



CITY COUNCIL AGENDA

MAY 16, 2017

AMENDED AGENDA

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

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 Services** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **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.
- **Neighborhood Services** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **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.
- **Environment and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Public Safety Services** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

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 your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- 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.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- 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. On May 2, 2017, the City Council authorized combining two sections of the Council agenda, Section 10 – General Plan Amendments and Section 11 – Land Use, into a single section labeled Section 10 – Land Use. Section 10 – Land Use indicates whether an item will be heard at 1:30 p.m. or 6:00 p.m. 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 <http://www.sanjoseca.gov/index.aspx?NID=5322>. 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. Contact the Office of the City Clerk at (408) 535-1260 or City.Clerk@sanjoseca.gov for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 or (408) 294-9337 as soon as possible, but at least three business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **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

- **Invocation (District 5)**
Demone Carter

- **Pledge of Allegiance**

- **Orders of the Day – *To be heard after Ceremonial Items***

- * Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

- **Orders of the Day – *Continued***

SEE AMENDED ITEM 4.2, “Downtown Sign District and Citywide Electronic Billboards.” TO BE ADDED UNDER ORDERS OF THE DAY. REQUIRES A DETERMINATION BY A TWO-THIRDS (2/3) VOTE OF THE MEMBERS OF THE COUNCIL PRESENT AT THE MEETING, OR, IF LESS THAN TWO-THIRDS (2/3) OF THE MEMBERS OF THE COUNCIL ARE PRESENT AT THE MEETING, A UNANIMOUS VOTE OF THOSE MEMBERS PRESENT THAT THERE IS A NEED TO TAKE IMMEDIATE ACTION. Council’s Rules of Conduct, Resolution No. 78063, Rule 3(d).

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

- **Closed Session Report – *To be heard after Ceremonial Items***

1. CEREMONIAL ITEMS

- 1.1 Presentation of a proclamation recognizing the month of May as Lupus Awareness Month in the City of San Jose. (Mayor)
- 1.2 Presentation of a commendation to The Santa Clara Valley Audubon Society and the Sierra Club, Loma Prieta Chapter for their advocacy work in engaging and encouraging our community to explore, enjoy and protect our planet. (Peralez)
- 1.3 Presentation of a proclamation in honor of Older Americans Month of May. (Khamis)

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.**

2. CONSENT CALENDAR

2.2 Final Adoption of Ordinances.

* **Recommendation:** Final Adoption of Ordinances:

- (a) ORD. NO. 29904 – An ordinance of the City of San José amending various sections of Chapters 3.28 and 3.44 and adding a new Chapter 3.58 in Title 3 of the San José Municipal Code to implement revisions for the pension and retiree healthcare plans for members of the City of San José Federated Retirement Plan. CEQA: Not a Project; PP10-068(b), General Procedure & Policy Making, Municipal Code or Policy. (City Manager)
(Deferred from 5/2/17 – Item 3.3)
- (b) ORD. NO. 29905 – An ordinance of the City of San José amending Chapter 14.27 of Title 14 of the San José Municipal Code to add a new Section 14.27.180 to establish the Community Facilities Maintenance District Funds. CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy change that involves no changes in the physical environment. (Public Works/City Manager)
- (c) ORD. NO. 29911 – An ordinance of the City of San José amending Title 17 of the San José Municipal Code to add a Part 12 to Chapter 17.23 regarding tenant protection and limiting causes for eviction for certain tenants. CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy change that involves no changes in the physical environment. (Housing)

2.3 Approval of Council Committee Minutes.

Recommendation: Approval of Council Committee Minutes.

- (a) AD-HOC Committee for Development Services Minutes of April 27, 2017. (Khamis)
- (b) Community and Economic Development Committee Minutes of April 24, 2017. (Khamis)
- (c) Rules and Open Government Committee Minutes of April 26, 2017. (Carrasco)
CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (City Clerk)

2.4 Mayor and Council Excused Absence Requests.

* **Recommendation:**

- (a) Retroactive request for excused absence for Councilmember Peralez from the Regular City Council Meeting on May 2, 2017 due to illness. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Absences. (Peralez)
- (b) Retroactive request for excused absence for Councilmember Arenas from the Closed Session meeting of City Council on May 9, 2017 due to illness. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Absences. (Arenas)

2. CONSENT CALENDAR

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 Actions Related to the Agreement with Granicus Inc. for Webstreaming Software and Hosting Services.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute the Second Amendment to the Agreement for Webstreaming Software and Hosting Services with Granicus, Inc. to implement a one-year pilot project to test the Civic Engagement/e-Comment module increasing the maximum compensation by \$5,400 for a revised total compensation not to exceed \$459,710; and
- (b) Negotiate and execute amendments and/or change orders to cover any unanticipated changes to the City's requirements or future enhancements or modules for a not-to-exceed contingency amount of \$100,000, subject to the annual appropriation of funds.

CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. (Finance)

2.8 Actions Related to the Purchase Order with SimplexGrinnell Fire & Security for Fire Sprinkler Systems Services.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute a purchase order with SimplexGrinnell Fire & Security (Livermore, CA) for fire sprinkler systems services for the term May 1, 2017 through April 30, 2018, in an amount not-to-exceed \$220,000; and
- (b) Exercise up to four, one-year options to extend the term of the Purchase Order through April 30, 2022, for an aggregate maximum compensation of \$900,000, subject to the annual appropriation of funds.

CEQA: Not a Project, File No. PP10-066(a), Agreements & Contracts, Purchase Order/Cooperative Purchase of Supplies, Equipment and Professional Services with no changes to the environment. (Finance)

2.9 Amendment to the Agreement with Graffiti Protective Coatings, Inc. for Graffiti Abatement Services.

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute the Second Amendment to the Agreement with Graffiti Protective Coatings, Inc. to increase the compensation by \$88,000 for a maximum compensation of \$6,300,390 to develop and deliver an Application Program Interface for graffiti abatement as part of the integrated Constituent Relationship Management solution, and provide for a \$10,000 contingency for unanticipated costs. CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. (Finance)

2. CONSENT CALENDAR

2.10 Setting a Public Hearing for the Cost of Sidewalk Repairs.

Recommendation: Adopt a resolution setting a Public Hearing on Tuesday, June 27, 2017 at 1:30 p.m. for the approval of the report from the Director of Finance for the cost of sidewalk repairs. CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (Finance)

2.11 Actions Related to the Bicycle and Pedestrian Project Grants – TDA3.

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 2017-18 Transportation Development Act, Article 3 (TDA3) State grant funding in the amount of \$921,063 for bicycle and pedestrian projects;
- (b) Making the certifications and assurances required under the grant program as explained in the memorandum to Council; 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: Exempt, File No. PP13-037. (Transportation)

2.12 Oak Hill Memorial Day Observance Sponsored by Council District 10.

Recommendation: As recommended by the Rules and Open Government Committee on May 3, 2017:

- (a) Approve the Oak Hill Memorial Day event scheduled on May 29, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Khamis)
[Rules Committee referral 5/3/17 – Item G.1.b]

2.13 Waive Permit Fee for Block Parties on July 4, 2017.

- * **Recommendation:** Adopt a resolution amending the 2016-2017 Schedule of Fees and Charges (Resolution No. 72737, as amended) to set the Temporary Street Closure Permit fee at \$0 for the first 50 permits issued on a first-come first-served basis, for temporary street closures for block parties that will occur from July 1 through July 4, 2017, contingent on the pledge of no use of fireworks. CEQA: Not a Project, File No. PP10-068(c), Municipal Code or Policy Change that involves no change to the physical environment. (Police)

2. CONSENT CALENDAR

2.14 SB 5 (De Leon) – California Drought, Water, Parks, Climate, Coastal Protection, And Outdoor Access for All Act 2018; and AB 18 (Garcia) – California Clean Water, Climate, Coastal Protection and Outdoor Access for All Act of 2018.

- * **Recommendation:** As recommended by the Rules and Open Government Committee on May 10, 2017, adopt a position of support if amended for Senate Bill 5 (De Leon) – California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018; and Assembly Bill 18 (Garcia) – California Clean Water, Climate, Coastal Protection and Outdoor Access for All Act of 2018 so that the City’s Legislative Representative can advocate the City’s support if amended position for Senate Bill 5 (De Leon and Assembly Bill 18 (Garcia). CEQA: Not a Project; PP10-068, General Procedure & Policy Making. (Parks, Recreation and Neighborhood Services). [Rules Committee referral 5/10/17 – Item G.3.]

2.15 District 9 Grant for District 9 School.

- * **Recommendation:** As recommended by the Rules and Open Government Committee on May 10, 2017, approve a \$1,000 grant to Ida Price Middle School for their Home and School Club to help equip their core classrooms with Chromebooks to support student education programs. CEQA: Not a Project, File No. PP10-067(c), Non-Project Specific Funding Mechanism, Grants. (Rocha) [Rules Committee referral 5/10/17 – Item G.4.]

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Norberto Dueñas (Verbal Report).

3.2 Labor Negotiations Update.

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

3.3 Terms of an Agreement with the Confidential Employees’ Organization, AFSCME Local 101 (CEO).

Recommendation: Adopt a resolution approving the terms of a collective bargaining agreement between the City and the Confidential Employees’ Organization, AFSCME Local 101 (CEO), and authorizing the City Manager to execute an agreement with a term of July 1, 2017, through June 30, 2018. CEQA: Not a Project, File No. PP10-069(b), City Organizational & Administrative Activities, Personnel Related Decisions. (City Manager)

3. STRATEGIC SUPPORT SERVICES

3.4 Public Hearing on the Proposed Operating and Capital Budgets and the Proposed Fees and Charges Report for Fiscal Year 2017-2018.

Recommendation: Conduct a Public Hearing on the City's Proposed Operating and Capital Budgets for the Fiscal Year 2017-2018, the Proposed Five-Year Capital Improvement Program for 2018-2022, and the Proposed Fees and Charges Report for the Fiscal Year 2017-2018. CEQA: Not Project, File No. PP10-069(a), City Organizational & Administrative Activities, Annual Reports. (City Manager)

3.5 Amendment to the Agreement with Penske Truck Leasing Co., L.P. for Lease and Maintenance of Compressed Natural Gas Shuttle Buses.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute the Second Amendment to the Restated Agreement with Penske Truck Leasing Co., L.P. (Wilmington, Delaware) for the lease and maintenance of ten compressed natural gas (CNG) shuttle buses at the Norman Y. Mineta San José International Airport (Airport) to extend the term by two years through May 31, 2019, not to exceed \$3,226,230, subject to the annual appropriation of funds;
- (b) Negotiate and execute amendments and/or change orders to the Agreement to increase compensation if the actual utilization of the buses is greater than forecast, subject to the appropriation of funds; and
- (c) Exercise one, one-year option to extend the term of the Agreement to continue lease and maintenance of the CNG shuttle buses through May 31, 2020, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. (Finance)

3.6 Board of Fair Campaign and Political Practices Response to September 27, 2016 Council Referral Regarding Legal Defense Funds, and Campaign and Officeholder Contributions for Election Contest or Recounts.

- * **Recommendation:** As recommended by the Rules and Open Government Committee on May 10, 2017, accept the report of the Board of Fair Campaign and Political Practices (“Board”) responding to the Council’s September 27, 2016 referral to further review the amendments to Title 12 of the San José Municipal Code permitting legal defense funds and campaign contributions for election contest or recounts. CEQA: Not a Project; PP10-068, General Procedure & Policy Making. (City Clerk)
[Rules Committee referral 5/10/17 – Item G.2.]

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Actions Related to Mobilehome Park Closures.

Recommendation: Amendment to Title 20 of the San José Municipal Code (the Zoning Code or Zoning Ordinance), and revisions to City Council Policy 6-33 “Conversion of Mobilehome Parks to Other Uses,” to provide for a more comprehensive review of zoning and land use permit applications for the conversion of use of sites with existing mobilehome parks and multi-family housing:

- (a) Approve an ordinance amending Title 20 of the San José Municipal Code (the Zoning Code) to add a new Part 5 to Chapter 20.180 regarding Mobilehome Park Closure Projects.
- (b) Approve an ordinance amending Chapter 20.120 entitled “Zoning Changes and Amendments” and Section 20.80.460 relating to the evaluation of permit applications for the demolition, removal, or relocation of a building within those sections of the Zoning Code in order to provide for a more comprehensive review of zoning and land use permit applications for the conversion of use of sites with mobilehome parks and existing multi-family housing, and to make other technical, formatting or other non-substantive changes within those sections of the Zoning Code.
- (c) Adopt a resolution amending City Council Policy 6-33 “Conversion of Mobilehome Parks to Other Uses,” (the Policy), to change and add provisions for consideration of mobilehome park conversions to other uses to facilitate implementation of the requirements in the Zoning Code regarding mobilehome park conversions to another use including:
 - (1) Defining the term “sufficient information” in Section 1.d. of the Policy to ensure that Designated Resident Organizations (DRO) can make a well-informed assessment of the mobilehome park’s value and/or what procedures can be established for a DRO to get access to that information;
 - (2) Providing clarifying language in Section 1.e. of the Policy; and
 - (3) Providing additional scenarios for selecting appraisers and consultants under Sections 2.a. and 2.c. of the Policy.

CEQA: Not a Project, File No. PP10-068, General Procedure and Policy Making that involves no changes in the physical environment or Exempt pursuant to Section 15061(b)(3). Planning Commission's motion to recommend approval of Director of Planning, Building and Code Enforcement's recommendation failed (2-4-1; Abelite, Allen, Ballard, and Bit-Badal opposed; Vora absent). (Planning, Building and Code Enforcement/Housing)

PP17-023 – Citywide

(Deferred from 4/11/17 – Item 4.3)

TO BE HEARD JOINTLY WITH ITEM 10.1 AND NOT BEFORE 4:00 P.M.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Downtown Sign District and Citywide Electronic Billboards.

- * **Recommendation:** As recommended by the Community and Economic Development Committee on April 24, 2017:
- (a) Accept the supplemental informational report on workplan options to investigate removing existing barriers to off-premise (off-site) commercial advertising on a variety of public and privately owned sites in the City;
 - (b) Direct staff to implement the workplan for City owned and controlled sites as identified in the April 12, 2017 memorandum; and
 - (c) Direct staff to report back to the CED Committee in November 2017 with recommendations related to allowing off-premise advertising on non-City owned and controlled sites in the Downtown Sign Zone, updating the existing Billboard Relocation Program to address electronic digital billboards, and revising regulation of public right of way signage.
- CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Reports. (Economic Development/Planning, Building and Code Enforcement)
[Community and Economic Development Committee referral 4/24/17 – Item (d)(2)]

4.3 Team San Jose Performance Measures Revisions.

Recommendation: As recommended by the Community and Economic Development Committee on April 24, 2017, accept report and adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the Team San Jose contract to revise its performance measures, enhance its reporting requirements, and revise the incentive fee contract model to a management fee model in accordance with the recommendations outlined in the memorandum to Council. CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Reports; and File No. PP10-066, Agreements & Contracts. (Economic Development)
[Community and Economic Development Committee referral 4/24/17 – Item (d)(3)]

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Establish San José Clean Energy.

Recommendation:

- (a) Initiate the formation of San José Clean Energy, a Community Choice Energy operation with the following framework:
 - (1) Rates: Offer at least one power mix option with a rate equal to or less than PG&E's rates.
 - (2) Power Mix: Offer at least one power mix option at 10 percent or more renewables than PG&E.
 - (3) Programs:
 - (a) Establish San José-specific renewable energy and energy-efficiency programs;
 - (b) Maintain, at minimum, low-income programs at the same level as PG&E; and
 - (c) Develop local renewable energy projects.
 - (4) Community Input: Establish a Community Advisory Committee.
 - (5) Minimal or no adverse impact to the City's General Fund.
- (b) Direct the City Manager to bring back the required ordinance, including establishment of a new department, plans, and budget actions for Council consideration, to enable the start-up of San José Clean Energy in Fiscal Year 2017-2018.

CEQA: Not a Project, File No. PP10-069(a), City Administrative Activities, Staff Reports that involve no approvals of any City actions. (Environmental Services)

* **TO BE HEARD IMMEDIATELY FOLLOWING ITEM 9.2**

8. PUBLIC SAFETY SERVICES

9. REDEVELOPMENT – SUCCESSOR AGENCY

- **RECESS THE MEETING OF THE CITY COUNCIL AND CONVENE THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE**
- **REDEVELOPMENT – SUCCESSOR AGENCY TO BE HEARD IMMEDIATELY FOLLOWING CITY COUNCIL CONSENT CALENDAR**

9. REDEVELOPMENT – SUCCESSOR AGENCY

9.1 Actions Related to the Reinstatement of Loan Agreement for Parking Fund Loans.

Recommendation:

- (a) Successor Agency Board adopt a resolution authorizing the Executive Officer to execute a Reinstatement of Loan Agreement related to the reinstatement of certain Parking Fund Loans between the Successor Agency and the City on terms and conditions as provided in the redevelopment dissolution legislation.
- (b) City Council adopt a resolution authorizing the City Manager to execute a Reinstatement of Loan Agreement related to the reinstatement of certain Parking Fund Loans between the Successor Agency and the City on terms and conditions as provided in the redevelopment dissolution legislation.

CEQA: Not a Project, File No. PP16-066, Agreements & Contracts. (Successor Agency/Finance)

9.2 Actions Related to the Sale and Issuance of Bonds and Related Bond Documents for Multiple Series of Tax Allocation Refunding Bonds.

Recommendation: Successor Agency Board adopt a resolution:

- (a) Authorizing, subject to the approval of the Oversight Board of the Successor Agency (the “Oversight Board”) and the State Department of Finance (“DOF”), the issuance of tax-exempt and taxable tax allocation refunding bonds in multiple series in an aggregate principal amount not to exceed \$1,800,000,000 to be sold through negotiated sale;
- (b) Authorizing, subject to the approval of the Oversight Board and DOF, the negotiation, execution and delivery, in substantially final form, of an Indenture of Trust, the Escrow Agreements, Irrevocable Refunding Instructions and Bond Purchase Agreement and directing the preparation of an Official Statement for subsequent approval by the Successor Agency Board; and
- (c) Authorizing the Executive Officer and Chief Financial Officer of the Successor Agency, or their designees, to take any actions and execute any and all documents necessary to complete this transaction.
- * (d) Authorizing the Managing Director to extend for up to ninety (90) days the close of escrow for the sale of the following Successor Agency owned properties: 201 South Second Street, 292 Stockton Avenue, and 280 Jackson Street in San José.

CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. (Successor Agency)

- **ADJOURN THE MEETING OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE AND RECONVENE THE MEETING OF THE CITY COUNCIL**

10. LAND USE

10.1 General Plan Text Amendment: Mobilehome Park Closures.

Recommendation:

- (a) Open the General Plan Hearing.
- (b) Tentative approval of General Plan Text Amendments relating to protection of existing mobilehome parks to: 1) strengthen goals and policies to protect existing mobilehome parks in the City of San José as a component of housing choice, and a source of existing affordably-priced housing in established neighborhoods and to improve protection from conversion to other uses; and 2) add General Plan goals, policies, and actions to preserve mobilehome parks and other housing in each Urban Village until the preservation of affordable housing can be comprehensively addressed by adoption of an Urban Village Plan specific to that Urban Village. CEQA: Not a Project, File No. PP10-068, General Procedure and Policy Making that involves no changes in the physical environment or Exempt pursuant to Section 15061(b)(3). Planning Commission recommends approval (6-0-1, Yob abstained). (Planning, Building and Code Enforcement/Housing)
- (c) Continue the General Plan Hearing to June 13, 2017.

GPT15-006 – Citywide

(Deferred from 4/11/17 – Item 10.2)

TO BE HEARD JOINTLY WITH ITEM 4.1 AND NOT BEFORE 4:00 P.M.

- **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**

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

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

| <u>Tract</u> | <u>Location</u> | <u>Council District</u> | <u>Developer</u> | <u>Lots/Units</u> | <u>Type</u> | <u>Proposed Decision</u> |
|--------------|--------------------|-------------------------|----------------------|-------------------|-------------|--------------------------|
| 10360 | 2799 S. Bascom Ave | 9 | Advanced Development | 7 Lots / 5 Units | SFA | Approve |
| 10362 | 1821 Almaden Road | 6 | 1821 Almaden LLC | 1 Lot/96 units | MFA | Approve |

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 time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. 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.
- c) Speakers should discuss topics related to City business 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.