



City Council Meeting

Agenda

Tuesday, February 13, 2018

SAM LICCARDO, MAYOR
CHAPPIE JONES, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
RAUL PERALEZ, DISTRICT 3
LAN DIEP, DISTRICT 4
MAGDALENA CARRASCO, VICE MAYOR, DISTRICT 5
DEV DAVIS, DISTRICT 6
TAM NGUYEN, DISTRICT 7
SYLVIA ARENAS, DISTRICT 8
DONALD ROCHA, DISTRICT 9
JOHNNY KHAMIS, DISTRICT 10

- **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.- Public Hearings, Council Chambers, City Hall

- **Invocation (District 2)**

Pastor Micaiah Irmmler, Southridge Church

- **Pledge of Allegiance**

- **Orders of the Day**

To be heard after Ceremonial Items

***ADJOURNMENT:** This meeting is adjourned in memory of Peter Taber. Peter passed away on January 30, 2018. Peter was a longtime co-owner of the renowned Hobe's Restaurants, and served as their President for over 20 years. Peter cherished life and loved people, treating everyone with kindness and compassion; traits that were evident each and every time you visited one of his restaurants. Peter was also a gifted chef, as creator of Hobe's world-famous blueberry cheesecake. Peter passed away with his husband and fellow former owner Edward Pike by his side after a yearlong battle with melanoma. Peter's energy, talent, generosity and infectious smile will be missed. (Rocha)*

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- **Closed Session Report**

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

- 1.1 17-350** Presentation of a commendation to the San José Walk n' Roll Task Force Advisory Board Members for their leadership and support to over 65 schools in promoting walking, biking or rolling to school and sustaining/expanding the program to advance pedestrian safety and healthy lifestyles in our City. (Mayor)
TO BE HEARD IN THE EVENING

- 1.2 18-181** Presentation of a commendation to the Iranian Federated Women's Club for outstanding volunteer and charitable efforts throughout 2017. (Khamis)
TO BE HEARD IN THE EVENING
- 1.3 18-206** Presentation of a commendation to Evolve Sense, Philz Coffee, Casino M8trix and the Sierra Club Loma Prieta Chapter for their commitment to beautifying and supporting our communities during the 2017 Great American Litter Pick Up. (Perales)

2. CONSENT CALENDAR

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

2.1 Approval of City Council Minutes.

18-184 Approval of City Council Minutes.

Recommendation:

- (a) Regular Council Meeting Minutes of 6/20/17
- (b) Regular Council Meeting Minutes of 6/27/17
- (c) Regular Council Meeting Minutes of 8/8/17
- (d) Regular Council Meeting Minutes of 8/15/17
- (e) Regular Council Meeting Minutes of 9/12/17
- (f) Regular Council Meeting Minutes of 9/19/17
- (g) Regular Council Meeting Minutes of 9/26/17

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.

18-183 Approval of Council Committee Minutes.

Recommendation:

- (a) Neighborhood Services and Education Committee Minutes of November 9, 2017. (Rocha)
- (b) Community and Economic Development Committee Minutes of November 27, 2017. (Khamis)
- (c) Rules and Open Government Committee Minutes of January 24, 2018. (Mayor)

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 18-188 Actions Related to City Auditor's Travel to Denver, Colorado.**

Recommendation: Authorize travel for the City Auditor Sharon Erickson to Denver, Colorado on March 5-9, 2018 to participate in a peer review of the Office of the Auditor of the City and County of Denver, Colorado. Source of Funds: Travel expenses reimbursed by the Office of the Auditor of the City and County of Denver, Colorado.
CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment. (City Auditor)

2.8 18-189 Actions Related to the City Auditor's Travel to Colorado Springs, Colorado.

Recommendation: Authorize travel for City Auditor Sharon Erickson to Colorado Springs, Colorado on May 6-8, 2018 to participate in the Association of Local Governments Auditors 2018 Annual Conference. Source of Funds: City Auditor non-personal appropriation and professional development.
CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment. (City Auditor)

2.9 18-126 Approval of the Updated Guaranteed Purchasing Power Benefit Costing for the Settlement Agreement with the San Jose Retired Employees' Association (SJREA).

Recommendation: Approve the updated Guaranteed Purchasing Power benefit costing for the San Jose Retired Employees' Association (SJREA) Settlement Agreement and authorize the changes to the Guaranteed Purchasing Power included in the Settlement Agreement.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment; and File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project with may result in a potentially significant physical impact on the environment. (City Manager)

2.10 18-152 Amendment to the Agreement with History San Jose.

Recommendation: Approve an amendment to extend the term of the current agreement with History San Jose (HSJ) to operate and maintain History Park, the Peralta Adobe - Fallon House Historic Site, and the Collection Center at the City Central Service Yard for a period of three months through June 30, 2018.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
Council Districts 3 & 7. (Economic Development)

2.11 18-141 Amendment to the Master Service Agreement with Hydrosience Engineers, Inc. for the Regional Wastewater Facility.

Recommendation: Adopt a resolution authorizing the City Manager to execute a Second Amendment to the Master Service Agreement with HydroScience Engineers, Inc. to extend the term of the Agreement through December 31, 2018.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Environmental Services)

2.12 18-149 Actions Related to the Purchase Order 54415 with Enviser for Temporary Electrician Services.

Recommendation: Adopt a resolution authorizing the City Manager to:
(a) Amend Purchase Order 54415 with Enviser (Garden Grove, CA) for temporary electrician staffing services, to increase compensation by \$193,257, for a revised maximum compensation not-to-exceed \$483,257 for the current term ending June 30, 2018; and
(b) Purchase additional services as needed, subject to the same pricing and terms and conditions of the Purchase Order, and 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 18-150 Report on Request for Proposal for Landscaping Maintenance Services for Civic Grounds and Small Parks.

Recommendation:

Accept the report on the Request for Proposal for Landscaping and Maintenance Services for Civic Grounds and Small Parks and adopt a resolution authorizing the City Manager to:

(a) Execute an Agreement with Bayscape Management Inc. (San José, CA) for Landscaping Maintenance Services for Civic Grounds and Small Parks for an initial twelve-month term commencing on or about February 13, 2018 and ending on or about February 12, 2019 with maximum compensation not-to-exceed \$835,000;

(b) Negotiate and execute amendments and/or change orders to add or delete sites, or change service levels due to seasonal changes or budget constraints, subject to the appropriation of funds.

(c) Execute up to five one-year options to extend the term of the Agreement with the final option year ending on or about February 12, 2024, subject to the appropriation of funds.

CEQA: Exempt, File No. PP13-057, CEQA Guidelines Section 15301, Existing Facilities. (Finance)

2.14 18-151 Actions Related to the Purchase Orders for Preventative Maintenance and Repair Services for HVAC Systems.

Recommendation:

Adopt a resolution authorizing the City Manager to:

(a) Execute Purchase Orders with Accel Air Systems, Inc. (Santa Clara, CA), Kinetics Mechanical Service (Livermore, CA), and Prime Mechanical (Livermore, CA) for preventative maintenance and repair services for HVAC systems, for an initial twelve-month period, starting on or about February 13, 2018 and ending on or about February 12, 2019, for a total aggregate amount not-to-exceed \$750,000;

(b) Approve a contingency of \$75,000 in the event actual service needs exceed estimates; and

(c) Execute up to four additional one-year options to extend the term of the Purchase Orders, with the last option year ending on or about February 12, 2024, subject to the annual 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)

2.15 18-148 Naming of New Park Located at William Manly Street and Jayhawkers Place.

Recommendation:

Approve the name “William Lewis Manly Park” for the park site located near the intersection of William Manly Street and Jayhawkers Place within the Communications Hill Neighborhood in South San José.

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. Council District 7. (Parks, Recreation and Neighborhood Services)

3. STRATEGIC SUPPORT

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

3.2 Labor Negotiations Update.

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

3.3 18-140 Approval of the 2017-2018 Mid-Year Budget Review Report.

Recommendation: (a) Approve the 2017-2018 Mid-Year Budget Review Report.
(b) Approve an ordinance:
(1) Amending Section 4.79.020 and adding a new Section 4.79.030 to Chapter 4.79 of Title 4 of the San José Municipal Code to establish the Library Parcel Tax Capital Fund and to make technical and clarifying changes;
(2) Amending Part 8 of Chapter 4.80 of Title 4 of the San José Municipal Code to add a new Section 4.80.430 to establish the Convention and Cultural Affairs Capital Fund and to make technical and clarifying changes;
(3) Amending Part 3 of Chapter 14.32 of Title 14 of the San José Municipal Code to amend Section 14.32.300 and add new Sections 14.32.310 and 14.32.320 to establish in the Municipal Code the Convention Center and Facility District Revenue Fund which had been established previously through the annual budget process, and to establish the Convention Center Facility District Capital Fund and to make technical and clarifying changes; and
(4) Amending Part 3 of Chapter 14.32 of Title 14 of the San José Municipal Code to amend Section 14.32.300 and add new Sections 14.32.310 and 14.32.320 to establish in the Municipal Code the Convention Center Facility District Revenue Fund which had been established previously through the annual budget process, and to establish the Convention Center Facility District Revenue Fund and the Convention Center Facility District Capital Fund and to make technical and clarifying changes.
(c) Adopt related Appropriation Ordinance and Funding Sources Resolution amendments in various funds as detailed in Section III (Recommended Budget Adjustments and Clean-Up Actions) of the 2017-2018 Mid-Year Budget Review Report. Amendments in the Library Parcel Tax Capital Fund, Convention and Cultural Affairs Capital Fund, General Purpose Parking Capital Fund, and Convention Center Facility District Capital Fund shall be effective on the dates on which the ordinances establishing the Library Parcel Tax Capital Fund, Convention and Cultural Affairs Capital Fund, General Purpose Parking Capital Fund, and Convention Center Facility District Capital Fund become effective.

(d) Approve the following revisions to the City Manager's Office staffing in 2017-2018: Add 1.0 Deputy City Manager; add 1.0 Director; and delete 1.0 Senior Deputy City Manager.

(e) Accept a gift of \$1,000,000 from FCL Tech, Inc. into the Gift Trust Fund to support digital inclusion, work force development, and education programs.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action; and File No. PP17-004, 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. (City Manager)

3.4 18-139 Annual Summary of Labor Negotiations.

Recommendation: Accept staff report and public input on the Annual Summary of Upcoming Labor Negotiations.

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

3.5 18-147 Actions Related to the Planning, Building, and Code Enforcement Department Organization/Staffing.

Recommendation: Approve the following position additions effective February 11, 2018:

(a) Add 1.0 FTE Deputy Director (U) (Job Code 1640); and

(b) Add 1.0 FTE Assistant to the Director (Job Code 3548).

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Manager)

3.6 18-167 2017 Flood Recovery Construction Projects.

Recommendation:

(a) Accept the status report on the 2017 flood recovery projects.

(b) Consider this item together with the request to approve the issuance of commercial paper notes in an amount not to exceed \$21 million to support funding of the necessary reconstruction work while insurance and FEMA payments are pending.

(c) Adopt related Appropriation Ordinance and Funding Sources Resolution amendments in the various funds as detailed in Attachment A to the staff memorandum to Council.

CEQA: Exempt, File No. PP18-003, CEQA Guidelines Section 15269, Emergency Projects. (Parks, Recreation and Neighborhood Services/Public Works/City Manager)

TO BE HEARD JOINTLY WITH SJFA ITEM 2 (FILE 18-166)

3.7 18-171 Actions Related to the Petition Initiative Amending the Envision San Jose 2040 General Plan.

Recommendation:

(a) Accept staff's report analyzing the Petition Initiative Amending the Envision San José 2040 General Plan (Initiative) pursuant to California Elections Code section 9212; and either

(b) Approve an ordinance, as proposed by the Initiative, for passage for publication of title amending Title 5, Title 18, and Title 20 of the San José Municipal Code and the Zoning District Map, and call a special meeting, to occur by Friday, February 23, 2018, to adopt the proposed ordinance, to adopt the Initiative's amendments to the Envision San José 2040 General Plan and Evergreen-East Hill Development Policy, and to adopt the Initiative's Evergreen Senior Homes Specific Plan; or

(c) Direct staff to return on February 27, 2018 to adopt a resolution calling for an election to submit the Initiative to the voters at the next General Election to be held on Tuesday, June 5, 2018.

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 Clerk)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 18-177 Actions Related to the Diridon Planning Reserve and Service Reimbursement Agreement.

Recommendation:

(a) Adopt a resolution authorizing the City Manager to negotiate and execute a Service Reimbursement Agreement with Google to pay for certain services associated with planning for development in the Diridon Station Area in the amount of \$1.33 million, subject to full appropriation.

(b) Adopt the following 2017-2018 Appropriation Ordinance amendments in the General Fund:

(1) Establish a new City-Wide appropriation to the Office of Economic Development for Diridon Station Area Development Planning in the amount of \$415,000; and

(2) Decrease the Diridon Planning Reserve in the amount of \$415,000.

CEQA: Exempt, File No. PP17-001, Feasibility and Planning Studies that are statutorily exempt under CEQA Guidelines Section 15262.

(Economic Development/City Manager)

TO BE HEARD AFTER ITEM 9.1 (18-192)

5. NEIGHBORHOOD SERVICES**6. TRANSPORTATION & AVIATION SERVICES****6.1 18-168 Grant Agreement with Our City Forest for Rental Property Located at 646 N King Road.**

Recommendation: Adopt a resolution authorizing the City Manager or his designee to negotiate and execute a new grant agreement between the City of San José and Our City Forest (OCF) to fund OCF's rental of property located at 646 N King Road, San José, California, 95133 from on or around March 1, 2018 through June 30, 2019 in an amount not to exceed \$175,000.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Transportation)

7. ENVIRONMENTAL & UTILITY SERVICES**8. PUBLIC SAFETY****9. REDEVELOPMENT – SUCCESSOR AGENCY****CONVENE JOINT MEETING OF THE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE****9.1 18-192 Actions Related to the Compensation Agreement for Diridon Properties.**

Recommendation: (a) The City Council approve a Compensation Agreement by and among the Successor Agency to the Redevelopment Agency of the City of San Jose, the City of San Jose, the County of Santa Clara and other affected taxing entities under Health and Safety Code Section 34180 for real property including 8 South Montgomery Street, 105 South Montgomery Street; 510 West San Fernando Street/102 South Montgomery Street; 150 South Montgomery Street and 645 Park Avenue (collectively, "Properties"), for the purpose of transit oriented development consistent with the Diridon Station Area Plan, the Downtown Strategy and the City's General Plan.
(b) The Successor Agency Board approve a Compensation Agreement by and among the Successor Agency to the Redevelopment Agency of the City of San Jose, the City of San Jose, the County of Santa Clara and other affected taxing entities under Health and Safety Code Section 34180 for real property including 8 South Montgomery Street, 105 South Montgomery Street, 150 South Montgomery Street, 510 West San Fernando Street/102 South Montgomery Street, and 645 Park Avenue for the

purpose of transit oriented development consistent with the Diridon Station Area Plan, the Downtown Strategy and the City's General Plan.

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

TO BE HEARD BEFORE ITEM 4.1 (18-177)

ADJOURN THE JOINT MEETING OF THE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

- 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.

- Council will recess until 6:00 p.m.

10. LAND USE

Notice to the public: There will be no separate discussion of Land Use Consent Calendar (Item 10.1) as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Land Use Consent Calendar (Item 10.1) and considered separately.

10.1 Land Use on Consent Calendar

(a) 18-142 Conforming Rezoning for Real Property Located at 923 & 927 Meridian Avenue.

Recommendation:

Consideration of an ordinance of the City of San José rezoning a 0.48-gross acre site, located at 923 & 927 Meridian Avenue from Agricultural Planned Development A(PD) Zoning District to Commercial Pedestrian (CP) Zoning District (Bhimla Trust 10/13/14, Owner).

CEQA: Determination of Consistency with the Final Program Environmental Impact Report (EIR) for the Envision San Jose 2040 General Plan (Resolution No. 76041) and the Envision San Jose 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)

C17-048 - Council District 6

(b) 18-145 Conditional Use Permit and Determination of Public Convenience or Necessity for Real Property Located at 5170 Stevens Creek Boulevard.

Recommendation:

Adopt a resolution approving a Conditional Use Permit and Determination of Public Convenience or Necessity, subject to conditions, to allow the off-sale alcohol and on-sale of alcohol for instructional tasting and samples (Total Wine & More) in an existing 25,668-square foot commercial tenant space on a 10.5-gross acre site located on the south side of Stevens Creek Boulevard, approximately 210 feet easterly of Lawrence Expressway (5170 Stevens Creek Boulevard) (Stevens Creek, Inc., Owner).

CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities. Planning Commission recommends approval (6-0-1, Abelite absent). (Planning, Building and Code Enforcement)
CP17-025 & ABC17-005 - Council District 1

(c) 18-146 Planned Development Rezoning for Real Property Located at 370 West Trimble Road.

Recommendation:

(a) Adopt a resolution adopting the Addendum to the Final Program Environmental Impact Report for the North San José Development Policies Update, the Final Program Environmental Impact Report for the Envision San José 2040 General Plan, and the Supplemental EIR ("SEIR") for the Envision San José 2040 General Plan, Greenhouse Gas Reduction Strategy, and Addenda thereto in accordance with the California Environmental Quality Act, as amended.

(b) Consideration of an ordinance of the City of San José rezoning an approximately 14.0-gross acre site, located on the southwest corner of West Trimble Road and Orchard Parkway from the Industrial Park IP(PD) Planned Development Zoning District to Industrial Park IP(PD) Planned Development Zoning District, to allow up to approximately 100,000 square feet for commercial uses and up to 250-room hotel (370 West Trimble Rd Corp, Owner).

CEQA: Addendum to North San José Development Policies Update Final Environmental Impact Report (Resolution No. 72768) Envision San José 2040 General Plan Final Environmental Impact Report (Resolution No. 76041), Envision San Jose 2040 General Plan Final Environmental Impact Report (Resolution No. 77617) and Addenda thereto. Planning Commission recommends approval (6-0-1, Bit-Badel absent). (Planning, Building and Code Enforcement)
PDC17-026 - Council District 4

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda**OPEN GENERAL PLAN AMENDMENT HEARING (FIRST CYCLE)****10.2 18-143 General Plan Amendment, Rezoning, Conditional Use Permit and Determination of Public Convenience or Necessity for Site Located at 1202 Oakland Road.****Recommendation:**

(a) Adopt a resolution denying the application for a General Plan Amendment to change the General Plan Land Use Designation, denying the application to change the Zoning to the CIC Combined Industrial/Commercial Zoning District, and denying the application for a Conditional Use Permit and Determination of Public Convenience or Necessity to authorize the demolition of an existing building and fueling dispensers, and the construction of a 3,750 square foot convenience store, auto retail fueling dispensers, canopies, and card lock fueling dispensers with the off-sale of beer and wine and 24-hour use; OR take the following actions in Item 10.2 (b) through (e):

(b) Adopt a resolution adopting the Rotten Robbie No. 67 Project Mitigated Negative Declaration, for which an Initial Study was prepared, in accordance with the California Environmental Quality Act, as amended, and adopting a related mitigation monitoring and reporting program.

(c) Adopt a resolution approving a General Plan Amendment to change the Land Use/Transportation Diagram land use designation from Heavy Industrial to Combined Industrial/Commercial on an approximately 1.54-gross acre site, located on the northeast corner of Oakland Road and Commercial Street (1202 Oakland Road).

(d) Consideration of an ordinance of the City of San José rezoning an approximately 1.54 gross acres, located at 1202 Oakland Road, from the HI Heavy Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District (Robinson Oil Corporation).

(e) Adopt a resolution approving the Conditional Use Permit and Determination of Public Convenience or Necessity, subject to conditions, for the removal of existing building and fueling dispensers, and the construction of a 3,750-square foot convenience store, auto retail fueling dispensers, fuel island canopies, and card lock fueling dispensers with proposed off-sale of alcohol and 24-hour use, and to exceed the 55-decibel noise standard of the Zoning Ordinance at the residential property line by six decibels, on a 1.54-gross acre site. (1202 Oakland Road). CEQA: Rotten Robbie No. 67 Project Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement recommends denial. Planning Commission recommends denial

(6-0-1, Ballard absent). (Planning, Building and Code Enforcement)
File Nos. GP16-011, C17-008, CP17-015, & ABC17-007 - Council
District 3

**10.3 18-144 General Plan Text Amendment and Related Changes: Transportation
Analysis Policy to Comply with Senate Bill 743.**

Recommendation: The City is updating its transportation analysis policy and related changes to conform with State law (SB 743) and to further the goals and policies of the General Plan by removing the vehicular Level of Service (LOS) metric from transportation analysis under the California Environmental Quality Act (CEQA) and replacing it with a Vehicle Miles Traveled (VMT) metric.

(a) Adopt a resolution approving the General Plan Text Amendment to reflect the new City Council Transportation Analysis Policy 5-1.

(b) Adopt a resolution approving a new City Council Policy 5-1 entitled “Transportation Analysis Policy” using VMT, rather than LOS, as the CEQA transportation metric, and amending City Council Policy 5-3 entitled “Transportation Impact Policy” providing a transition from LOS to VMT.

(c) Adopt a resolution designating Infill Opportunity Zones (IOZs) pursuant to SB 743 to align the City’s participation in the regional Congestion Management Program with the new City Council Transportation Analysis Policy 5-1.

CEQA: Pursuant to Section 21080(b)(1), the proposed adoption of the General Plan Text Amendment, adoption of new a City Council Transportation Analysis Policy 5-1, amendment to the existing City Council Transportation Impact Policy 5-3, and adoption of Infill Opportunity Zones, are ministerial actions and pursuant to Guidelines 15268(a), ministerial actions are exempt from the requirements of CEQA. Adoption of the Transportation Analysis Policy is ministerial because it implements the directives from SB 743 to modify local environmental review processes by removing Transportation LOS as a CEQA transportation analysis metric and replacing it with VMT. The Infill Opportunity Zones are associated with the adoption of this new City Council Transportation Analysis Policy. (Planning, Building and Code Enforcement)
GPT17-009 & PP17-082 - Citywide
DEFERRED TO 2/27/18 (AFTERNOON SESSION) PER
ADMINISTRATION

CONTINUE GENERAL PLAN AMENDMENT HEARING TO FEBRUARY 27, 2018

- 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 Peter Taber. Peter passed away on January 30, 2018. Peter was a longtime co-owner of the renowned Hobeas Restaurants, and served as their President for over 20 years. Peter cherished life and loved people, treating everyone with kindness and compassion; traits that were evident each and every time you visited one of his restaurants. Peter was also a gifted chef, as creator of Hobeas world-famous blueberry coffeecake. Peter passed with his husband and fellow former owner Edward Pike by his side after a yearlong battle with melanoma. Peter's energy, talent, generosity, and infectious smile will be missed. (Rocha)

- **JOINT CITY OF SAN JOSE CITY COUNCIL/FINANCING AUTHORITY AGENDA**

1:30 p.m.

February 13, 2018

CHAMBERS

1. Call to Order and Roll Call

2 18-166 Issuance of City of San José Financing Authority Commercial Paper Notes for the Flood Recovery Construction Projects of City Improvements.

Recommendation:

(a) City Council take the following actions:

(1) Conduct a Public Hearing concerning the approval of the issuance by the City of San José Financing Authority of commercial paper notes in order to finance certain public capital improvements of the City, consisting of flood recovery and construction for parks and community facilities.

(2) Adopt a resolution to approve the issuance of commercial paper notes pursuant to the previously established commercial paper program designated as "City of San José Financing Authority Lease Revenue Commercial Paper Notes" to provide financing for the flood recovery and construction for parks and community facilities in an amount not to exceed \$21 million and to state the City Council's determination that there will be significant public benefits accruing from such financing.

(b) City of San José Financing Authority Board adopt a resolution to approve the issuance of City of San José Financing Authority Commercial Paper Notes to provide financing for the flood recovery construction project in an amount not to exceed \$21 million.

CEQA: Exempt, File No. PP18-003, CEQA Guidelines Section
15269, Emergency Projects. (Finance)
TO BE HEARD JOINTLY WITH ITEM 3.6 (FILE 18-167)

- Open Forum

**ADJOURN THE JOINT MEETING OF THE CITY COUNCIL AND THE FINANCING
AUTHORITY AND RECONVENE THE MEETING OF THE CITY COUNCIL**

- Notice of City Engineer's Pending Decision on Final Maps