to the City, with Santa Clara County Housing Authority for the purchase by the City of 0.37 acres of land located at the northwest corner of North 13th Street and East Santa Clara Street, identified as Assessor's Parcel Number 467-16-091 and APN 467-16-092 ("Property"), for a price of \$2,350,000, with up to \$150,000 reimbursement due to the Housing Authority should the City choose to sell the Property within 10 years without performance of environmental remediation or mitigation; and

(b) A one-year Option to Purchase Agreement with the Santa Clara County Housing Authority, for \$5,000 for the initial one-year term, granting the City the option to purchase 0.34 acres of land located at the northeast corner of North 13th Street and East Santa Clara Street, identified as Assessor's Parcel Number 467-15-010, for a price of \$2,194,200, and to extend the Option to Purchase Agreement up to five years after the term of the initial option period, for no greater than \$5,000 for each one-year option extension.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 3. (Economic Development/Fire/Public Works)

**Approval of Loan Commitment to Habitat for Humanity East Bay/Silicon Valley for Acquisition of Property Located at 101 S. Jackson for a New Community of Affordable 'For Sale' Homes.**

**Recommendation:**

(a) Adopt a resolution:

(1) Approving a total commitment of up to \$2,200,000 of the Housing Impact Fee Funds to Habitat for Humanity East Bay/Silicon Valley, Inc., a California nonprofit public benefit corporation for an Acquisition loan for the a new affordable 'For-Sale' housing development at the 101 S. Jackson ("101 S. Jackson Development"); and

(2) Authorizing the Director of Housing to negotiate and execute loan documents and all other documents related to the loan and the 101 S. Jackson Development.

(b) Adopt the following Fiscal Year 2019-2020 Appropriation Ordinance and Funding Source Resolution Amendments in the Multi-Source Housing Fund:

(1) Increase the revenue estimate for Fees, Rates, and Charges by \$6,289,711;

(2) Increase the Ending Fund Balance by \$6,289,711.

(c) Adopt the following Fiscal Year 2020-2021 Appropriation Ordinance and Funding Source Resolution Amendments in the Multi-Source Housing Fund:

(1) Increase the estimate for Beginning Fund Balance by \$6,289,711;

(2) Increase the Housing Loans and Grants appropriation for the Housing Department by \$2,200,000; and

(3) Increase the Ending Fund Balance by \$4,089,711.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 5. (Housing/City Manager)

**Substantial Amendment to the FY 2019-2020 Annual Action Plan for the U.S. Department of Housing and Urban Development.**

**Recommendation:**

(a) Hold a Public Hearing to allow for public comment and adopt a resolution relating to the following actions regarding amendment to the existing spending plans for Community Development Block Grant (CDBG), and HOME Investment Partnership funds awarded by the U.S. Department of Housing and Urban Development (HUD) to the City:

(1) Approve the following relating to Substantial Amendments to the FY 2019-20 Annual Action Plan to:

(i) Decrease The Health Trust's current HOME allocation of \$2,252,235 by \$419,235 to \$1,833,000 and amend The Health Trust's Rapid Re-housing contract dated December 16, 2019;

(ii) Allocate \$6,517,646 of HOME Investments Partnership (HOME) funding for Tenant Based Rental Assistance (TBRA);

(iii) Award \$2,650,500 of HOME funding to Sacred Heart Community Service for TBRA, and authorize the Director of Housing to negotiate and execute an emergency sole source agreement with Sacred Heart Community Service;

(iv) Award \$2,400,000 of HOME funding to Catholic Charities of Santa Clara County for TBRA, and authorize the Director of Housing to negotiate and execute an emergency sole source agreement with Catholic Charities of Santa Clara County;

(v) Award \$346,485 of HOME funding to Next Door Solutions to Domestic Violence for TBRA for victims of domestic violence and their families, and authorize the Director of Housing to negotiate and execute an emergency sole source agreement with Next Door Solutions to Domestic Violence;

(vi) Award \$1,000,000 of HOME funding to Bill Wilson Center for TBRA for families, and authorize the Director of Housing to negotiate

and execute an emergency sole source agreement with the Bill Wilson Center;

(vii) Award \$121,161 of HOME funding, \$88,839 of CDBG funding, and \$15,000 of Housing Trust Fund (HTF) funding to YWCA Silicon Valley for rental assistance and motel vouchers for victims of domestic violence and authorize the Director of Housing to negotiate and execute an amendment to the YWCA contract relating to these additional funds dated July 1, 2019;

(viii) Decrease the City's HOME administration allocation of \$242,810 by \$102,695 to \$140,115;

(ix) Add Community Wireless Network Infrastructure as an eligible project under the Acquisition, Rehabilitation and Infrastructure for Affordable Housing Sites and Public Facilities activity;

(x) Allocate \$100,000 in CDBG funding to the City for the Community Wireless Network Infrastructure project for predevelopment purposes; and

(xi) Award \$400,000 in CDBG funding to First Five of Santa Clara County to provide family calming kits and authorize the Director of Housing to negotiate and execute a sole source agreement with First Five of Santa Clara County.

(2) Authorize the City's Housing Department to submit the Substantial Amendment to the U.S. Department of Housing and Urban Development.

(b) Adopt the following Fiscal Year 2019-2020 Appropriation Ordinance Amendments in the Community Development Block Grant Fund:

(1) Decrease the Neighborhood Infrastructure Improvements appropriation to the Housing Department by \$588,839;

(2) Establish a Community Wireless Network Infrastructure appropriation to the Housing Department in the amount of \$100,000;

(3) Establish a Childcare Services appropriation to the Housing Department in the amount of \$400,000; and

(4) Establish a Homeless Services appropriation to the Housing Department in the amount of \$88,839.

(c) Adopt the following Fiscal Year 2019-2020 Appropriation Ordinance Amendments in the HOME Investment Partnership Program Fund:

(1) Decrease the Housing Project Reserve appropriation by \$5,000,000;

(2) Decrease the Ending Fund Balance by \$1,517,646; and

(3) Increase the Tenant Based Rental Assistance appropriation to the Housing Department by \$6,517,646.

(d) Adopt the following Fiscal Year 2019-2020 Appropriation Ordinance Amendments in the Housing Trust Fund:

(1) Decrease the Ending Fund Balance by \$15,000; and

(2) Increase the Housing and Homeless Projects appropriation to the Housing Department by \$15,000.

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. (Housing)

[Rules Committee referral 6/24/2020 - Item A.1.a]

Said continuance was passed by the following vote:

Ayes: Arenas, Carrasco, Davis, Diep, Esparza, Foley, Jimenez, Khamis, Peralez, Councilmembers; Jones, Vice Mayor; Liccardo, Mayor

Noes: None

Abstain: None

Absent: None

Date: 30 June 2020

Toni J. Taber, CMC  
City Clerk

**AFFIDAVIT OF POSTING OF ORDER OF ADJOURNMENT**

STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA) SS: CITY OF  
SAN JOSÉ

AFFIDAVIT OF POSTING ORDER OF  
ADJOURNMENT

I, Toni J. Taber, declare as follows:

That I am the City Clerk of the City of San José; that at a Regular meeting of the City Council of the City of San José held on 30 June 2020, the members present authorized adjournment of said meeting to 1 July 2020, at the hour of 9:00 a.m. virtually at <https://sanjoseca.zoom.us/j/91562053469>, Cable Channel 26, <https://www.sanjoseca.gov/news-stories/watch-a-meeting>, and <https://www.youtube.com/CityofSanJoseCalifornia>, and that a copy of said order was posted at online and on the electronic Brown Act Board.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1 July 2020 at 12:05 a.m. at San José, California.

Toni J. Taber, CMC  
City Clerk