



CITY COUNCIL AGENDA

AUGUST 8, 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** — 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.
- **Environmental and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Public Safety** — 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**
 - 9:00 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 7)**
 - “Warm the World, Chinese Cultural Dancers”*

- **Pledge of Allegiance**

- **Orders of the Day**

ADOURNMENT: This meeting is adjourned in memory of Corey Friccero, a dedicated Veteran who served his community as Veteran’s Outreach Coordinator with Goodwill and through his work to secure passage of Measure A, bringing lasting help for generations to come. (Mayor)

- * Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.
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 certificate to the City of San José from AARP acknowledging the City’s acceptance as a member of the AARP Network of Age-Friendly Communities. (Mayor/Parks, Recreation and Neighborhood Services)
- 1.2 Presentation of a commendation to Miller Middle School’s team, “The Einstein Erasers” for taking Best Overall 2nd place for the 6th grade Division at the 30th Annual Tech Challenge amidst thousands of students from across Northern California. (Jones)

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.

Recommendation: Approval of City Council Minutes:

- (a) Special Council Minutes of January 27, 2017, Civic Innovation & Digital Strategy Study Session.
- (b) Special Council Minutes of January 30, 2017, Environmental Sustainability Study Session.
- (c) Special Council Minutes of February 13, 2017, Clean Energy Business Plan.
- (d) Special Council Minutes of March 9, 2017, Coyote Creek Flood Plan.
- (e) Special Council Minutes of March 30, 2017, Diridon Station & Regional Rail Projects Study Session.

CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (City Clerk)

2. CONSENT CALENDAR

2.2 Final Adoption of Ordinances.

Recommendation: Final Adoption of Ordinances:

- (a) ORD. NO. 29966 – An ordinance of the City of San José amending Part 1 of Chapter 13.36 of Title 13 of the San José Municipal Code to govern right-of-way work permits and adding a new chapter to Title 13 to govern encroachments. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Environmental Impact Report (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617), File No. PP17-045.
- (b) ORD. NO. 29967 – An ordinance of the City of San José amending Section 25.08.700 of Chapter 25.08 of Title 25 of the San José Municipal Code to require ground transportation providers to pay fees and charges to be set by City Council, including fees, if any, for discharging passengers of packages at the Norman Y. Mineta San José International Airport and to allow registration in lieu of permits for limited operators. CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy that involves no changes in the physical environment.
- (c) ORD. NO. 29969 – An ordinance of the City of San José amending Chapter 11.48 of Title 11 of the San José Municipal Code to establish a new residential permit parking zone in the Hoffman Neighborhood. CEQA: Exempt, File No. PP14-069, CEQA Guidelines Section 15301, Existing Facilities. Council District 10.
- (d) ORD. NO. 29973 – An ordinance of the City of San José adopting salaries and other compensation for the Mayor and Councilmembers pursuant to City Charter Section 407. CEQA: Not a Project, File No. PP10-067(b), Non-Project Specific Funding Mechanism, Appropriation Ordinance.
- (e) ORD. NO. 29974 – An ordinance of the City of San José rezoning certain real property of approximately 8.79 acres situated on the East Side of Booksin Avenue approximately 550 feet southerly of Curtner Avenue (2281 Plummer Avenue) from the R-1-8 Single-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District. CEQA: Determination of Consistency with Final Program Environmental Impact Report for the Envision San José 2040 General Plan (Resolution No. 76041) and the Supplemental Environmental Impact Report for the Envision San José 2040 General Plan Final Program EIR (Resolution 77617).
C17-016 – Council District 6

(Item continued on the next page)

2. CONSENT CALENDAR

2.2 Final Adoption of Ordinances. (Cont'd.)

Recommendation:

- (f) ORD. NO. 29975 – An ordinance of the City of San José rezoning certain real property of approximately 17.4 acres situated at the Northeast corner of Cottle Road and Great Oaks Parkway, from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District. CEQA: Initial Study/Addendum to the San José Lowe's Final Environmental Impact Report (Resolution No. 73814) and Addenda thereto.
PDC17-003 & PD17-001 – Council District 2

2.3 Approval of Council Committee Minutes.

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 Amendment to Agreement FUSE Corps for Placement Services.

Recommendation: Adopt a resolution to authorize the City Manager to negotiate and execute a Second Amendment to the Agreement for Placement Services between the City of San José and FUSE Corps to:

- (a) Extend the term of Agreement from December 31, 2017 to November 30, 2018;
(b) Modify the scope of services to add two fellows for 2017-18; and
(c) Increase the amount of total compensation by \$220,000, from \$270,000 to \$490,000.

CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. (City Manager)

2.8 Amendment to the City Pay Plan for Various Classifications.

Recommendation: Adopt a resolution to amend the City of San José Pay Plan effective August 8, 2017, to create the classification Director, Community Energy U (3460). CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making, Municipal Code, Title 3. (Human Resources)

2. CONSENT CALENDAR

2.9 **Amendment to the Agreement with Unique Management Services Inc. for Recovery of Fines and Fees for Overdue Materials at City Libraries.**

Recommendation: Approve a Continuation and Second Amendment to the Agreement between the City of San José and Unique Management Services Inc., for consulting services related to the recovery of fines and fees for overdue materials at City libraries, to extend the contract term of the Agreement through June 30, 2018, and to increase the maximum compensation by \$60,000, from \$244,755 to \$304,755. CEQA: Not a Project, File No. PP10-066(e), Agreements & Contracts, Services that involve no physical change to the environment. (Library)

2.10 **Vacation of a Portion of Old West Julian Street Between North Autumn Street and Autumn Parkway with the Reservation of Public Service Easements.**

Recommendation: Adopt a resolution of intention to conditionally vacate a portion of Old West Julian Street between North Autumn Street and Autumn Parkway with the reservation of public service easements over the entire area being conditionally vacated and set a Public Hearing on August 29, 2017 at 1:30 p.m. CEQA: Exempt, File No. PP17-032, CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitation. Council District 3. (Public Works)

2.11 **Change to Council Meeting Schedule. DEFERRED**

Recommendation: As recommended by the Rules and Open Government Committee on June 21, 2017, change the City Council's meeting schedule for August-December 2017 where Council Meetings, especially evening sessions, shall have a 12:00 a.m. curfew with a continuance to be determined.

CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (Jones/Davis)

[Rules Committee referral 6/21/17 – Item D(3)]

* **DEFERRED TO 8/15/17 PER RULES COMMITTEE**

2.12 **Evergreen Community Center Preschool Graduation.**

* **Recommendation:** As recommended by the Rules and Open Government Committee on August 2, 2017:

(a) Retroactively approve the Evergreen Community Center Preschool Graduation scheduled on Friday, June 2, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Retroactively approve and accept donations from various individuals, businesses or community groups to support these events.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Arenas)

[Rules Committee referral 8/2/17 – Item G.1.b.]

2. CONSENT CALENDAR

2.13 Day in the Park Festival.

- * **Recommendation:** As recommended by the Rules and Open Government Committee on August 2, 2017:
- (a) Approve the Day in the Park Festival scheduled on Saturday, October 7, 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 these events.
- CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Arenas)
[Rules Committee referral 8/2/17 – Item G.1.c.]

2.14 Coffee and Conversation.

- * **Recommendation:** As recommended by the Rules and Open Government Committee on August 2, 2017:
- (a) Retroactively approve Coffee & Conversation scheduled on Monday, August 7, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
 - (b) Retroactively approve and accept donations from various individuals, businesses or community groups to support these events.
- CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Jones)
[Rules Committee referral 8/2/17 – Item G.1.d.]

3. STRATEGIC SUPPORT

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 9:00 A.M.

3.3 Action Related to Board of Fair Campaign and Political Practices Recommendations for Changes to the City's Gift Ordinance. *DEFERRED*

Recommendation:

- (a) Consider the recommended revisions of the Board of Fair Campaign and Political Practices to the City's Gift Ordinance.
- (b) Provide direction to the City Attorney to draft an ordinance amending Title 12 of the San José Municipal Code to align the City's Gift Ordinance with the gift regulations under the California Political Reform Act.

CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making, Municipal Code or Policy. (City Attorney)

- * **DEFERRED TO 8/15/17 PER RULES COMMITTEE**

3. STRATEGIC SUPPORT

3.4 Statement of Policy and Questions for the Prospective Director of Human Resources.

Recommendation: Adopt a Statement of Policy and City Council Questions related to the selection of a prospective Director of Human Resources as described in the memorandum to Council, in compliance with City Charter Section 411.1. CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (City Manager)

3.5 Continuation of the Proclamation of the Existence of a Local Emergency and Discussion of Current Flood Recovery Efforts.

Recommendation:

- (a) Adopt a resolution continuing the proclamation of the existence of a local emergency as a result of flooding.
- (b) Discussion of current flood recovery efforts.

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

3.6 2017 Coyote Creek Flood After Action Review & Improvement Recommendations Report.

Recommendation: Accept the 2017 Coyote Creek Flood After Action Review & Improvement Recommendations Report and direct the City Manager to restructure the City organization and take appropriate action to implement the top six recommendations:

- (a) Strengthen Organizational Structure and Staffing for Emergency Management
- (b) Improve Emergency Planning
- (c) Complete Flood Recovery
- (d) Prepare for Next Rainy Season
- (e) Enhance Key Capabilities
- (f) Increase Coordination

CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Report. (City Manager)

3.7 Office of Emergency Services Assessment and Recommendations Report.

Recommendation:

- (a) Accept the City of San José Office of Emergency Services (OES) Assessment and Recommendations Report.
- (b) Direct the City Manager to implement Option Three of the OES Assessment Report as follows:
 - (1) Move OES from the Fire Department to the City Manager's Office;
 - (2) Elevate the OES Director position from its current classification of Deputy Director to Director, Emergency Management;

(Item continued on the next page)

3. STRATEGIC SUPPORT

3.7 Office of Emergency Services Assessment and Recommendations Report. (Cont'd.)

Recommendation:

- (b) (3) Change the name of OES to the Office of Emergency Management; and
 - (4) Make it a priority to phase-in additional emergency management positions in future annual budgets, as appropriate, within the context of the General Fund budgetary outlook and other city-wide priorities.
 - (c) Direct the City Manager to return to Council no later than September 2017 with implementation actions for Items 1, 2, and 3 (above) and to bring recommendations for Item 4 in the 2018-2019 Proposed Budget, as appropriate.
- CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Report. (Fire)

3.8 Actions Related to the Fiscal Year 2017-2018 Property Tax Levy for General Obligation Bonds.

Recommendation: Adopt a resolution establishing the FY 2017-2018 property tax levy on all taxable property within the City of San José for the purpose of funding the City's general obligation bonded indebtedness and pay the related administration fee to the County. CEQA: Not a Project, File No. PP10-067, Non-Project Specific Funding Mechanism. (Finance)

3.9 Actions Related to the Fiscal Year 2017-2018 Annual Residential Solid Waste Collection Service Charges Report.

Recommendation: Conduct a Public Hearing on the Fiscal Year 2017-2018 annual report prepared by the Director of Finance detailing the Residential Solid Waste Collection Service Charges filed with the City Clerk's Office; and adopt a resolution to confirm the approval of the report and the placement of charges as set forth therein on the 2017-2018 Santa Clara County Secured Property Tax Roll, with such modifications the City Council may make based on public hearing testimony. CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (Finance)

3.10 Actions Related to the Fiscal Year 2017-2018 Sanitary Sewer Service and Use Charges and Storm Sewer Service Charges Report.

Recommendation: Conduct a Public Hearing on the Fiscal Year 2017-2018 annual report prepared by the Director of Finance detailing the Sanitary Sewer Service and Use Charges and Storm Sewer Service Charges filed with the City Clerk's Office; and adopt a resolution to confirm the approval of the report and the placement of the charges as set forth therein on the 2017-2018 Santa Clara County Secured Property Tax Roll, with such modifications the City Council may make based on public hearing testimony. CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (Finance)

3. STRATEGIC SUPPORT

3.11 Resolution in Support of Paris Agreement on Climate Change.

Recommendation: As recommended by the Rules and Open Government Committee on June 21, 2017:

- (a) Adopt a resolution supporting the principles of the Paris Agreement on Climate Change.
- (b) As directed by Council in December 2015, staff should return with a GHG-reduction target for San José, as part of the Environmental Sustainability Plan, that is in alignment with the 2 degrees Celsius goal of the Paris Agreement.

CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (Mayor)

[Rules Committee referral 6/21/17 – Item G(3)]

* **TO BE HEARD WITH ITEM 7.2**

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Purchase and Sale Agreement with Del Grande Properties for Real Property Located at Almaden Blvd. and Carlisle St. *DEFERRED*

Recommendation: Adopt a resolution:

- (a) Approving the use of a Purchase and Sale Agreement between the City and Del Grande Properties for the sale of the City's 6,708 square feet of vacant surplus land at the corner of Almaden Blvd. and Carlisle St., Assessor's Parcel Number 259-35-029, in the amount of \$1,341,600; and
- (b) Authorizing the City Manager or his designee to negotiate and execute the Purchase and Sale Agreement, the deed, all other documents necessary to complete the transaction, and any amendments or modifications.

CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. Council District 3. (Economic Development)

(Deferred from 6/27/17 – Item 4.1)

* **DEFERRED TO 8/29/17 PER ADMINISTRATION**

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Public Hearing on the Reorganization of McKee 137. DROP

Recommendation: Conduct a Public Hearing and adopt a resolution ordering the reorganization of territory designated as McKee 137 which involves the annexation to the City of San José of approximately 0.46 gross acres of land generally located on the north side of McKee Road, approximately 400 feet east of N. White Road, and the detachment of the same from the appropriate special districts including Santa Clara County Central Fire Protection District, County Sanitation District 2-3, Santa Clara County Lighting Service Area, and Santa Clara County Library Services (Area No. 1). CEQA: Determination of Consistency with Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041) and Supplemental EIR to the Envision San José 2040 General Plan Final Program EIR (Resolution No. 77617), and addenda thereto. Council District 5. (Planning, Building and Code Enforcement)
(Deferred from 6/27/17 – Item 4.3)

DROP – TO BE RENOTICED

4.3 Amendment to Title 20 – Zoning Code for Assembly Use Temporary and Incidental Shelter for the Homeless.

Recommendation:

- (a) Consider and adopt a resolution approving the revised Initial Study/Negative Declaration for the Temporary and Incidental Homeless Shelter Ordinance described in (b).
- (b) Approve an ordinance amending Title 20 of the San José Municipal Code (the Zoning Code), to revise land use provisions for temporary and incidental shelter of homeless people, including: 1) Amending Sections 20.80.1600, 20.80.1610 and 20.80.1620, and adding Sections 20.80.1630, 20.80.1640 and 20.80.1650 to Part 17, Chapter 20.80, adding definitions of “Assembly Use,” “Incidental Shelter,” and “Places of Assembly,” creating standards for temporary and incidental shelter of homeless individuals and families, allowing the incidental shelter as an incidental permitted use to an existing legal assembly use where the shelter is provided inside existing buildings that are constructed and operating in compliance with the San José Municipal Code; and 2) Making other technical, formatting or non-substantive changes in the Zoning Code.

CEQA: Initial Study/Negative Declaration for the Temporary and Incidental Homeless Shelter Municipal Code Amendment. (Planning, Building and Code Enforcement)

PP17-015 – Citywide

(Continued from 6/27/17 – Item 4.4)

* **NOT TO BE HEARD BEFORE 4:00 P.M.**

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.4 Approval of a Predevelopment Loan for the Quetzal Gardens Apartments Located at 1695 Alum Rock Avenue.

Recommendation: Adopt a resolution approving a Predevelopment Loan of up to \$1,000,000 in Low and Moderate Income Housing Asset Funds to Quetzal Gardens, L.P., an affiliate development entity of Resources for Community Development, for the Quetzal Gardens Apartments, a new affordable development to be located at and secured by 1695 Alum Rock Avenue in order to offer rent- and income-restricted apartments for 70 extremely low-income and very low-income households. CEQA: Exempt, File No. CP17-009, per CEQA Section 15332 In-Fill Development Projects. Council District 5. (Housing)

4.5 County of Santa Clara Measure A (Affordable Housing Bond) Implementation.

Recommendation: Adopt a resolution authorizing the Director of Housing to submit a letter to the County of Santa Clara reflecting the City's recommendations regarding Measure A implementation. CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Reports that involve no approvals of any City Actions. (Housing)

4.6 Amendment to the Agreement with County of Santa Clara for Support Case Management, Transportation, and Data Services for Chronically Homeless Individuals.

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute a Second Amendment to a grant Agreement with the County of Santa Clara for case management, transportation, and data services to:

- (a) Extend the term of the grant Agreement for an additional fiscal year through June 30, 2018;
- (b) Amend the scope of services to support ongoing operations of the Care Coordination Program case management, the UPLIFT Transit Pass Program, and the Homeless Management Information System; and
- (c) Increase funding by \$1,096,000 for a total grant award not to exceed \$3,112,000. CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. (Housing)

4.7 Actions Related to the Award of Contracts for the Rapid Rehousing Program.

Recommendation:

- (a) A Grant Agreement with The Health Trust in the amount of \$1,901,000 for Fiscal Year 2017-2018 with (2) two, one-year options to extend the Agreement in the amount of \$2,250,000 annually, to include:
 - (1) \$750,000 in Fiscal Year 2017-2018 to serve as a Supportive Services Administrator with funding from the Multi-Source Housing Fund for the Rapid Rehousing Program;

(Item continued on the next page)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.7 Actions Related to the Award of Contracts for the Rapid Rehousing Program. (Cont'd.)

Recommendation:

- (a) (2) \$1,151,000 in Fiscal Year 2017-2018 to serve as the Rental Subsidy Administrator with funding from the Multi-Source Housing Fund (\$1,125,000) and with funding from the General Fund (\$26,000);
- (b) A Grant Agreement with The Health Trust in the amount of \$1,800,000 for Fiscal Year 2017-2018 with (2) two, one-year options to extend the Agreement in the amount of \$2,400,000 annually (Fiscal Year 2018-2019 & Fiscal Year 2019-2020) to serve as the Rental Subsidy Administrator with funding from the HOME Investment Partnerships Program Trust Fund (HOME);
- (c) A Grant Agreement with Bill Wilson Center in the amount of \$560,000 as a Supportive Services Administrator with funding from the Multi-Source Housing Fund with (2) two, one-year options to extend the agreement in the amount of \$560,000 annually;
- (d) A Grant Agreement with People Assisting the Homeless (PATH) in the amount of \$200,000 as a Supportive Services Administrator with funding from the Multi-Source Housing Fund with two (2), one-year options to extend the agreement in the amount of \$200,000 annually; and
- (e) Adopt the following Fiscal Year 2017-2018 Appropriation Ordinance amendments in the HOME Investment Partnerships Program Trust Fund:
 - (1) Decrease Unrestricted Ending Fund Balance by \$500,000; and,
 - (2) Increase the Tenant Based Rental Assistance appropriation to the Housing Department by \$500,000.

CEQA: Not a Project, File No. PP10-066, Agreements & Contracts; and File No. PP10-067(b), Non-Project Specific Funding Mechanism, Appropriation Ordinance.
(Housing/City Manager)

4.8 Update on Homelessness Response Initiatives. *DEFERRED*

Recommendation:

- (a) Accept the report on City homelessness response initiatives and discuss ongoing efforts to create a range of interventions and solutions for homeless individuals and families.

[Neighborhood Services and Education Committee referral 6/8/17 – Item (d)(5)]

- (b) Accept the report to:
 - (1) Provide the current number, type, and location of temporary and permanent homes for formerly homeless residents in San José, as well as other deed-restricted affordable housing; and
 - (2) Temporarily pause implementation of the City's current Dispersion Policy applying to individual residential developments, pending update of the Dispersion Policy to align with the General Plan and with Federal and State guidance on fair housing.

[Community and Economic Development Committee referral 6/26/17– Item (d)(2)]

(Item continued on the next page)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.8 Update on Homelessness Response Initiatives. (Cont'd.)

Recommendation:

CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff reports that involve no approvals of any City Actions. (Housing)

* **DEFERRED TO 8/29/17 PER ADMINISTRATION**

4.9 Public Hearing on the Vacation of a 25-Foot Setback Easement Located at 4886 Kingwood Way.

Recommendation: Conduct a Public Hearing and adopt a resolution:

- (a) Approving the report of the Director of Public Works setting forth the facts justifying the vacation of a 25-foot light and air easement (“setback easement”) located at 4886 Kingwood Way;
- (b) Vacating the 25-foot setback easement located at 4886 Kingwood Way; and
- (c) Directing the City Clerk to record a certified copy of the resolution of vacation with the Office of the Recorder, County of Santa Clara.

CEQA: Exempt, File No. PP17-036, CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitation. Council District 9. (Public Works)

4.10 Public Hearing on the Vacation of a Portion of Old West Julian Street between North Autumn Street and Autumn Parkway. *DROP*

Recommendation: Conduct a Public Hearing and adopt a resolution to conditionally vacate a portion of Old West Julian Street between North Autumn Street and Autumn Parkway with the reservation of a public service easement over the entire area being conditionally vacated. CEQA: Exempt, File No. PP17-032, CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitation. Council District 3. (Public Works)
DROP – TO BE RENOTICED

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 Actions Related to the Metropolitan Transportation Commission Grant Funding for the One Bay Area Grant Cycle 2 Program and the Vehicle Emissions Reductions Based at Schools Program. *DEFERRED*

* **Recommendation:**

- (a) Approve the following actions to receive grant funding from the Metropolitan Transportation Commission (MTC) for the One Bay Area Grant Cycle 2 (OBAG 2) Program for one Road Rehabilitation and Complete Streets Project and three Safety and Complete Streets Projects. In addition, approve the MTC locally programmed Vehicle Emissions Reductions Based at Schools (VERBS) Program for Pedestrian and Bicycle Traffic Safety Improvements in the Mount Pleasant Schools Area.
- (b) Adopt a resolution to:
 - (1) Accept grant funding from the MTC for each of the submitted applications and authorize the City Manager or designee to negotiate and execute any documents to accept the grant funds, including the authority to negotiate and execute any documents that increase the amount of the grant award or require an increase of local matching funds, subject to the appropriation of such funds;
 - (2) Commit the City to provide the required local match and to pay for any additional cost to complete each of the projects listed below:
 - (a) OBAG - Road Rehabilitation and Complete Streets "Guarantee" Program:
 - (1) \$14,597,000 for the Pavement Maintenance – Federal (OBAG2) Project. The local match in the amount of \$1,891,000 is included in the Pavement Maintenance – City appropriation;
 - (b) OBAG - Complete Streets Competitive Program:
 - (1) \$11,952,000 for the McKee Road - San Jose Vision Zero Safety Improvement Project, which is inclusive of the required local match and other non-grant reimbursable project cost elements of \$3,329,000;
 - (2) \$11,919,000 for the Tully Road - San Jose Vision Zero Safety Improvement Project which is inclusive of the required local match and other non-grant reimbursable project cost elements of \$3,320,000; and
 - (3) \$10,994,000 for the West San Carlos - A Corridor Safety Improvement Project which is inclusive of the required local match and other non-grant reimbursable project cost elements of \$3,062,000.
- (c) Make the necessary assurances that each of the projects will be completed in compliance with the submitted applications, MTC's Regional Funding Delivery Policy, and the grant program requirements.

(Item continued on the next page)

6. TRANSPORTATION & AVIATION SERVICES

6.1 Actions Related to the Metropolitan Transportation Commission Grant Funding for the One Bay Area Grant Cycle 2 Program and the Vehicle Emissions Reductions Based at Schools Program. (Cont'd.)

Recommendation:

(d) Adopt the following 2017-2018 Funding Sources Resolution and Appropriation Ordinance amendments in the Construction Excise Tax Fund:

- (1) Increase the revenue estimate for Federal Government in the amount of \$1000,000;
- (2) Establish the Mount Pleasant Schools Area Bike/Ped Safety Improvements appropriation to the Department of Transportation in the amount of \$1,210,000; and
- (3) Decrease the Transportation Grants Reserve in the amount of \$210,000.

CEQA: Exempt, File No. PP13-037, Section 15301(c) Citywide Bicycle and Pedestrian Public Right-of-Way Improvements; Exempt, File No. PP14-069, Section 15301(c) Citywide Street Maintenance, Repair and Improvement; Exempt, File No. PP14-017, Section 15301 Citywide Exemption for Traffic Flow Management and Operations. Council Districts 5, 6, 7, & 8. (Transportation/City Manager)

* **DEFERRED TO 8/15/17 PER ADMINISTRATION**

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Amendment to the Agreement with Allied Waste Services for the Commercial Solid Waste and Recyclables Collection Franchises. *DEFERRED*

Recommendation:

- (a) Approve the Cooperative Agreement and Fourth Amendment to the Franchises Agreement with Allied Waste Services of North America, LLC to resolve a dispute about the living wage requirements in the Commercial Solid Waste and Recyclables Collection Franchises Agreement for sorters and housekeepers at the Newby Island Recyclery.
- (b) Adopt a resolution setting Maximum Commercial Solid Waste Services Rates in the City of San José pursuant to the Cooperative Agreement and Fourth Amendment to the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement between the City of San José and Allied Waste Services of North America, LLC, dba Republic Services, including the total costs for organic processing services.

CEQA: Not a Project, File No. PP10-067(a), Non-Specific Funding Mechanism, Increase or Adjustment to Fees, Rates & Fares. (Environmental Services/Public Works/City Attorney)

(Deferred from 6/27/17 – Item 7.1(a))

* **DEFERRED TO 8/15/17 PER ADMINISTRATION**

7. ENVIRONMENTAL & UTILITY SERVICES

7.2 San José Clean Energy.

Recommendation:

- (a) Approve of an ordinance establishing San José Clean Energy and amending Title 2 of the San José Municipal Code to add a new department within the City of San José, the Community Energy Department;
- (b) Review draft San José Clean Energy Implementation Plan and Statement of Intent;
- (c) Review draft of the San José Clean Energy staffing plan;
- (d) Review draft of the San José Clean Energy funding strategy; and
- (e) Review draft Community Advisory Committee framework.

CEQA: Not a Project, File No. PP10-069, City Administrative Activities and File No. PP10-068, General Procedure and Policy Making. (City Manager)

* **TO BE HEARD WITH ITEM 3.11**

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

- **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

(To be heard by the City Council at 6:00 p.m.)

Notice to the public: There will be no separate discussion of Public Hearings 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 Public Hearings Consent Calendar (Item 10.1) and considered separately.

10.1 Public Hearing on Consent Calendar.

No Consent Calendar items.

10.2 Administrative Hearing of the Appeal of the Planning Director's Reliance on a Categorical Exemption for CEQA Clearance for the Approval of a Site Development Permit and Vesting Tentative Map for a Site Located at the Southeast Corner of Race Street and West San Carlos Street (1266 and 1270 West San Carlos Street, and 1298, 310 and 320 Race Street).

* **Recommendation:**

- (a) Conduct an appeal hearing and consider the appeal of the Director of Planning, Building and Code Enforcement's reliance on a categorical exemption for in-fill development (CEQA Guidelines Section 15332) for Site Development Permit File No. H17-018, and Vesting Tentative Map File No. T16-050 to allow the demolition and removal of the existing buildings, billboard, and hardscape; removal of seven ordinance-size trees; and development of an approximately 29,580 square-foot one-story commercial building with associated surface parking and landscaping on an approximately 2.04-gross-acre site, at the southeast corner of Race Street and West San Carlos Street (1266 and 1270 West San Carlos Street, and 1298, 310 and 320 Race Street).
- (b) Adopt a resolution denying the appeal and upholding the Director of Planning, Building and Code Enforcement's reliance on an Initial Study/Exemption, and finding that:
 - (1) The City Council has read and considered the Initial Study/Exemption;
 - (2) The Initial Study/Exemption was prepared and completed in compliance with the California Environmental Quality Act of 1970 and state and local CEQA implementation guidelines;
 - (3) Reliance on the Initial Study/Exemption reflects the independent judgment and analysis of the City of San José;
 - (4) Preparation of additional or subsequent environmental clearance is not required because no new information is known since the preparation of the Initial Study/Exemption; and
 - (5) The Director of Planning, Building and Code Enforcement shall transmit copies of the Initial Study/Exemption to any other decision-making body of the City of San José for the project.

(Item continued on the next page)

10. LAND USE

10.2 **Administrative Hearing of the Appeal of the Planning Director’s Reliance on a Categorical Exemption for CEQA Clearance for the Approval of a Site Development Permit and Vesting Tentative Map for a Site Located at the Southeast Corner of Race Street and West San Carlos Street (1266 and 1270 West San Carlos Street, and 1298, 310 and 320 Race Street). (Cont’d.)**

Recommendation:

- (c) Adopt a resolution approving the Site Development Permit File No. H17-018 to allow the demolition and removal of the existing buildings, billboard, and hardscape; removal of seven ordinance-size trees; development of an approximately 29,580 square-foot one-story commercial building with associated surface parking and landscaping on an approximately 2.04-gross-acre site at the southeast corner of Race Street and West San Carlos Street (1266 and 1270 West San Carlos Street, and 1298, 310 and 320 Race Street).
- (d) Adopt a resolution approving Vesting Tentative Map File No. T16-050 combining three parcels into one on an approximately 2.04 gross-acre site at the southeast corner of Race Street and West San Carlos Street (1266 and 1270 West San Carlos Street, and 1298, 310 and 320 Race Street).

CEQA: Exempt, CEQA Guidelines Section 15332- In-Fill Development Projects. Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)

H17-018 & T16-050 – Council District 6

10.3 **Continue General Plan Hearing from May 16, 2017, June 13, 2017 and June 27, 2017.**

10.4 **General Plan Amendment: Winchester and Santana Row/Valley Fair Urban Village Plans.**

* **Recommendation:**

- (a) Consider the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (Resolution No. 76041), the Supplemental Environmental Impact Report for the Envision San José 2040 General Plan Final Program EIR (Resolution 77617), and the November 1, 2016 Addendum thereto, in conformance with CEQA; and
- (b) Adopt a resolution approving the Winchester and Santana Row/Valley Fair Urban Village Plans, and General Plan Amendments modifying each Plan’s boundaries and General Plan land use designations.

CEQA: Final Program Environmental Impact Report for the Envision San José 2040 General Plan (Resolution No. 76041) and the Supplemental Environmental Impact Report for the Envision San José 2040 General Plan Final Program EIR (Resolution 77617), and addenda thereto. Planning Commission recommends approval (5-0-2; Abelite & Pham absent). (Planning, Building and Code Enforcement)

GP17-008 – Council Districts 1 & 6
(Deferred from 6/27/17 – Item 10.5)

10. LAND USE

10.5 General Plan Amendment: Stevens Creek Urban Village Plan.

* **Recommendation:**

- (a) Consider the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (Resolution No. 76041), the Supplemental Environmental Impact Report for the Envision San José 2040 General Plan Final Program EIR (Resolution 77617), and the November 1, 2016 Addendum thereto, in conformance with CEQA; and
- (b) Adopt a resolution approving the Stevens Creek Urban Village Plan, and General Plan amendment modifying the Plan boundary and General Plan land use designations.

CEQA: Final Program Environmental Impact Report for the Envision San José 2040 General Plan (Resolution No. 76041) and the Supplemental Environmental Impact Report for the Envision San José 2040 General Plan Final Program EIR (Resolution 77617), and addenda thereto. Planning Commission recommends approval (6-0-1; Allen absent). (Planning, Building and Code Enforcement)

GP17-009 – Council District 1
(Deferred from 6/27/17 – Item 10.6)

10.6 General Plan Amendment: Early Consideration of a Privately-Initiated Land Use/Transportation Amendment from Neighborhood Community Commercial to Urban Residential on a site located approximately 82 feet northerly of Lincoln Court, on the east side of Lincoln Avenue (2119 Lincoln Avenue).

Recommendation: No recommendation on whether to deny or continue processing the General Plan Amendment request to change the land use designation from Neighborhood Community Commercial to Urban Residential on a .28 acre site located approximately 82 feet northerly of Lincoln Court on the east side of Lincoln Avenue, (2119 Lincoln Avenue). CEQA: Exempt per Section 15270 Projects which are disapproved. Director of Planning, Building and Code Enforcement recommends denial. Planning Commission voted to forward the proposed General Plan Amendment to City Council with no recommendation (6-1-0, Yesney opposed). (Planning, Building and Code Enforcement)

GP17-005 – Council District 6

10.7 Close General Plan Hearing.

10. LAND USE

10.8 **Planned Development Rezoning for Real Property Located at 1236 Minnesota Avenue. *DEFERRED***

Recommendation: Consideration of an ordinance of the City of San José rezoning certain real property located on a 0.32-gross acre site, located at 1236 Minnesota Avenue, from the R-1-8 Single-Family Residence Zoning District to the R-1-8(PD) Planned Development Zoning District to allow the creation of a flag lot for the development of a new single-family residence behind an existing single-family residence (Cyrus and Rebecca Colburn, Owners). CEQA: Exempt per CEQA Guidelines Section 15303(a) for new Construction or Conversion of Small Structures. Planning Commission denied (3-2-2; Bit-Badal & Vora opposed; Abelite & Allen absent). (Planning, Building and Code Enforcement)

PDC15-048 – Council District 6

* **DEFERRED TO 8/22/17 PER ADMINISTRATION**

10.9 **Disposition and Development Agreement, Lease Amendment, and Related Site Development Permit, Special Use Permit, and Vesting Tentative Map Located on the Northwest Corner of West San Carlos Street and South Market Street at 180 Park Avenue. *DEFERRED***

Recommendation:

- (a) Adopt a resolution certifying the Museum Place Mixed-Use Project Supplemental Environmental Impact Report and making certain findings concerning significant impacts, mitigation measures, alternatives, and adopting a statement of overriding considerations and mitigation monitoring and reporting program, all in accordance with the California Environmental Quality Act, as amended.
- (b) Adopt a resolution:
 - (1) Approving the Disposition and Development Agreement with Insight King Wah LLC for the development of a mixed-use office, hotel, residential, Tech Museum expansion, and garage project;
 - (2) Authorizing the City Manager to negotiate and execute all documents related to the transfer of the City property to Insight King Wah LLC for the mixed-use project; and
 - (3) Authorizing the City Manager to negotiate and execute a Lease Amendment with the Tech Museum of Innovation for the construction and operation of the expansion space for the Tech Museum.
- (c) Adopt a resolution approving Vesting Tentative Map No. T16-024 to consolidate 25 parcels into three parcels, and to subdivide one parcel into a mixed-use project consisting of approximately 306 residential condominium units and 244 commercial condominium units and the remaining two parcels will consist of the Tech Museum and Civic Auditorium, on an approximately 2.5 gross acre site, located on the northwest corner of West San Carlos Street and South Market Street (180 Park Avenue) (City of San José, Owner).

(Item continued on the next page)

10. GENERAL PLAN PUBLIC HEARINGS

10.9 Disposition and Development Agreement, Lease Amendment, and Related Site Development Permit, Special Use Permit, and Vesting Tentative Map Located on the Northwest Corner of West San Carlos Street and South Market Street at 180 Park Avenue. (Cont'd.)

Recommendation:

- (d) Adopt a resolution approving Site Development Permit and Special Use Permit No. SP17-031 to allow the demolition of Parkside Hall, and to allow the construction of a 24 story mixed-use development with approximately 19,000 square feet of ground floor retail, approximately 214,000 square feet of office, approximately 60,000 square feet of museum space, 184 hotel rooms, and 306 residential units, the removal of 20 ordinance-sized trees.

CEQA: Supplemental Environmental Impact Report for the Museum Place Mixed-Use Project to the: “The Downtown Strategy 2000 Final Program Environmental Impact Report,” adopted by City Council Resolution No. 72767 on June 21, 2005; “Envision San José 2040 General Plan Final Program Environmental Impact Report,” adopted by City Council Resolution No. 76041 on November 1, 2011; and “Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Final Program Environmental Impact Report,” adopted by City Council Resolution No. 77617 on December 15, 2015, and addenda thereto. Planning Commission recommends approval (5-0-2; Ballard & Vora absent). (Planning, Building and Code Enforcement)

SP17-031 & T16-024 – Council District 3

* **DEFERRED TO 8/22/17 PER ADMINISTRATION**

● 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 Corey Friccero, a dedicated Veteran who served his community as Veteran's Outreach Coordinator with Goodwill and through his work to secure passage of Measure A, bringing lasting help for generations to come.” (Mayor)

- **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 receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
10417	267 Delmas Avenue	3	Park Delmas Investors LLC	1 Lot/ 36 Units	Mixed Use

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.