

# **CITY COUNCIL AGENDA**

**MARCH 8, 2018**

## **SYNOPSIS**

### **SPECIAL MEETING COUNCIL CHAMBERS**

CHAPPIE JONES  
SERGIO JIMENEZ  
RAUL PERALEZ  
LAN DIEP  
MAGDALENA CARRASCO  
VICE MAYOR

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

SAM LICCARDO MAYOR

DEV DAVIS  
TAM NGUYEN  
SYLVIA ARENAS  
DONALD ROCHA  
JOHNNY KHAMIS

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

- **Call to Order and Roll Call**  
**8:36 a.m. Special Closed Session, Call to Order in Council Chambers**  
Adjourn to Closed Session Council Chambers Conference Room, W133  
**Absent: Carrasco, Jimenez. (Excused)**  
**Nguyen (9 a.m.)**  
  
**18-342** See Separate Agenda
  
- **Call to Order and Roll Call**  
**9:29 a.m. Open Session, Call to Order in Council Chambers**  
**Absent: Carrasco.**
  
- **Orders of the Day**  
Special Meeting, Council Chambers, City Hall  
Special Meeting will occur if needed. Two-thirds vote to proceed with the  
Special meeting in accordance with Sunshine Resolution section 2.3.2.5(C).  
**Approved.**  
**Jones/Peralez**

### **3. STRATEGIC SUPPORT**

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#### **3.1 18-344 Actions Related to the Evergreen Senior Homes Initiative Amending the Envision San José 2040 General Plan.**

- Recommendation:**
- (a) Accept the Elections Code 9212 report, as revised, analyzing the Petition Initiative Amending the Envision San José 2040 General Plan (Initiative).
  - (b) As directed by Council on February 13, 2018, adopt a resolution calling an election to submit the Initiative to the voters at the next General Election on June 5, 2018.
  - (c) Council discussion and consideration of whether the full text of the Initiative should be printed in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code 12111, to be incorporated in the resolution calling the election;
  - (d) Council discussion and consideration of whether to permit rebuttal arguments and authorize the City Council or any member or members of the City Council to submit a rebuttal argument in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9285, to be incorporated in the resolution calling the election;
  - (e) Council discussion and consideration of whether the City Council or any member or members of the City Council to submit an argument against the Initiative on the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9282, to be incorporated in the resolution calling the election;

**3.1      18-344      Actions Related to the Evergreen Senior Homes Initiative Amending  
the Envision San José 2040 General Plan (Cont'd.)**

(f) Council discussion and consideration of whether to direct the City Clerk to transmit a copy of the measure to the City Attorney to prepare an Impartial Analysis, pursuant to Elections Code Section 9280; and

(g) Direct the City Clerk to take all actions necessary to place this measure for a June 5, 2018, General Election.

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/City Attorney/City Clerk)  
[City Council 3/6/18 - Item 3.7]

Upon motion by Councilmember Arenas, seconded by Councilmember Nguyen and carried, the Mayor's memorandum approving Item 3.7 (a), (b), (c), and (g) as outlined on the Council Agenda for March 6, 2018, was accepted, to:

(a) Consider a Council-sponsored charter amendment or other measure(s) for the June 5, 2018 general election to specify requirements for the conversion of employment land to residential use, including review of the associated environmental and fiscal impacts; urban sprawl mitigation; and other related potential measures.

(b) If Council wishes to proceed with a charter amendment or other measure(s), adopt a resolution of the City Council calling and giving notice, on its own motion, for a Special Municipal Election to be held on June 5, 2018, to submit a charter amendment or other measure(s) to the electors of the City of San José;

(c) Council discussion and consideration of whether the full text of the proposed City measure should be printed in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code 12111, to be incorporated in the resolution calling the election;

(g) Direct the City Clerk to take all actions necessary to place this measure for a June 5, 2018, Special Municipal Election, if needed;  
and

2. Adopt a resolution of the City Council calling and giving notice, on its own motion, for a Special Municipal Election to be held on June 5, 2018, to submit a City Charter Amendment to the electors of the City of San Jose titled: An Act to Limit Urban Sprawl and the Fiscal and Environmental Effects of Specified Development in Outlying Areas, and attached herewith;

3. Authorize the Mayor to: i. Submit an argument in favor of the City Charter Amendment (by March 13, 2018) in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9282, to be incorporated in the resolution calling the election;  
and,

ii. Submit a rebuttal argument in favor of the City Charter Amendment (by March 20, 2018) in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9285, to be incorporated in the resolution calling the election.

*(Item Continued on the Next Page)*

### **3.1 Action (Cont'd.)**

4. Authorize the City Attorney to: iii. Prepare an impartial analysis (by March 20, 2018) pursuant to Elections Code Section 9280; and
5. Authorize the City Clerk to: iv. Include the full text of the proposed City Charter Amendment in the June 5, 2018, Voter's Sample Ballot, to be incorporated in the resolution calling the election.

Including a language change to section 1902 (a) of the proposed Charter Amendment to remove the following sentence: "Notwithstanding the foregoing, "Threatened Employment Lands" shall not include lands with the San José General Plan designation of Public/Quasi-Public or Agriculture or land acquired or designated for public parks, public trails, public open space, or other public uses."

And replace it with the following sentence: "Notwithstanding the foregoing, this Act shall not apply to the conversion of Threatened Employment Lands to a designation of San José General Plan Public/Quasi Public or Agriculture, or to proposed conversions of threatened employment lands for public parks, public trails, public open space, or other public uses."

And adding an Oxford Comma (or serial comma) after "Coyote Valley" to the ballot question so it will read as follows:

"Shall San José's Charter be amended, notwithstanding any measure on the June 5, 2018 ballot or other San José law, to restrict development of non-employment uses on designated lands in outlying areas near San José's Urban Growth Boundary, including Almaden Valley, Coyote Valley, and Evergreen foothills, unless the City Council determines such development will not adversely affect the City financially, will satisfy increased affordable housing requirements, and will mitigate environmental impacts and pay appropriate fees for road improvements to address traffic impacts?"

**Resolution No. 78530 adopted.**

**(9-1-1. Noes: Rocha. Absent: Carrasco.)**

- **Open Forum**  
None provided.

- **Adjournment**

**The Special Meeting of the City Council adjourned at 10:02 a.m.**