City Council Meeting
Amended Agenda

Tuesday, June 7, 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:

- **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.
- 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.sanjose.legistar.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 many also contact the Office of the City Clerk at (408) 535-1260 or 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 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, 80400, 80445, 80481 and 80507, 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 ilegislate 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 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.

Interpretation is available in Spanish. In your webinar controls, select “Interpretation.” Click the language you would like to hear.
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

22-865 Closed Session Agenda

Attachments Closed Session Agenda

1:30 p.m.- Regular Session

- Pledge of Allegiance
- Invocation (District 6)

Nicole Altamirano - Silicon Valley Pride

- 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.

- Adjournment

This meeting is adjourned in memory of Thang Do who passed away on May 8, 2022 at the age of 62. It is an honor to recognize Thang for his remarkable story as a refugee who fled from Vietnam in 1975. He built an incredible life in the South Bay and left many contributions to our community including being a co-founding member of the Progressive Vietnamese American Organization (PIVOT) and for his outstanding accomplishment of being the lead architect in the first-of-its-kind Vietnamese American Service Center on Tully Road, a project he called a milestone of his career.

- Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a proclamation declaring June 2022 as Immigrant Heritage Month. (Carrasco)

1.2 Presentation of a proclamation celebrating June 2022 as Pride Month. (Davis & 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.

22-799 **Final Adoption of Ordinances.**

Recommendation: (a) Ordinance No. 30772 - An Ordinance of the City of San José Amending Chapter 9.10 of the San José Municipal Code (Solid Waste Management) Implementing the Requirements of Assembly Bill 1276 and Adding a New Part 19 Related to Local Enforcement of Statewide Limits on Single-Use Foodware Accessories and Condiments.
[Passed for Publication on 5/17/2022 - Item 2.11 (22-696)]
(b) Ordinance No. 30775 - An Ordinance of the City of San José Amending Title 20 of the San José Municipal Code (Zoning Ordinance) to Add Chapter 20.65 Entitled "Overlay Districts" Including the Establishment of the Transit Employment Residential (Tero) Overlay Zoning District, and Amending the Zoning District Map to Add the Tero Overlay Zoning District.
[Passed for Publication on 5/17/2022 - Item 10.2(e) (22-707)]
(c) Ordinance No. 30776 - An Ordinance of the Council of the City of San José Amending Various Sections of Chapter 14.29 of Title 14 of the San José Municipal Code Relating to the Traffic Impact Fee on Development within the North San José Area Development Policy Boundaries.
[Passed for Publication on 5/17/2022 - Item 10.2(f) (22-707)]

2.3 Approval of Council Committee Minutes.

22-864 **Approval of Council Committee Minutes.**

Recommendation: (a) Joint County of Santa Clara/Neighborhood Services and Education Committee Meeting Minutes of March 25, 2022.
(b) Regular Public Safety, Finance and Strategic Support Committee Meeting Minutes of April 21, 2022.
(c) Regular Community and Economic Development Committee Meeting Minutes of April 25, 2022.
(d) Regular Transportation and Environment Committee Meeting Minutes of May 2, 2022.
(e) Regular Smart Cities and Service Improvement Committee Meeting Minutes of May 5, 2022.
(f) Regular Public Safety, Finance and Strategic Support Committee Meeting Minutes of May 19, 2022.
(g) Special Neighborhood Services and Education Committee Meeting Minutes of May 19, 2022.
(h) Regular Community and Economic Development Committee Meeting Minutes of May 23, 2022.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Attachments
(a) 3/25/2022 Joint SCC/NSE Minutes
(b) 4/21/2022 PSFSS Minutes
(c) 4/25/2022 CED Minutes
(d) 5/2/2022 T&E Minutes
(e) 5/5/2022 Smart Cities Minutes
(f) 5/19/2022 PSFSS Minutes
(g) 5/19/2022 NSE Minutes
(h) 5/23/2022 CED Minutes

2.4 Mayor and Council Excused Absence Requests.

22-819 **Mayor and Council Excused Absence Requests.**

Recommendation: Request for excused absence for:
(a) Councilmember Davis from the Regular Meeting for the Joint Meeting for the Rules and Open Government Committee and Committee of the Whole on May 4, 2022 due to illness.
(b) Councilmember Arenas from the Regular Meeting for the Joint Meeting for the Rules and Open Government Committee and Committee of the Whole on May 18, 2022 due to illness.
(c) Councilmember Esparza from the Regular Meeting for the Community and Economic Development Committee on May 23, 2022 due to illness.
(d) Councilmember Cohen from the Regular Meeting for:
(1) Rules and Open Government Committee and Committee of the Whole on May 25, 2022 due to vacation;
(2) Rules and Open Government Committee and Committee of the Whole on June 1, 2022 due to vacation; and
(3) Smart Cities and Service Improvements Committee on June 2, 2022 due to vacation.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Davis, Arenas, Esparza and Cohen)

Attachments Memorandum

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 22-869 **Amendment to Agreement with Hanson Bridgett LLP for Legal Services Related to Preservation of Benefit Plan Retirees Association, et al v. City of San José, et al.**

Recommendation: Adopt a resolution authorizing the City Attorney to negotiate and execute a Ninth Amendment to the agreement with Hanson Bridgett LLP for legal services related to Preservation of Benefit Plan Retirees Association, et al v. City of San Jose, et al, to extend the term through June 30, 2025 and increase the amount of compensation by $400,000, for a total amount of compensation not to exceed $2,300,000.
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 22-824 **Amendment to the Master Agreement for Placement Services with FUSE Corps.**

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute the following amendments to the Master Agreement for Placement Services between the City of San José and FUSE Corps to:
(a) Extend the term of the Agreement for two years from July 1, 2022 to June 30, 2024, with the ability to exercise additional one-year options to extend the term as long as the contract not-to-exceed amount has not been spent, subject to the appropriation of funds; and
(b) Increase the annual program fee per FUSE Fellow from $150,000 to $180,000.
CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (City Manager)

Attachments Memorandum

2.9 22-825 **Terms of Side Letter Agreements between the City of San José, the Municipal Employees' Federation, and City Association of Management Personnel, IFPTE, Local 21, Amending the Pay Plan, and Implementation of an Animal Shelter Veterinarian Hiring Incentive.**

Recommendation: Adopt a resolution to:

(a) Approve the terms of a Side Letter Agreement with the Municipal Employees' Federation, AFSCME, Local 101 (MEF) to provide the following effective June 12, 2022:

(1) Provide employees in the Animal Care Attendant I FT/PT (3254/3257) classification with an approximate 3.87% pensionable pay increase consistent with the Side Letter Agreement that has been signed by all parties; and

(2) Provide employees in the Animal Health Technician FT/PT (3253/3260) classification with an approximate 12.99% pensionable pay increase consistent with the Side Letter Agreement that has been signed by all parties.

(b) Amend the City of San José Pay Plan as follows:

(1) Retitle the following classifications:

(i) Animal Care Attendant I (3254) (formerly Animal Care Attendant); and

(ii) Animal Care Attendant I PT (3257) (formerly Animal Care Attendant PT)

(2) Create the following classifications effective June 12, 2022:

(i) Animal Care Attendant II (3261) with a salary range of $49,587.20 - $60,278.40 annually; and

(ii) Animal Care Attendant II PT (3262) with a salary range of $49,587.20 - $60,278.40 annually.

(3) Increase the annual salary range of the classifications of Animal Care Attendant I (3254) to $45,510.40- $55,328.00, effective June 12, 2022;

(4) Increase the annual salary range of the classification of Animal Care Attendant I PT (3257) to $45,510.40- $55,328.00, effective June 12, 2022;

(5) Increase the annual salary range of the classifications of Animal Health Technician FT/PT (3253/3260) to $54,080.00 - $65,686.40, effective June 12, 2022; and

(6) Increase the annual salary range of the classification of Principal Power Resources Specialist (5254) to $144,711.84 - $180,888.61, effective June 12, 2022.

(c) Approve the terms of a Side Letter Agreement with the City Association of Management Personnel, IFPTE, Local 21 (CAMP) creating an Animal Shelter Veterinarian Hiring Incentive Pilot Program for new hires into the Animal Shelter Veterinarian (FT) classification, effective June 12, 2022, for a period of up to two years.

(d) Approve creating an Animal Shelter Veterinarian Hiring Incentive

Pilot Program for new hires in the Division Manager classification overseeing the Veterinarian Program, effective June 12, 2022, for a period of up to two (2) years.
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
Resolution

2.10 22-826 **California Community Choice Association 2022-2023 Membership.**

Recommendation: Adopt a resolution authorizing the Director of the Community Energy Department to continue the City of San José's annual membership with the California Community Choice Association for fiscal year 2022-2023 at a cost not to exceed $600,000.
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. (Community Energy)

Attachments Memorandum
Resolution

2.11 22-827 **Set a Public Hearing on the Levy of the Proposed Japantown Business Improvement District Assessments.**

Recommendation: (a) Preliminarily approve the 2022-2023 Budget Report as filed by the Japantown Business Improvement District Advisory Board, or as modified by Council.
(b) Adopt a resolution of intention to:
(1) Levy the annual assessment for Fiscal Year 2022-2023; and
(2) Set Tuesday, June 21, 2022, at 1:30 p.m. as the date and time for the Public Hearing on the levy of the proposed assessments.
CEQA: Statutorily Exempt, File No. PP08-048, CEQA Guidelines Section 15061(b), Review for Exemption. Council District 3. (Economic Development and Cultural Affairs)

Attachments Memorandum
Resolution

2.12 22-828 **Annual Authorization for Workforce Innovation and Opportunity Act Program and Projects for 2022-2023.**

Recommendation: Adopt an annual resolution authorizing the City Manager or designee to negotiate and execute the following agreements relating to the Workforce Innovation and Opportunity Act (WIOA) Program and projects:

(a) All contracts, amendments, agreements, leases, subleases, and memorandums of understanding with contractors, consultants, vendors, and partners providing services to the WIOA Program and workforce programs funded by other sources, including, but not limited to, novations or assignments, case management contracts, and consultant contracts, for the period July 1, 2022, to June 30, 202,3 in accordance with procurement procedures and requirements mandated by the State and Federal governments for WIOA grant recipients and with established City procurement procedures and requirements, that have been reviewed and approved, as required, by the work2future Workforce Development Board (work2future Board), so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.

(b) All memorandums of understanding with Required and Additional One-Stop Partners for the period July 1, 2022 to June 30, 2026 in accordance with Section 121 of the WIOA, including, but not limited to memorandums of understanding with other workforce development boards, regional memorandums of understanding, partnership agreements, cost-sharing agreements, regional consultant agreements, and memorandums of understanding with cities and the unincorporated area of Santa Clara County whose residents receive services from the work2future One Stops, a partner of the America's Job Center of CaliforniaSM, so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses, if any, of the agreement.

(c) All amendments to City Council-approved agreements that have been reviewed and approved, as required, by the work2future Board so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.

(d) All grant applications, grant agreements, subgrant agreements, and any documents necessary to accept the grant for discretionary funding applied for and approved by the work2future Board, for multi-year periods so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.

(e) All Eligible Training Provider List, Youth Career Technical Training, Youth Workshops, Adult Workshops, and Adult Cohort agreements, and multiple-scope agreements that combine two or more of the above agreements that have been reviewed and approved, as required, by the work2future Board, for the period from July 1, 2022, to June 30, 2023, subject to annual appropriation of funds by the WDB.
(f) All agreements specified in sections (a) through (e) above with a term end date beyond the fiscal year in which the contract begins (an end date beyond June 30, 2023), so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.
(g) All agreements specified in sections (a) through (e) above that do not involve a disbursement of funds (no-fund agreement) with an end term beyond the fiscal year in which the agreement begins (beyond June 30, 2023).
CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism, or Fiscal Activity with no commitment to a project which may result in a potentially significant impact on the environment.
(Economic Development and Cultural Affairs)

Attachments Memorandum

2.13 22-858 **SCA 2 (Allen): Repeal of Article XXXIV.**

Recommendation: As recommended by the Rules and Open Government Committee on May 11, 2022, adopt a position of support for State Constitutional Amendment (SCA) 2 (Allen), which would repeal Article XXXIV of the State of California Constitution (Article 34) which requires a public referendum vote for any publicly-funded housing development with 49% or more restricted affordable units.
CEQA: Not a Project, File No. PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body.
(Housing)
[Rules Committee referral 5/11/2022 - Item B.8]

Attachments Memorandum

2.14 22-829 **Amendment to the Master Consultant Agreement with CDM Smith for Construction Management and Inspection Services.**

Recommendation: Approve the First Amendment to the 9438 - Master Consultant Agreement with CDM Smith, Inc. for construction management and inspection services to alter authorized travel expenses with no increase to the maximum total compensation.
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
TPAC Supplemental Memorandum, 5/26/2022
Agreement

2.15 22-851 **San José Hotel Business Improvement District Annual Report for Fiscal Year 2022-2023.**

Recommendation: Adopt a resolution:
(a) Approving the San José Hotel Business Improvement District Annual Report prepared by San José Hotels, Inc. for Fiscal Year 2022-2023, as filed or modified by Council; and
(b) Confirming the San José Hotel Business Improvement District assessments as proposed by San José Hotels, Inc. or as modified by Council.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Economic Development and Cultural Affairs)

Attachments Memorandum
Resolution

2.16 22-830 **Non-Profit Charitable Reuse Agreements.**

Recommendation: Approve charitable reuse agreements with Goodwill of Silicon Valley for $249,323; The Salvation Army for $88,109; and HOPE Services for $4,340, each with a term from July 1, 2022 through June 30, 2023. 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 - Goodwill
Agreement - HOPE Services
Agreement - Salvation Army

2.17 22-831 **Transformative Climate Communities Planning Grant Application.**

Recommendation: Adopt a resolution authorizing the Environmental Services Department, working with the Department of Transportation, to apply for and accept a Transformative Climate Communities Planning Grant for $300,000, or any other amount awarded, and delegating the authority to the City Manager, or designee, including Sarah Zarate to negotiate and execute all related documents if awarded.
CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application. Council Districts 3, 5, 7. (Environmental Services)

Attachments
Memorandum
Resolution

2.18 22-832 **Amendment to Purchase Orders for Fuel and Petroleum Products as Needed.**

Recommendation: Adopt a resolution authorizing the City Manager to:
(a) Amend open purchase order OP 60662 with Tom Lopes Distributing, Inc., dba Western States Oil Co, Inc. (San José, CA) for fuel and petroleum products as needed to:
(1) Retroactively approve the seven one-year options that extended the term to July 31, 2022;
(2) Increase compensation by $2,120,000 for a revised maximum compensation not-to-exceed $7,620,000 through the seventh option term ending July 31, 2022;
(3) Negotiate and execute a purchase order to extend services for up to two additional option terms for a total of nine options through July 31, 2024, subject to the appropriation of funds;
(b) Amend open purchase order OP 60659 with Bosco Oil, Inc., dba Valley Oil Company (Mountain View, CA) for fuel and petroleum products as needed to:
(1) Retroactively approve the seven one-year options that extended the term to July 31, 2022;
(2) Negotiate and execute a purchase order to extend services for up to two additional option terms for a total of nine options through July 31, 2024, subject to the appropriation of funds; and
(c) Approve a contingency of $380,000 for any unforeseen changes in the dynamic commodity market for fuel and petroleum products, 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

2.19 22-833 **Actions Related to the Second Street Studios Project Located at 1144 Second Street.**

Recommendation: Adopt a resolution:
(a) Approving an increase to the existing City Council-approved construction-permanent loan commitment to First Community Housing, a California non-profit public benefit corporation, for the Second Street Studios project located at 1144 South Second Street (Project) by $1,000,000 in low- and moderate-income housing asset funds from $19,158,673 to $20,158,673; and
(b) Authorizing the Director of Housing, or the Director of Housing's designee to negotiate and execute loan documents and all other documents regarding City construction and permanent financing for the project, including any amendments or modifications thereto;
(c) Adopt the following appropriation ordinance amendments in the low- and moderate-income housing asset fund:
(1) Decrease the housing project reserve by $1,000,000; and
(2) Increase the housing loans and grants appropriation to the Housing Department by $1,000,000.
CEQA: Categorically Exempt, File No. ER22-100, CEQA Guidelines Section 15301, Existing Facilities. Council District 3. (Housing/City Manager)

Attachments Memorandum
Resolution

2.20 22-834 **Actions Related to the 2021 Internet Crimes Against Children Award.**

Recommendation: (a) Adopt a resolution accepting the 2021 California Governor's Office of Emergency Services Internet Crimes Against Children Task Force Grant in the amount of $950,000; and authorizing the City Manager to execute the Grant Agreement and 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 2021-2022 Internet Crimes Against Children State Grant City-Wide Expenses appropriation to the Police Department in the amount of $357,171; and
(2) Increase the estimate for Revenue from State of California by $357,171.
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

2.21 22-835 **Amendment to the Agreement with the City of Milpitas for Animal Care and Services.**

Recommendation: Adopt a resolution authorizing the City Manager to execute a Second Amendment to the agreement for animal services between the City of Milpitas and the City of San José Animal Care and Services Division to extend the 2018 animal care services agreement from July 1, 2022 through June 30, 2023, with compensation of $510,000 for FY 2022-2023.
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
Agreement

2.22 22-836 **Willow Glen Community Benefit and Improvement District Annual Report for Fiscal Year 2022-2023.**

Recommendation: Adopt a resolution:
(a) Approving the Willow Glen Community Benefit and Improvement District Annual Report for Fiscal Year 2022-2023 as filed or modified by Council;
(b) Confirming the individual assessments as proposed, or as modified by Council; and
(c) Directing the Director of Public Works to deliver the assessment role to the County of Santa Clara for collection with the property taxes.
CEQA: Categorically Exempt, File No. PP18-060, CEQA Guidelines Section 15301, Existing Facilities. Council District 6. (Public Works)

Attachments Memorandum
Resolution

2.23 22-837 **Maintenance District Budget Reports for Fiscal Year 2022-2023.**

Recommendation: Adopt resolutions approving and confirming the Annual Budget Reports for Fiscal Year 2022-2023 for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21 and 22 and levying the assessments therein.
CEQA: Categorically Exempt, File No. PP18-060, CEQA Guidelines Section 15301, Existing Facilities. Council Districts 2, 3, 4, 8 and 10. (Public Works)

Attachments Memorandum
Resolution - MD 1
Resolution - MD 2
Resolution - MD 5A
Resolution - MD 8
Resolution - MD 9
Resolution - MD 11
Resolution - MD 13
Resolution - MD 15
Resolution - MD 18
Resolution - MD 19
Resolution - MD 20
Resolution - MD 21
Resolution - MD 22

2.24 22-838 **Actions Related to the Rule 20A and Rule 20B (In-Lieu Fee) Underground Utility Program.**

Recommendation: (a) Approve the proposed Fiscal Year 2021/22- 2026/27 Workplan for the Rule 20A and Rule 20B (In-Lieu Fee) Underground Utility Program.
(b) Approve the Fiscal Year 2020-2021 Rule 20B (In-Lieu Fee) Undergrounding Master 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. (Public Works)

Attachments Memorandum

2.25 22-839 **Transportation Development Act, Article 3 (TDA3) State Grant for Bicycle and Pedestrian Projects.**

Recommendation: Adopt a resolution:
(a) Authorizing the City Manager or designee to submit a request to the Metropolitan Transportation Commission (MTC) for the allocation of Fiscal Year 2022-2023 Transportation Development Act, Article 3 (TDA3) State grant funding in the amount of $1,410,036 for bicycle and pedestrian projects;
(b) Making the certifications and assurances required under the TDA3 grant; and
(c) Authorizing the City Manager or designee to accept TDA3 grant funding awarded from MTC, and to negotiate and execute any grant documents to effectuate the grant.
CEQA: Categorically Exempt, File No. PP18-029, CEQA Guidelines Section 15301, Existing Facilities. (Transportation)

Attachments Memorandum
Resolution

2.26 22-840 **Amendment to the Cooperative Agreement with the Santa Clara Valley Transportation Authority for the US 101/Blossom Hill Road Interchange Improvement Project.**

Recommendation: Adopt a resolution authorizing the City Manager or designee to negotiate and execute an amendment to the Cooperative Agreement between the City of San José and the Santa Clara Valley Transportation Authority to expand the scope of services to include the construction of the Odette Morrow Spur Trail extension as part of the US 101/Blossom Hill Road Interchange Improvement Project and for the City to contribute the amount of $55,000.
CEQA: Categorically Exempt, File No. ER19-077, CEQA Guideline Section 15301 Existing Facilities. Council District 2. (Transportation)

Attachments Memorandum

2.27 22-841 **Amendment to the Lease Agreement with BP Almaden Associates LLC for the Almaden/Woz Parking Lot.**

Recommendation: Adopt a resolution authorizing the City Manager or designee to negotiate and execute a Fifteenth Amendment to the Lease Agreement with BP Almaden Associates LLC (Landlord) for the lease of the Almaden/Woz parking lot to extend the term, reduce the lease rate, and allow Landlord access to a portion of the lot.
CEQA: Not a Project, File No. PP17-003, Agreements and Contracts (New or Amended) that will result in no physical changes to the environment. Council District 3. (Transportation)

Attachments Memorandum

2.28 22-842 **Amendment to the Consultant Agreement with Arup North America Limited for Development of a Citywide Access and Mobility Plan.**

Recommendation: Approve the retroactive Second Amendment to the Consultant Agreement with Arup North America Limited (ARUP) for development of a citywide Move San José Plan (formerly Access and Mobility Plan); increase the compensation amount for the completion of certain tasks; and increase the maximum total compensation by $104,091 from $1,684,000 to $1,788,091.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Transportation)

Attachments Memorandum
Agreement

2.29 22-873 **Approval of Various Events Sponsored by Council District 2 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event.**

Recommendation: As recommended by the Rules and Open Government Committee on May 25, 2022:
(a) Approve the Coronado Avenue Activation Series scheduled from April 30, 2022 through June 25, 2022 as City Council sponsored Special Events and approve the expenditure of funds for the series:
(1) April 30, 2022, Culture Night Market, retroactive approval;
(2) May 14, 2022, Culture Night Market, retroactive approval;
(3) May 27, 2022, Movie Night;
(4) May 28, 2022, Culture Night Market;
(5) June 4, 2022, Culture Night Market;
(6) June 10, 2022, Movie Night; and
(7) June 25, 2022, Culture Night Market.
(b) Approve the expenditure of District 2 office budget funds to purchase gift cards and other prizes not to exceed $50 for a free raffle; and
(c) Approve and accept donations from various individuals, businesses, or community groups to support the event.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Jimenez)
[Rules Committee referral 5/25/2022 - Item B.2]

Attachments Memorandum

2.30 22-876 **Retroactive Approval of James Lick Resource Fair 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 May 25, 2022:
(a) Retroactively approve the James Lick Resource Fair scheduled on April 13, 2022 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 5/25/2022 - Item B.3]

Attachments Memorandum

2.31 22-880 **Approval of Meadowfair Neighborhood Cleanup 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 May 25, 2022:
(a) Approve the Meadowfair Neighborhood Cleanup scheduled on June 11, 2022 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 5/25/2022 - Item B.4]

Attachments Memorandum

2.32 22-933 **Request for Travel Authorization for Mayor Liccardo.**

Recommendation: Authorize travel, accept travel payments to the City of San José, and designate Mayor Liccardo as the City representative to Doha, Qatar to participate in a mayoral delegation organized and funded by the State of Qatar from June 9 - 14, 2022.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Liccardo)
[Rules Committee referral 6/1/2022 - Item A.1.a]

Attachments Memorandum

2.33 22-921 **Approval of Seventh Annual Fourth of July Fireworks Festival Sponsored by Council District 10 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event and Approval of District 10 Abierto Funds Grant for Almaden Valley Women's Club as Non-Profit Partner in this Event.**

Recommendation: As recommended by the Rules and Open Government Committee on June 1, 2022:
(a) Approve the Seventh Annual Fourth of July Fireworks Festival scheduled on July 4, 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; and
(c) Approve the grant of D10 Abierto Funds in the amount of $44,000 to the Almaden Valley Women's Club to support this event.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Mahan)
[Rules Committee referral 6/1/2022 - Item B.2]

Attachments Memorandum

2.34 22-925 **Retroactive Approval of Mother's Day Celebration 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 June 1, 2022:
(a) Retroactively approve the Mother's Day Celebration scheduled on May 11, 2022 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 6/1/2022 - Item B.3]

Attachments Memorandum

2.35 22-932 **Retroactive Approval of Leadership Event 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 June 1, 2022:
(a) Retroactively approve the Leadership Event scheduled on May 6, 2022 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 6/1/2022 - Item B.4]

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 22-843 **Board of Fair Campaign and Political Practices Interview.**

Recommendation: (a) Interview applicant for appointment to the Board of Fair Campaign and Political Practices.
(b) Appoint one (1) applicant to a term ending March 1, 2023.
PLEASE NOTE: APPROVAL OF THIS ITEM REQUIRES AFFIRMATIVE VOTES OF EIGHT MEMBERS (2/3) OF THE CITY COUNCIL. San José Municipal Code Section 2.08.1610.
(c) If any vacancies remain, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration.
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
Conflicts of Interest Memorandum
Application

3.4 22-870 **Infant Formula (City Roadmap Third Quarter 2021-2022 Update).**

Recommendation: Accept the report relating to direction to coordinate with the County of Santa Clara on the City's desire to have the County:
(a) Report on the availability of infant formula in San José;
(b) Establish a regional State of Emergency to include the infant formula shortage, similar to New York City's State of Emergency, and report back to Council on any legal challenges to implementation; and
(c) Request the County's Consumer Protection Agency to establish a Family Friendly Formula Pledge with local retailers, grocery stores, and businesses to commit to the Manufacturer Suggested Retail Price (MSRP) of infant formula and the prevention of price gouging.
CEQA: Not a Project, File No. PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body. (City Clerk)
[Referred from 5/24/2022 - Item 3.3 (22-757)]

Attachments
Memorandum
Memorandum from Arenas, 5/23/2022
Presentation - est. 20 minutes
Letters from the Public

3.5 22-844 **Proposed Ballot Measure on City Charter Amendment for the November 8, 2022 General Election.**

Recommendation: (a) Consider options, including the equity framework as shown in the two resolutions presented, for a proposed ballot measure for the November 8, 2022 statewide general election to amend the San José City Charter to make the board governing municipal ethics and campaigns a Charter-level commission; allow residents who are not electors and/or citizens to serve on the Planning, Civil Service, and Salary Setting Commissions; update Charter language to be gender neutral; and require the City Council to adopt equity values, standards, and assessment processes.
(b) Consider the Administration's update on outreach regarding adding a Native Land Acknowledgment recognizing San José's indigenous ancestors to the proposed Charter amendments.
(c) Adopt a resolution of the City Council:
(1) Calling and giving notice, on its own motion, for a Special Municipal Election to be consolidated with the statewide general election on November 8, 2022, to submit to the electors of the City of San José the following measure:
"Shall the City Charter be amended to add the City's ethics and elections commission (Board of Fair Campaign and Political Practices) to the Charter; remove requirements that members of the Planning, Civil Service, and Salary Setting Commissions be electors and/or citizens; remove gender-specific language; and require the City Council to adopt equity values, standards, and assessments in making certain decisions?"
(2) Directing the City Clerk, pursuant to California Elections Code section 12111, to cause a synopsis of the proposed measure to be published at least one time not later than one week before the election in the Mercury News, a newspaper of general circulation within the city of San José, instead of printing the full text of the measure in the Sample Ballot;
(3) Authorizing the City Council or any member or members of the City Council to submit a ballot argument in favor of the measure, pursuant to California Elections Code section 9282;
(4) Authorizing the submittal of rebuttal arguments pursuant to California Elections Code section 9285;
(5) Directing the City Attorney to prepare an impartial analysis of the measure pursuant to California Elections Code section 9280; and
(6) Directing the City Clerk to take all other actions necessary to place this measure on the November 8, 2022 ballot.
CEQA: Not a Project, File No. PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body. (City

Manager)

Attachments

Memorandum
Supplemental Memorandum, 6/3/2022
Supplemental Memorandum, 5/24/2022
Memorandum from Jimenez, Cohen & Foley, 6/2/2022
Exhibit A - Option 1
Exhibit A - Option 2
Resolution
Presentation
Letters from the Public

3.6 22-845 **Renewal of Downtown San José Property-Based Business Improvement District. - TO BE HEARD AFTER ITEM 9.1**

Recommendation:

(a) Conduct a public hearing for the expansion and renewal of a Property-Based Improvement District (PBID) in Downtown San José and authorize the City Clerk to tabulate the ballots.
(b) Adopt a resolution by the City Council, as the property owner of parcels within the proposed PBID, authorizing the execution of a ballot in favor of the expansion and renewal of the Downtown San José PBID and the imposition of an assessment in the amount of $748,264 with annual increases of up to 5% for all parcels and up to an additional 5% on Commercial and Enterprise Government parcels over the next nine years.
(c) Direct the City Clerk to report the results of the tabulation of ballots.
(d) In the event that the PBID is approved by a majority of weighted assessments of property owners, adopt a resolution by the City Council:
(1) Approving the PBID Management Plan and Engineer's Report;
(2) Approving and imposing the respective assessments; and
(3) Directing the Director of Public Works to deliver the assessment role to the County of Santa Clara for collection with the property taxes.
CEQA: Not a Project, PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment and 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 Districts 3 and 6. (Public Works/Transportation)
TO BE HEARD AFTER ITEM 9.1

Attachments

Memorandum
Supplemental Memorandum, 6/8/2022
(b) Resolution
(d) Resolution
Letters from the Public

3.7 22-861 **Protecting Reproductive Rights in the City of San José.**

Recommendation: As recommended by the Rules and Open Government Committee on May 18, 2022:
(a) Discuss creating public safety protections for women seeking abortion procedures, anyone assisting the individual seeking an abortion, as well as protection for providers of abortion services.
(b) Direct the City Attorney's office to research and recommend the best legal protection that our city can provide beyond a ceremonial sanctuary city status, as well as potential land use protections for providers of abortion services, and return to council with (a) recommendation(s).
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.
(Davis, Carrasco, Esparza, Arenas, and Foley)
[Rules Committee referral 5/18/2022 - Item C.1]

Attachments Memorandum
Memorandum from CAO, 6/2/2022
Letters from the Public

4. PUBLIC SAFETY SERVICES

4.1 22-868 **Military Equipment Use Policy for the Police Department. - DEFERRED TO 6/21/2022 PER ADMINISTRATION**

Recommendation: Approve a military equipment use policy, including an inventory, and two additional requested military equipment items, and an ordinance adding Section 2.04.4030 to Chapter 2.04 of Title 2 of the San José Municipal Code titled "Military Equipment Use Policy" to comply with California Assembly Bill 481 governing the funding, acquisition, and use of military equipment by law enforcement agencies.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Police)
DEFERRED TO 6/21/2022 PER ADMINISTRATION

5. TRANSPORTATION & AVIATION SERVICES

5.1 22-846 **City Roadmap - Pavement, Fire, EOC, Transit Capital Improvements: 2022 Local Streets Resurfacing #2 Project.**

Recommendation: (a) Approve award of a construction contract for the 2022 Local Streets Resurfacing #2 Project, to the lowest bidder, MCK Services Inc., in the amount of $11,197,870.
(b) Approve an approximate 10% contingency in the amount of $1,119,000.
CEQA: Categorically Exempt, File No. PP18-029, CEQA Guidelines Section 15301(c), Existing Facilities. Council Districts 1, 3, and 6. (Transportation)

Attachments Memorandum

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 22-847 **Report on Bids and Award of Contract for 9670 - Alviso Main Replacement Project.**

Recommendation: Report on bids and award of contract for 9670 - Alviso Main Replacement Project to the lowest responsive bidder, Cratus, Inc., in the amount of $3,467,700 and approval of a contingency in the amount of $346,770.
CEQA: Exempt, File No. PP17-050, CEQA Guidelines Section 15301, Existing Facilities; Section 15302 Replacement or Reconstruction. Council District 4. (Environmental Services/Public Works)

Attachments Memorandum

6.2 22-848 **Sewer Service and Use Charge and Storm Sewer Service Charge Rates.**

Recommendation: (a) Hold a Public Hearing on the City of San José's 2022-2023 Sewer Service and Use Charge rates.
(b) Adopt a resolution increasing the Sewer Service and Use Charge rates for all customers to the rates identified in Attachment A to the staff memorandum, effective July 1, 2022, resulting in an overall fund increase of approximately nine percent.
(c) Adopt a resolution maintaining the Storm Sewer Service Charge rates at 2021-2022 levels as identified in Attachment B to the staff memorandum, effective July 1, 2022.
CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges, Adjustment to Fees, Rates and Fares without changes to or expansion of services.
(Environmental Services)

Attachments
Memorandum
Supplemental Memorandum, 6/2/2022
(b) Resolution
(c) Resolution

6.3 22-849 **Public Hearing on Residential Garbage and Recycling Rates for Single Family and Multi-Family Residential Solid Waste Services.**

Recommendation: (a) Hold a Public Hearing on the proposed 2022-2023 Residential Garbage and Recycling rates and charges.
(b) Adopt a resolution effective July 1, 2022 to:
(1) Increase residential solid waste service rates for single-family households up to eight percent; and
(2) Increase residential solid waste service rates for multi-family households up to four percent.
CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges, Adjustment to Fees, Rates and Fares without changes to or expansion of services.
(Environmental Services)

Attachments
Memorandum
Supplemental Memorandum, 6/2/2022
Resolution
Letters from the Public

6.4 22-850 **Public Hearings on San José Municipal Water System Potable and Recycled Water Rates and Charges for 2022-2023.**

Recommendation: (a) Hold Public Hearings on San José Municipal Water System 2022-2023 potable (drinking) and recycled water rates and charges on increases up to the amount in the hearing notices.
(b) Adopt a resolution increasing San José Municipal Water System potable (drinking) water rates and charges in Attachment A to the staff memorandum, effective July 1, 2022, to the amount in the public notices.
(c) Adopt a resolution increasing San José Municipal Water System recycled water rates and charges in Attachment A to the staff memorandum, effective July 1, 2022, to the amount in the public notice.
CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges, Adjustment to Fees, Rates and Fares without changes to or expansion of services. Council Districts 2, 4, 7, and 8. (Environmental Services)

Attachments
Memorandum
Supplemental Memorandum, 6/2/2022
(b) Resolution
(c) Resolution

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

9. REDEVELOPMENT – SUCCESSOR AGENCY

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

9.1 22-852 **Successor Agency Board to the San José Redevelopment Agency July 1, 2022 - June 30, 2023 Administrative Budget and Annual Recognized Obligation Payment Schedule 2022-2023. - TO BE HEARD AFTER ITEM 10.1**

Recommendation: Successor Agency Board to the San José Redevelopment Agency adopt resolutions approving:
(a) The Administrative Budget for July 1, 2022 through June 30, 2023; and
(b) The Recognized Obligation Payment Schedule 2022-23 (ROPS 22-23) and authorizing payment of expenditures for items on ROPS 22-23, which details the obligations of the Successor Agency for the period of July 1, 2022 through June 30, 2023.
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. (Finance)
TO BE HEARD AFTER ITEM 10.1

Attachments Memorandum
(a) Resolution
(b) Resolution

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

10. LAND USE

Notice to the public: There will be no separate discussion of Land Use Consent Calendar (Item 10.1) as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council 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 - TO BE HEARD IMMEDIATELY AFTER CONSENT

(a) 22-853 **C22-016, C22-017, C22-018, C22-019, C22-020, C22-021, C22-024 - City Initiated Conforming Rezoning of 105 Certain Real Properties at Various Locations in District 5. - TO BE HEARD IMMEDIATELY AFTER CONSENT**

Recommendation: Approve an ordinance of the City of San José rezoning 34 properties from the CG Commercial General Zoning District to the UV Urban Village Zoning District, one property from the CN Commercial Neighborhood Zoning District to the UV Urban Village Zoning District, two properties from the LI Light Industrial Zoning District to the UV Urban Village Zoning District, three properties from the R-1-8 Single-Family Residential Zoning District to the UV Urban Village Zoning District, two properties from the R-2 Two-Family Residential Zoning District to the UV Urban Village Zoning District, 12 properties from the R-M Multiple Residence Zoning District to the UR Urban Residential Zoning District, one property from the CN Commercial Neighborhood Zoning District to the R-1-8 Single-Family Residential Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the R-1-8 Single-Family Residential Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the PQP Public/Quasi-Public Zoning District, three properties from the CP Commercial Pedestrian Zoning District to the PQP Public/Quasi-Public Zoning District, six properties from the R-1-8 Single-Family Residential Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the A(PD) Planned Development Zoning District to the OS Open Space Zoning District, one property from the CG Commercial General District Zoning District to the OS Open Space Zoning District, three properties from the CN Commercial Neighborhood Zoning District to the OS Open Space Zoning District, four properties from the R-1-8 Single-Family Residential Zoning District to the OS Open Space Zoning District, eight properties from the R-1-8 Single-Family Residential Zoning District to the CP Commercial Pedestrian Zoning District, five properties from the R-2 Two-Family Residential Zoning District to the CP Commercial Pedestrian Zoning District, one property from the A(PD) Planned Development Zoning District to the CN Commercial Neighborhood Zoning District, ten properties from the split zoned CG Commercial General and R-2 Two-Family Residential Zoning Districts to the UV Urban Village Zoning District, one property from the split zoned CO Commercial Office, CP Commercial Pedestrian, R-1-8 Single-Family Residential, R-2 Two-Family Residential, and R-M Multiple Residence Zoning Districts to the OS Open Space Zoning District, and three properties from the split zoned CG Commercial General and R-2 Two-Family Residential Zoning Districts to the CP Commercial Pedestrian Zoning District, on those certain real properties located throughout the Alum Rock Avenue and Story Road planned growth

areas.
CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. Council District 5. (Planning, Building and Code Enforcement) TO BE HEARD IMMEDIATELY AFTER CONSENT

Attachments Memorandum
Ordinance

(b) 22-854 **C22-025, C22-026, C22-027, C22-028 - City Initiated Conforming Rezoning of 298 Certain Real Properties at Various Locations in District 1. - TO BE HEARD IMMEDIATELY AFTER CONSENT**

Recommendation: Approve an ordinance rezoning 113 properties from R-M Multifamily Residence Zoning District to MUN Mixed Use Neighborhood Zoning District, 102 properties from R-M Multifamily Residential Zoning District to UR Urban Residential Zoning District, 59 properties from R-2 Two-Family Residence Zoning District to MUN Mixed Use Neighborhood Zoning District, 13 properties from R-1-8 Single Family Residence Zoning District to PQP Public/Quasi-Public Zoning District, two properties from R-1-8 Single Family Residence Zoning District to MUN Mixed Use Neighborhood Zoning District, two properties from R-M Multifamily Residence Zoning District to PQP Public/Quasi-Public Zoning District, two properties from CP Commercial Pedestrian Zoning District to R-1-8 Single Family Residence Zoning District, two properties from CO Commercial Office Zoning District to PQP Public/Quasi-Public Zoning District, one property from CP Commercial Pedestrian Zoning District to PQP Public/Quasi-Public Zoning District, one property from R-1-5 Single Family Residence Zoning District to PQP Public/Quasi-Public Zoning District, and one property from R-2 Two Family Residence Zoning District to PQP Public/Quasi-Public Zoning District, on those certain real properties located in various locations in Council District 1.
CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. Council District 1. (Planning, Building and Code Enforcement) TO BE HEARD IMMEDIATELY AFTER CONSENT

Attachments Memorandum
Ordinance

(c) 22-855 **C22-002 & SP21-043 - City Initiated Conforming Rezoning and Special Use Permit for the Property Located at 1333 Meridian Avenue. - TO BE HEARD IMMEDIATELY AFTER CONSENT**

Recommendation: (1) Approve an ordinance rezoning an approximately 1.35 gross acre site located on the southwest side of the intersection of Meridian Avenue and Camino Monde (1333 Meridian Avenue) from the CO Commercial Office Zoning District to the CP Commercial Pedestrian Zoning District.
(2) Adopt a resolution approving, subject to conditions, a Special Use Permit to allow the addition of a 300-square foot mobile clinic vehicle to be stationed and operated within the rear parking area of an existing medical office building on an approximately 1.35 gross acre site located on the southwest side of the intersection of Meridian Avenue and Camino Monde (1333 Meridian Avenue).
CEQA: Categorical Exemption per Section 15301(e) Existing Facilities including Additions to Structures that have negligible or no expansion of use. Council District 6. (Planning, Building and Code Enforcement)
TO BE HEARD IMMEDIATELY AFTER CONSENT

Attachments
Memorandum
Ordinance
Resolution
Letters from the Public

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

This meeting is adjourned in memory of Thang Do who passed away on May 8, 2022 at the age of 62. It is an honor to recognize Thang for his remarkable story as a refugee who fled from Vietnam in 1975. He built an incredible life in the South Bay and left many contributions to our community including being a co-founding member of the Progressive Vietnamese American Organization (PIVOT) and for his outstanding accomplishment of being the lead architect in the first-of-its-kind Vietnamese American Service Center on Tully Road, a project he called a milestone of his career.

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.