



# **City Council Meeting Amended Agenda**

**Tuesday, April 5, 2022**

**1:30 PM**

**Hybrid Meeting - Council Chambers and Virtually -**

**<https://sanjoseca.zoom.us/j/99346843938>**

SAM LICCARDO, MAYOR  
CHAPPIE JONES, VICE MAYOR, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
RAUL PERALEZ, DISTRICT 3  
DAVID COHEN, DISTRICT 4  
MAGDALENA CARRASCO, DISTRICT 5  
DEV DAVIS, DISTRICT 6  
MAYA ESPARZA, DISTRICT 7  
SYLVIA ARENAS, DISTRICT 8  
PAM FOLEY, DISTRICT 9  
MATT MAHAN, 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 the name on the card is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants by calling speakers in an orderly manner.
- 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 total amount of time allocated for public testimony for each public speakers or for an agenda item may be limited at the Mayor's discretion, depending on the number of speakers or the length of the agenda. (California Government Code Section 54954.3; Council Policy 0-37)
- 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. Please go to the Clerk's Records Database <https://records.sanjoseca.gov/Pages/Search.aspx> for the final document, or you may also contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov).

**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](mailto: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 AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323, 80343, 80363, and 80400, Councilmembers may 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 legislate application used by City Council and staff.
- 2) By email to [city.clerk@sanjoseca.gov](mailto: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](mailto: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 993 4684 3938. 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/99346843938>
  - 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.

**• Call to Order and Roll Call**

9:30 a.m. - Closed Session

[22-435](#)

Closed Session Agenda

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

1:30 p.m. - Regular Session

- Pledge of Allegiance
- Invocation (District 4)

Morrill Middle School Music Department

- 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 Presentation of a commendation for Solid Waste Haulers and ESD Integrated Waste Management staff. (Mayor)

1.2 Presentation of a commendation to Russ Danielson in recognition of his outstanding dedication and commitment to keeping District 2 clean, safe, and litter free. (Jimenez)

1.3 Presentation of a commendation to Mike & Susan Hennessy for their tireless philanthropic support of organizations to enhance and benefit the residents of the City of San José. (Foley)

## **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 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.**

[22-463](#)

**Final Adoption of Ordinances.**

**Recommendation:**

(a) Ordinance no. 30741 - An Ordinance of the City of San José Amending Section 20.85.020 of Part 2 of Chapter 20.85.020 of Title 20 of the San José Municipal Code (Zoning Ordinance) Amending Specific Height Restrictions Related to the North 1st Street Local Transit Village. [Passed for Publication on 3/22/2022 - Item 10.2(c) (22-384)]

(b) Ordinance no. 30742 - An Ordinance of the City of San José Rezoning 24 Certain Real Properties from the CO Commercial Office and CN Commercial Neighborhood Zoning Districts to the CP Commercial Pedestrian Zoning District; One Certain Real Property from the CN Commercial Neighborhood Zoning District to the R-1-8 Single-Family Residence Zoning District; 32 Certain Real Properties from the CO Commercial Office, CP Commercial Pedestrian, R-2 Two-Family Residence, and R-M Multiple Residence Zoning Districts to the TR Transit Residential Zoning District; 12 Certain Real Properties from the CO Commercial Office, CP Commercial Pedestrian, and R-2 Two-Family Residence Zoning Districts to the UR Urban Residential Zoning District; and Nine Certain Real Properties from the CO Commercial Office, CG Commercial General, and CN Commercial Neighborhood Zoning Districts to the UVE Urban Village Commercial Zoning District, Located within the North 1st Street Local Transit Village in the City of San José.

[Passed for Publication on 3/22/2022 - Item 10.2(d) (22-384)]

(c) Ordinance no. 30743 - An Ordinance of the City of San José Rezoning 44 Certain Real Properties from CO Commercial Office, CN Commercial Neighborhood, R-2 Two-Family Residence, R-M Multiple Residence, and A(PD) Planned Development Zoning Districts to the CP Commercial Pedestrian Zoning District; Two Certain Real Properties from the R-1-8 Single-Family Residence Zoning District to the MUC Mixed-Use Commercial Zoning District; Three Certain Real Properties from the R-1-8 Single-Family Residence and CO Commercial Office Zoning Districts to the OS Open Space Zoning District; Four Certain Real Properties from the CO Commercial Office, R-1-8 Single-Family Residence, and LI Light Industrial Zoning Districts to the PQP Public/Quasi-Public Zoning District, 43 Certain Real Properties from the R-2 Two-Family Residence, R-M Multiple Residence, CO Commercial Office, CP Commercial Pedestrian, and A(PD) Planned Development Zoning Districts to the R-1-8 Single-Family Residence Zoning District; Six Certain Real Properties from the CO Commercial Office, LI Light Industrial, and R-1-8 Single-Family Residence Zoning Districts to the TR Transit Residential Zoning District; and 11 Certain Real Properties from the CO Commercial Office and LI Light Industrial

Zoning Districts to the UR Urban Residential Zoning District, Located in Proximity to the North 1st Street Local Transit Village in the City of San José.

[Passed for Publication on 3/22/2022 - Item 10.2(e) (22-384)]

**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 [22-437](#) Amendment to Agreement with Keyes & Fox, LLP for Legal Services Related to the San José Clean Energy Program.**

**Recommendation:** Adopt a resolution authorizing the City Attorney to negotiate and execute a seventh amendment to the agreement with Keyes & Fox, LLP for legal services related to the San José Clean Energy program, extending the term through December 31, 2023 with no increase in the maximum amount of compensation.  
CEQA: Not a Project; File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney)

**Attachments** [Memorandum](#)

- 2.8**    [22-010](#)            **Extension of AB 361 Implementation to Allow Teleconferenced Public Meetings and Modified COVID Sunshine Resolution and Procedures to Continue through May 5, 2022 during the Governor’s Proclaimed COVID State of Emergency.**

**Recommendation:**    Adopt a resolution of the Council of the City of San José finding the continued existence of the need to extend AB 361 implementation and amending the City’s Consolidated Open Government and Ethics (Sunshine) Resolution No. 77135 to incorporate the Governor’s proclaimed COVID state of emergency to allow City legislative bodies and Joint Power Authority legislative bodies for which the City serves as lead staffing agency to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361; to modify agenda noticing and document posting; to repeal and replace Resolution No. 79485; and to incorporate all future Governor’s Executive Orders regarding the Brown Act into the City’s open government procedures, as deemed appropriate by the City Clerk and City Manager, without further Council action.

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

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

- 2.9**    [22-444](#)            **Appointment to the Police Employee Seat on the Board of Administration for the Police and Fire Retirement Plan.**

**Recommendation:**    Appoint Dave Wilson as the Police Department Employee Representative to the Board of Administration for the Police and Fire Department Retirement Plan to a term ending November 30, 2025. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Clerk)

**Attachments**    [Memorandum](#)

**2.10** [22-438](#) **Actions Related to Open Purchase Orders for As-Required Professional and Technical Training Courses.**

**Recommendation:**

Adopt a resolution authorizing the City Manager to:

(a) Execute open Citywide Purchase Orders with Oready, LLC (Campbell, CA) and Sarder, Inc. (New York, NY) for up to four one-year option terms through April 26, 2026 for as-required professional and technical training courses with a maximum aggregate compensation not-to-exceed \$320,000 for the option term beginning April 27, 2022 and ending April 26, 2023, subject to the appropriation of funds; and

(b) Amend purchase orders as required for any unanticipated changes, such as increases in demand or to move funds between purchase orders, 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](#)

**2.11** [22-439](#) **Actions Related to the Agreement with YWCA Golden Gate Silicon Valley for the Improving Criminal Justice Program Grant Agreement.**

**Recommendation:**

Approve the Second Amendment to the grant agreement with the YWCA Golden Gate Silicon Valley to extend the term of the agreement from March 30, 2022 to September 30, 2022 for Criminal Justice Program Grant for crisis intervention services and follow up services to victims of domestic violence, sexual assault and sex trafficking and funding victim safety and offender accountability by encouraging community response.

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. (Police)

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

**2.12**   [22-440](#)      **2021 Collaborative Approaches Towards Preventing and Addressing Hate - Demonstration Projects.**

**Recommendation:**

(a) Adopt a resolution accepting the 2021 Bureau of Justice Assistance Collaborative Approaches towards Preventing and Addressing Hate Grant in the amount of \$833,333 and authorizing the City Manager to execute the Grant Agreement and to execute additional amendments and all related documents, including online certifications at time of award acceptance and reimbursement requests, without further City Council action.

(b) Adopt the following 2021-2022 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:

(1) Establish the 2021 Collaborative Approaches Towards Preventing and Addressing Hate Grant in City-Wide Expenses appropriation to the Policy Department in the amount of \$292,458; and

(2) Increase the estimate for Revenue from Federal Government by \$292,458.

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. (Police/City Manager)

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

**2.13**    [22-491](#)                    **Request for Travel and Excused Absence for the Annual Silicon Valley Organization Study Mission (Unofficial Delegation Travel).**

**Recommendation:**    Approve travel and related travel expenses to San Diego, California and request excused absences for Councilmember Sergio Jimenez for the following meetings due to Authorized City Business: Annual Silicon Valley Organization Study Mission on May 17-20, 2022.

- (a) May 17, 2022 San Jose City Council Meeting;
- (b) May 19, 2022 Neighborhood Services and Education Committee Special Meeting; and
- (c) May 19, 2022 Public Safety, Finance, and Strategic Support Committee.

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

[Rules Committee referral 3/30/2022 - Item A.1.a]

**Attachments**    [Memorandum](#)

**2.14**    [22-498](#)                    **Request for Travel for Mayor's Staff.**

**Recommendation:**    As recommended by the Rules and Open Government Committee on March 30, 2022, authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Clay Garner, as the City representative to attend the Digital Communities Large City/County Summit in New Orleans, LA, from April 13, 2022 to April 14, 2022.

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

[Rules Committee referral 3/30/2022 - Item B.3]

**Attachments**    [Memorandum](#)

- 2.15** [22-494](#) **Approval of Shredding Event Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:** As recommended by the Rules and Open Government Committee on March 30, 2022:  
(a) Approve the Shredding Event scheduled on April 23, 2022 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. (Foley)  
[Rules Committee referral 3/30/2022 - Item B.2]

**Attachments** [Memorandum](#)

### **3. STRATEGIC SUPPORT**

#### **3.1 Report of the City Manager, Jennifer Maguire (Verbal Report)**

#### **3.2 Labor Negotiations Update.**

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

- 3.3** [22-441](#) **Urgency Ordinance Repealing Chapter 9.61 of Title 9 of the San José Municipal Code regarding Face Coverings.**

**Recommendation:** Adopt an urgency ordinance repealing Chapter 9.61 of Title 9 of the San José Municipal Code requiring the wearing of face coverings for the duration of the current COVID-19 Health Emergency.  
PLEASE NOTE: APPROVAL OF THIS URGENCY ORDINANCE REQUIRES 8 OR MORE AFFIRMATIVE VOTES. City Charter Section 605(d).  
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.  
(City Manager)

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

**3.4**    [22-442](#)            **Annual Summary of Labor Negotiations.****Recommendation:**

Accept staff report and public input on the Annual Summary of Upcoming Labor Negotiations.  
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](#)

**3.5**    [22-495](#)            **Actions Related to Approvals Needed for the Sale of the Parking Lot of the Town Park Towers Affordable Housing Development. - RENUMBERED FROM ITEM 8.1****Recommendation:**

Adopt a resolution authorizing the City Manager, Director of Housing, Director of Finance, the Assistant Director of Finance, the Deputy Director of Finance, Debt and Treasury Management, the Deputy Director of Housing or their designees, to negotiate and execute an amendment to the Regulatory Agreement and Declaration of Restrictive Covenants for the affordable housing development located at 60 North 3rd Street, Town Park Towers, together with any ancillary documents required by bond counsel for the reissuance of the tax-exempt multifamily housing revenue note designated as “City of San José Multifamily Housing Revenue Note (Town Park Towers) Series 2015C”.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
Council District 3. (Housing/Finance)  
[RENUMBERED FROM ITEM 8.1 (22-443)]

**Attachments**    [Memorandum](#)

**4. PUBLIC SAFETY SERVICES**

- 4.1 [22-445](#) **Accept the California Governor's Office of Emergency Services Pass-Through Grant for Mobile Operations Satellite Emergency System.**

**Recommendation:** Adopt a resolution authorizing the City Manager or designee to accept grant funds from the California Governor's Office of Emergency Services (Cal OES) in the amount of \$2,185,000 to purchase a Mobile Operations Satellite Emergency System, and to negotiate and execute any documents necessary to accept these grant funds.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Fire/City Manager)

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

## **5. TRANSPORTATION & AVIATION SERVICES**

- 5.1 [22-446](#) **Emerging Mobility Action Plan.**

**Recommendation:** (a) Accept the Emerging Mobility Action Plan report.  
(b) Adopt a resolution approving San José's Emerging Mobility Action 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 and File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Transportation)

**Attachments** [Memorandum](#)  
[Resolution](#)  
[Presentation - est. 15 minutes](#)

## **6. ENVIRONMENTAL & UTILITY SERVICES**

## **7. NEIGHBORHOOD SERVICES**

## **8. COMMUNITY & ECONOMIC DEVELOPMENT**

- 8.1 [22-443](#) **Actions Related to Approvals Needed for the Sale of the Parking Lot of the Town Park Towers Affordable Housing Development. - RENUMBERED TO ITEM 3.5**

**Recommendation:** [RENUMBERED TO ITEM 3.5 (22-495)]

8.2 [22-447](#) **Actions Related to Real Property Located at Park Avenue Between South Almaden Boulevard and Market Street.**

**Recommendation:**

Adopt a resolution:

- (a) Accepting the Final Orders of Condemnation for the acquisition of a fee interest through eminent domain proceedings of the four parcels consisting of approximately 6,224 square feet of real property located at Park Avenue, between South Almaden Boulevard and Market Street;
- (b) Declaring approximately 14,351 square feet of real property located at Park Avenue, between South Almaden Boulevard and Market Street, as “exempt surplus land” under Cal. Gov. Code §54221(f)(1)(E) as the land is a former street, right of way, or easement, is conveyed to an owner of an adjacent property, and is surplus to the needs of the City;
- (c) Authorizing the sale of the approximately 14,351 square foot portion of City-owned surplus property located on a portion of Park Avenue, between South Almaden Boulevard and Market Street, to SJ CityView LLC for \$5,925,724; and
- (d) Authorizing the City Manager, or her designee, to negotiate and execute a quitclaim deed and all other documents necessary to effectuate the sale of the property; and
- (e) Authorizing the use of up to \$3.0 million from the sale proceeds for the City’s contribution toward the Park Avenue Reconfiguration Project, subject to the appropriation of funds.

CEQA: Supplemental Environmental Impact Report to the Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 79586) for CityView, File No. H19-016; Addendum to the Downtown Strategy 2040 Final Environmental Impact Report for 200 Park Avenue Office Project, File No. H18-045; Determination of Consistency to the Downtown Strategy 2040 Final Environmental Impact Report for the Park Avenue Reconfiguration Project, File No. PP19-071. Council District 3. (Economic Development and Cultural Affairs)

**Attachments** [Memorandum](#)  
[Resolution](#)  
[Presentation - est. 10 minutes](#)

## **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 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

- (a) [22-448](#) PP22-001 - Amendment to Title 23 of the San José Municipal Code (The Sign Code) to Increase the Maximum Number of Signs Allowed to be Attached to an Outdoor Stadium. - TO BE HEARD IMMEDIATELY AFTER CONSENT

**Recommendation:** Approve an ordinance amending Sign Code Chapter 23.04 - Sign Regulations, Part 1 (CO, CP, CN, CG, PQP, CIC, TEC, IP, LI, and HI Commercial and Industrial zoning districts, neighborhood business districts, Capitol Expressway Auto Mall signage area, Stevens Creek Boulevard signage area, Oakridge/Blossom Hill Urban Village signage area, and North San José signage area) to modify Section 23.04.032 - Large outdoor stadium spaces to increase the maximum number of signs allowed to be attached to an outdoor stadium from a total of four signs to six signs.

CEQA: Determination of Consistency to the Envision San José 2040 General Plan EIR (Resolution No. 76041), Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. (Planning, Building and Code Enforcement)  
TO BE HEARD IMMEDIATELY AFTER CONSENT

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

**END OF 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

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**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 total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) 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 only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum 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.