



# **CITY COUNCIL MEETING**

## **Amended Agenda**

**Tuesday, March 26, 2024**  
**1:30 PM**

**LOCATION:**  
**Council Chambers - 200 E. Santa Clara Street**

Interpretation is available in Spanish and Vietnamese. In your webinar controls, select “Interpretation.” Click the language you would like to hear. (Zoom only)

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

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

**Public Comment in Person Only**

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MATT MAHAN, MAYOR  
ROSEMARY KAMEI, VICE MAYOR, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
OMAR TORRES, DISTRICT 3  
DAVID COHEN, DISTRICT 4  
PETER ORTIZ, DISTRICT 5  
DEV DAVIS, DISTRICT 6  
BIEN DOAN, DISTRICT 7  
DOMINGO CANDELAS, DISTRICT 8  
PAM FOLEY, DISTRICT 9  
ARJUN BATRA, DISTRICT 10

*Please scroll to the end for information about the City Council Agenda and for the Rules of Conduct of the meeting.*

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- Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico [ADA@sanjoseca.gov](mailto:ADA@sanjoseca.gov); Llame (408) 535-8430
- Nhu cầu cho người khuyết tật được cung cấp theo yêu cầu. Email [ADA@sanjoseca.gov](mailto:ADA@sanjoseca.gov); Gọi (408) 535-8430
- 應要求提供殘疾人便利設施. 電子郵件 [ADA@sanjoseca.gov](mailto:ADA@sanjoseca.gov); 致電 (408) 535-8430

### **THE LEVINE ACT**

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$250 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. Please visit <https://sanjoseca.gov/your-government/appointees/city-clerk/levine-act> for updated forms and information.

#### **How to observe the Meeting (no public comment):**

- 1) Cable Channel 26.
- 2) <https://sanjoseca.gov/news-stories/watch-a-meeting>.
- 3) <https://youtube.com/CityofSanJoseCalifornia>
- 4) By Phone: (888) 475 4499. Webinar ID is 94558095100. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).
- 5) Online at: <https://sanjoseca.zoom.us/j/94558095100>  
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.

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

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 provide spoken Public Comment during the City Council Meeting:**

*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. 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.*

*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)*

Fill out a Yellow Speaker's Card and submit it to boxes at the bottom of the Chambers. 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. You may remain anonymous, but please fill out a card so we may call you. You can put "anonymous speaker" or "no name" on the card. 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. 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.

## • Call to Order and Roll Call

9:30 a.m. - Closed Session, Call to Order in Council Chambers  
Open Session, Labor Negotiations Update (See Item 3.2)  
Adjourn to Closed Session in Council Chambers Conference Room, W133  
See Separate Agenda  
1:30 p.m. - Regular Session, Council Chambers, City Hall  
6:00 p.m. - Evening Session, Council Chambers, City Hall – Cancelled  
\*The previously scheduled Evening Session has been cancelled.

## • Pledge of Allegiance

## • Invocation (District 3)

Opera San José

## • 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 will be adjourned in memory of Edward Lee Chirco, who passed away on February 20, 2024. Mr. Chirco was a cherished member of the Cambrian community who gave selflessly and passionately and positively impacted many lives throughout his decade years of service to the community.

## • Closed Session Report

To be heard after Ceremonial Items

## 1. **CEREMONIAL ITEMS**

1.1 Presentation of a proclamation declaring March 31, 2023 as Cesar Chavez Day to celebrate the birth and legacy of the civil rights and labor movement activist who started the movement for equal rights and fair treatment of workers, especially farmworkers, in the City of San José. (Ortiz)

1.2 Presentation of a Commendation to Marguerite Lee for her dedication to environmental stewardship and community empowerment through her work on the Guadalupe River Park Conservancy and as co-founder of A Slice of New York. (Davis)

1.3 Presentation of a proclamation declaring April 2024 as Earth Month to reaffirm San José's commitment to protect the environment and to ensure a healthy and prosperous future for all. (Foley and Cohen)

## 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.**

**Recommendation:**

(a) Regular City Council Meeting Minutes of January 11, 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.

### 2.2 **Final Adoption of Ordinances.**

### 2.3 **Approval of Council Committee Minutes.**

**Recommendation:**

(a) Regular Community and Economic Development Committee Minutes of February 26, 2024.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

### 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 **City Manager's Travel to Los Angeles, California.**

**Recommendation:**

Authorize travel for City Manager Jennifer Maguire to Los Angeles, California on April 23 - 26, 2024, to participate in the San José Chamber of Commerce Annual Study Mission.

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

**2.8 Termination of the Proclamation of the Existence of a Local Emergency Due to Storms.**

**Recommendation:**

Adopt a resolution terminating the Director of Emergency Services' February 3, 2024, Proclamation of the Existence of a Local Emergency for the public safety threat of high water flows and flooding due to the extreme storms in January and February, 2024.

CEQA: Statutory Exempt, Section 15269(c), Emergency Projects undertaken for specific actions necessary to prevent or mitigate an emergency. (City Manager)

**2.9 State Cannabis Equity Grant Award.**

**Recommendation:**

(a) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a grant agreement with the State of California Governor's Office of Business and Economic Development to receive \$1,026,820 from the Cannabis Equity Grants for Local Jurisdictions, including any extensions or amendments thereof and any subsequent grant agreement with the Governor's Office of Business and Economic Development in relation thereto, to implement a new phase of the City's Cannabis Equity Program from April 1, 2024 through April 1, 2026.

(b) Adopt the following 2023-2024 Funding Sources Resolution and Appropriation Ordinance amendments in the General Fund:

(1) Increase the estimate for Revenue from the State of California by \$256,705; and

(2) Increase the Cannabis Equity Assistance Program City-Wide Expenses appropriation to the Office of Economic Development and Cultural Affairs by \$256,705.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Economic Development and Cultural Affairs/City Manager)

**2.10 California Energy Commission Grant Application for Government Fleet Charging Infrastructure.**

**Recommendation:**

Adopt a resolution authorizing the City Manager, or her designee, to file an application with the California Energy Commission for its Charging Infrastructure for Government Fleets grant; and if awarded, negotiate and execute a grant agreement and related documents for up to \$6,000,000 from the California Energy Commission and up to \$3,000,000 in City matching funds for a total project cost of up to \$9,000,000 to install 100 electric vehicle charging ports for the City of San José fleet, commencing upon the date of the California Energy Commission's approval of award and the parties' mutual execution of the approved agreement, with all work to be scheduled for completion by no later than June 30, 2028.

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. (Energy/Public Works)

**2.11 California Energy Commission Grant Application for Flexible Residential Transportation Electrification Connections for a Vehicle-to-Home Bi-directional Charging Pilot.**

**Recommendation:**

Adopt a resolution authorizing the City Manager, or her designee, to file an application with the California Energy Commission for its Grid-Supportive Transportation Electrification grant; and if awarded, negotiate and execute a grant agreement and related documents for up to \$2,500,000 from the California Energy Commission and up to \$625,000 in City matching funds for a total pilot program cost of up to \$3,125,000 to install 100 bi-directional residential electric vehicle chargers and pilot their use over a three year period, commencing upon the date of the California Energy Commission's approval of award and the parties' mutual execution of the approved agreement, with the pilot to end by no later than December 31, 2027.

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; and File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Energy)

**2.12 Actions Related to a Purchase Order with Six Degrees, Inc. for Check Point Equipment, Software, Support, Maintenance, and Related Services.**

**Recommendation:**

Adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute a purchase order with Six Degrees, Inc. (dba Six Degrees Consulting, Evanston, Illinois) for Check Point equipment, software, support, maintenance, and related services for a maximum compensation of \$457,101 for the initial term, beginning on or about March 25, 2024 and ending March 25, 2025, or as otherwise adjusted to align with the software subscription renewal term;
- (b) Negotiate and execute amendments as required for any unanticipated changes to the purchase orders with Six Degrees, Inc. (dba Six Degrees Consulting) not to exceed a total amount of \$594,231, subject to the appropriation of funds; and
- (c) Exercise up to six additional one-year options to extend the term through March 25, 2031, or as may be adjusted to align with the software subscription renewal term, 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)

**2.13 Actions Related to the Regional Memorandum of Understanding to Apply for the Homeless Housing, Assistance, and Prevention 5 Program Application.**

**Recommendation:**

Adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate, execute, amend, and terminate the required Regional Memorandum of Understanding committing each signatory to participate in, and to comply with, the Regionally Coordinated Homelessness Action Plan as part of the State of California's Homeless Housing, Assistance, and Prevention 5 program; and
- (b) Apply to the State of California's Homeless Housing, Assistance, and Prevention 5 program as a region for a one-time award in the amount of \$28,866,312.

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

**2.14      Amendment to the Master Consultant Agreement with LPA, Inc., for Architectural, Landscape Architectural, Environmental, Planning, and Engineering Services.**

**Recommendation:**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute an amendment to the Master Consultant Agreement with LPA, Inc., that extends the contract termination date from April 30, 2024 to April 30, 2026, to complete active and funded projects at no additional cost to City.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. Council District 3. (Parks, Recreation, and Neighborhood Services)

**2.15      Envision San José 2040 General Plan 2023 Annual Performance Review Report.**

**Recommendation:**

Accept the Envision San José 2040 General Plan 2023 Annual Performance Review report.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Planning, Building and Code Enforcement)

**2.16      Action Related to the 8721 – FEMA San José Family Camp Project.**

**Recommendation:**

(a) Adopt a resolution adopting the 8721- FEMA San José Family Camp Project Initial Study/Mitigated Negative Declaration (PP19-050) and related Mitigation Monitoring and Reporting Program, for which an Initial Study was prepared, in compliance with the California Environmental Quality Act.

(b) Approve the design for the 8721- FEMA San José Family Camp Project.

(c) Adopt a resolution authorizing the City Manager and or her designee to:

(1) Negotiate and execute a third amendment to the standard consultant agreement with Haley & Aldrich, Inc. (formerly Cal Engineering & Geology, Inc.) for the 8721-FEMA-San José Family Camp Project, increasing the amount of compensation by \$306,778, for a total amount not to exceed \$1,000,000, and extending the term of the agreement from December 31, 2024, to December 31, 2027; and

(2) Negotiate and execute future amendments to the standard consultant agreement with Haley & Aldrich, Inc. as needed to ensure the timely construction and completion of the project for maximum total compensation up to \$1.25 million and for term extensions up to December 31, 2029, subject to appropriation of funds.

CEQA: Initial Study/Mitigated Negative Declaration (IS/MND) for San José Family Camp Storm Damage Repair Project (PP19-050). (Public Works/Parks, Recreation and Neighborhood Services)

**2.17 Citywide Project Labor Agreement.****Recommendation:**

Approve Amendment Number 1 to the First Amended and Restated Citywide Project Labor Agreement to extend the term for a period of five years through March 28, 2029, and to provide for additional five year extensions to the agreement, subject to any potential future amendments that the parties may agree to at any time prior to the expiration of each five-year extension term.

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

**2.18 Status Report on the November 2018 Ballot Measure T – The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond.****Recommendation:**

Accept the status report on the work plan and implementation updates for projects included in the approved 2018 Measure T – The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond.

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)

**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 Status of Open Audit Recommendations.****Recommendation:**

Accept the status of the Open Audit recommendations as of December 31, 2023.

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 Auditor)

**4. PUBLIC SAFETY****5. TRANSPORTATION & AVIATION SERVICES****6. ENVIRONMENTAL & UTILITY SERVICES**



## **6.1 Actions Related to the Application for United States Environmental Protection Agency Climate Pollution Reduction Grants Programs.**

### **Recommendation:**

(a) Adopt a resolution authorizing the City Manager or her designee to:

(1) Execute a Letter of Intent to the City of Sunnyvale, as coalition lead agency applicant, stating the City of San José's intent to execute a Memorandum of Agreement, as a coalition partner, with the City of Sunnyvale and other coalition partners necessary to apply for and secure grant funds in an amount estimated to be a minimum of \$2 million from the United States Environmental Protection Agency's Climate Pollution Reduction Grants program; and

(2) Negotiate and execute a Memorandum of Agreement on behalf of the City of San José, as a coalition partner, with the City of Sunnyvale and other coalition partners, for the purpose of securing grant funds in an amount estimated to be a minimum of \$2 million from the United States Environmental Protection Agency's Climate Pollution Reduction Grants program.

(b) Adopt a resolution authorizing the City Manager or her designee to:

(1) Apply as a Coalition Partner Agency for funds from the United States Environmental Protection Agency's Climate Pollution Reduction Grants program in the amount estimated to be a minimum of \$14 million;

(2) Execute a Letter of Intent stating the City of San José's intent to execute a Memorandum of Agreement to apply for and secure grant funds from the United States Environmental Protection Agency's Climate Pollution Reduction Grants program for an amount estimated to be a minimum of \$14 million for microgrid systems at six critical facilities;

(3) Negotiate and execute a Memorandum of Agreement as a Partner Agency for the purpose of securing grant funds from the United States Environmental Protection Agency's Climate Pollution Reduction Grants program; and

(4) Negotiate and execute any documents necessary to accept and effectuate the grants. CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into agreement at the time of application and File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Environmental Services/Energy/Public Works)

## **7. NEIGHBORHOOD SERVICES**

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

### **8.1 Shenzhen, China Sister City Affiliation. – DROP**

#### **Recommendation:**

Adopt a resolution to:

(a) Establish a Sister City Affiliation with the Shenzhen, China Municipal Government; and

(b) Authorize the Mayor to negotiate and execute the Sister City agreement with the Shenzhen, China Municipal Government that will identify possible economic and cultural areas of collaboration for the Sister City affiliation.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative activities resulting in no changes to the physical environment. (Economic Development and Cultural Affairs)

[Rules Committee referral 2/21/2024 - Item C.2]

[Deferred from 3/5/2024 – Item 3.7]

**DROP**

**8.2 Anti-Displacement Tenant Preference and Neighborhood Tenant Preference for Affordable Housing Draft Programs Status Report. – TO BE HEARD AT 3:00 P.M.**

**Recommendation:**

As recommended by the Community and Economic Development Committee on February 26, 2024:

(a) Accept the Anti-Displacement Tenant Preference and Neighborhood Tenant Preference for Affordable Housing Programs Status Report; and

(b) Adopt a resolution establishing an Anti-Displacement Tenant Preference program in City restricted affordable housing properties for lower-income applicants of affordable housing at risk of displacement living in high-displacement census tracts and in their neighborhood City Council Districts.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Housing)

[Community and Economic Development Committee referral 2/26/2024 – Item (d)2]

**TO BE HEARD AT 3:00 P.M.**

**8.3 Actions Related to Loan Commitments and Land Purchases for Kooser Apartments Located at 1371 Kooser Road and 525 North Capitol Avenue for the Development of Two New Affordable Rental Housing Developments.**

**Recommendation:**

(a) Adopt a resolution:

(1) Approving a combined Construction-Permanent Loan commitment of up to \$39,551,066 and a combined land acquisition loan or acquisition funding commitment of up to \$16,200,000 in Low- and Moderate-Income Housing Asset Funds, Measure E Funds and Inclusionary Fee Funds, or such other special funds as the City may designate to the following developments:

(i) Affirmed Housing Group or an affiliated development entity for the Kooser Apartments, located at 1371 Kooser Road, which is being developed to provide 189 affordable rent-restricted apartments, and two unrestricted manager's homes.

(a) A total Construction-Permanent loan commitment of up to \$19,551,066 with \$5,912,450 in Low- and Moderate-Income Housing Asset Funds and \$13,638,616 in Inclusionary Fee Funds; and

(b) A land acquisition loan or acquisition funding commitment of up to \$9,700,000 in Inclusionary Fee Funds.

(ii) Community Development Partners or an affiliated development entity for the 525 North Capitol affordable housing development located at 525 North Capitol Avenue, which is being developed to provide 158 affordable rent-restricted apartments, and two unrestricted manager's homes.

(a) A total Construction-Permanent loan commitment of up to \$20,000,000 with \$14,920,000 in Measure E Funds and \$5,080,000 in Inclusionary Fee Funds; and

(b) A land acquisition loan or acquisition funding commitment of up to \$6,500,000 in Inclusionary Fee Funds.

(2) Authorizing a loan-to-value ratio of greater than 100% for the developments;

(3) Authorizing the Director of Housing, the Acting Director of Housing, or their designee to acquire 1371 Kooser Road from Affirmed Housing Group for a price not to exceed \$9,700,000 at the time of transfer, to accept the grant deed, and to enter into a long-term ground lease of the site to the developer for the development;

(4) Authorizing the Director of Housing, the Acting Director of Housing, or their designee to acquire 525 North Capitol from Community Development Partners for a price not to exceed \$6,500,000 at the time of transfer, to accept the grant deed, and to enter into a long-term ground lease of the site to the Community Development Partners or an affiliated development entity for the development;

(5) Authorizing the Director of Housing, the Acting Director of Housing, or their designee to negotiate and execute documents and document amendments related to the acquisition and development of the sites, the ground leasing of the sites and any riders to the ground leases required by government entities;

(6) Authorizing the loan terms to allow an increase in the rents and income restrictions up to 60% of Area Median Income for new tenants in Project-Based Voucher subsidized apartments in the event of expiration or termination of Project-Based Vouchers and for all tenants in the event of foreclosure, to the extent the City has determined such increase is needed for the feasibility of the above developments and allowed by other funds;

(7) Authorizing the Director of Housing, the Acting Director of Housing, or their designee to negotiate and execute loan documents and all other documents, including any amendments thereto, related to City financing for the developments; and

(8) Making a determination that, consistent with Government Code Section 37364, after acquisition, the sites are to be leased by the City to the respective developers without first offering the site to the public for any other use, since the sites will be restricted so as to provide housing affordable to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code or as defined by the United States Department of Housing and Urban Development or its successors, and that this use is in the City's best interests.

(b) Adopt the following Fiscal Year 2023-2024 Appropriation Ordinance amendments in the General Fund:

(1) Decrease the Measure E – 40% Extremely Low-Income Households Reserve by \$1,670,000;

(2) Decrease the Measure E – 30% Low-Income Households Reserve by \$13,250,000;

(3) Increase the Measure E – 40% Extremely Low-Income Households appropriation to the Housing;

(4) Department by \$1,670,000; and

(5) Increase the Measure E – 30% Low-Income Households appropriation to the Housing Department by \$13,250,000.

(c) Adopt the following Fiscal Year 2023-2024 Appropriation Ordinance amendments in the Low- and Moderate-Income Housing Asset Fund:

(1) Decrease the Housing Project Reserve appropriation by \$5,912,450; and

(2) Increase the Committed Projects Reserve appropriation to the Housing Department by \$5,912,450.

CEQA: Exempt per Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15369, Ministerial Project pursuant to Government Code Section 65913.4, File No. ER20-109. Council Districts 5 and 9. (Housing/City Manager)

#### **8.4 Actions Related to Grant Agreements for a Targeted Outreach and Engagement Program Serving Unsheltered Individuals in San José.**

##### **Recommendation:**

Adopt a resolution authorizing the Director of Housing, the Acting Director of Housing, or their designee to negotiate and execute the following targeted outreach and engagement program grant agreements serving unsheltered individuals and households beginning in Fiscal Year 2023-2024 with up to three one-year options to extend, subject to the appropriation of funds and termination for convenience:

(a) PATH for the Targeted Outreach and Engagement Program in the amount of \$4,428,303 from April 1, 2024 to June 30, 2025; and

(b) HomeFirst of Santa Clara County for the Targeted Outreach and Engagement Program in the amount of \$4,234,887 from April 1, 2024 to June 30, 2025.

CEQA: Not a Project, File No. PP17-009, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Housing)

## **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.

**No Land Use Items on Consent Calendar**

**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 will be adjourned in memory of Edward Lee Chirco, who passed away on February 20, 2024. Mr. Chirco was a cherished member of the Cambrian community who gave selflessly and passionately and positively impacted many lives throughout his decade years of service to the community.

**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 online at <https://sanjoseca.primegov.com/public/portal?fromiframe=1> or 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).**

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**JOINT CITY OF SAN JOSÉ CITY COUNCIL/HOUSING AUTHORITY AGENDA****1:30 p.m.****March 26, 2024****Council Chambers****1. Support for the Federal Fiscal Year 2025 Moving to Work Annual Plan.****Recommendation:**

The Board of Commissioners of the City of San José Housing Authority adopts a resolution authorizing the:

(a) City of San José Housing Authority Board's Executive Director to submit a letter to the Santa Clara County Housing Authority Board to support the federal Fiscal Year 2025 Moving to Work Annual Plan; and

(b) Executive Director of the Santa Clara County Housing Authority Board and the Chair of the Santa Clara County Housing Authority Board of Commissioners to execute documents required in connection with the federal Fiscal Year 2025 Moving to Work Annual Plan submittal in the name of the City of San José Housing Authority.

CEQA: Not a Project, File No. PP17-0094, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Housing)

## ABOUT THE AGENDA

*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.

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://sanjoseca.primegov.com/public/portal?fromiframe=1>. Council Meetings are televised live and rebroadcast on Channel 26.

## **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.

### **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.