CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

MINUTES OF THE CITY COUNCIL

SAN JOSÉ, CALIFORNIA **TUESDAY, MAY 16, 2017**

The Council of the City of San José convened in Regular Session at 9:35 a.m. in the Council Chambers at City Hall.

Present: Councilmembers - Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, Nguyen, Peralez, Rocha; Liccardo.

Absent: Councilmembers - All Present.

STRATEGIC SUPPORT SERVICES

3.2 Accept Labor Negotiations Update.

There was no report.

CLOSED SESSION – SUCCESSOR TO THE REDEVELOPMENT AGENCY

Upon motion unanimously adopted, Council recessed at 9:40 a.m. to a Closed Session in Room W133; (A) to confer with Legal Counsel pursuant to subsection 54956.9(d)(1) of the Government Code with respect to potential litigation in one (1) matter; (B) to confer with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) with respect to existing litigation; (1) County of Alameda, et al. v. AMBC Financial, et al.; Names Of Partie(s) Involved: County of Alameda, City and County of San Francisco; City of Los Angeles; Los Angeles Department of Water and Power; Los Angeles World Airports; City of Oakland; City of Richmond; Redwood City; East Bay Municipal Utility District; City of Sacramento; Sacramento Suburban Water District; Sacramento Municipal Utility District; City of San José; City of Stockton; The Redevelopment Agency of the City of Stockton; the Public Financing Authority of the City of Stockton; County of Tulare; The Regents of the University of California; the Redevelopment Agency of the City of San José; AMBAC Financial Group, Inc.; AMBAC Assurance Corporation; MBIA, Inc.; MBIA Insurance Corporation; MBIA Insurance Corp. of Illinois, a/k/a National Public Finance Guarantee, Inc., f/k/a LL Capital Assurance, Inc.; Financial Guaranty Insurance

Company; Financial Security Assurance, Inc; CIFG Assurance North America, Inc.; Assured Guaranty Corp.; Jason Kissane; Does 1 through 50; Court: Superior Court of California, City and County of San Francisco; Case No.: CJC-08-004555; Amount of Money or Other Relief Sought: Damages according to proof.

CLOSED SESSION – SAN JOSÉ CITY COUNCIL

(A) to confer with Legal Counsel with respect to initiation of litigation pursuant to subsection 54956.9(d)(4) of the Government in two (2) matters; (B) to confer with Legal Counsel pursuant to Government Code Section 54956.9(d)(2) with respect to anticipated litigation (Claim Not Filed and Facts Known); Significant exposure to litigation pursuant to Sections 54956.9(d)(2) of the Government Code; Number of matter(s) to be discussed one (1); Facts: Threatened Litigation regarding Mobilehome Park Conversion Related Actions; (C) to confer with Legal Counsel with Respect to Anticipated Litigation (Claim Filed) with Significant Exposure to Litigation pursuant to Government Code Sections 54956.9(d)(2) and 54956.9(e)(3) and 54956.9(e)(5) of the Government Code: (1) In re: Claim of Negrete; Office of Emergency Services; (2) In re: Claim of Martinez; Office of Emergency Services; (3) In re: Claim of Falconio; Office of Emergency Services; (4) In re: Claim of Great Oaks; Environmental Services Department; (D) to confer with Legal Counsel Existing Litigation pursuant to Government Code Section 54956.9(d)(1): County of Alameda, et al. v. AMBC Financial, et al.; Names Of Partie(s) Involved: County of Alameda, City and County of San Francisco; City of Los Angeles; Los Angeles Department of Water and Power; Los Angeles World Airports; City of Oakland; City of Richmond; Redwood City; East Bay Municipal Utility District; City of Sacramento; Sacramento Suburban Water District; Sacramento Municipal Utility District; City of San José; City of Stockton; The Redevelopment Agency of the City of Stockton; the Public Financing Authority of the City of Stockton; County of Tulare; The Regents of the University of California; the Redevelopment Agency of the City of San José; AMBAC Financial Group, Inc.; AMBAC Assurance Corporation; MBIA, Inc.; MBIA Insurance Corporation; MBIA Insurance Corp. of Illinois, a/k/a National Public Finance Guarantee, Inc., f/k/a LL Capital Assurance, Inc.; Financial Guaranty Insurance Company; Financial Security Assurance, Inc; CIFG Assurance North America, Inc.; Assured Guaranty Corp.; Jason Kissane; Does 1 through 50; Court: Superior Court of California, City and County of San Francisco; Case No.: CJC-08-004555; Amount of Money or Other Relief Sought: Damages according to proof. (2) City of San José v. City of Santa Clara; Names of Partie(s) Involved: City of San José, City of Santa Clara; Court: Superior Court of California, County of San Mateo; Case No.: 16-CIV-02303; Amount of Money or Other Relief Sought: Petition for Writ of Mandate and Complaint for Declaratory Relief; (3) City of Santa Clara v. City of San José, et al.; Names Of Partie(s) Involved: City of Santa Clara, City of San José, City of San José City Council, Does I through X; and Federal Realty and Investment Trust, and Does 1-20; Court: Superior Court of California, County of San Mateo; Case No. 17-CIV-00547; ; Amount of Money or Other Relief Sought: Petition for Writ of Mandate and Complaint for Declaratory Relief; (4) Ted Smith v. City, et al.; Names Of Partie(s) Involved: Ted Smith, City of San José, a municipal entity; San José Redevelopment Agency, a municipal entity; Harry Mavrogenes, in his official capacity as

CLOSED SESSION (Cont'd.)

Executive Director of the San José Redevelopment Agency; Mayor Chuck Reed, in his official capacity as Mayor of the City of San José; Pet Constant, in his official capacity as Councilmember for the City of San José; Ash Kalra, in his official capacity as Councilmember for the City of San José; Sam Liccardo, in his official capacity as Councilmember for the City of San José; Pierluigi Oliverio, in his official capacity as Councilmember for the City of San José; Madison Nguyen, in her official capacity as Councilmember for the City of San José; Rose Herrera, in her official capacity as Councilmember for the City of San José; Judy Chirco, in her official capacity as Councilmember for the City of San José; Kansen Chu, in his official capacity as Councilmember for the City of San José; Nora Campos, in her official capacity as Councilmember for the City of San José; Nancy Pyle, in her official capacity as Councilmember for the City of San José; and Does 1-20; Court: Santa Clara County Superior Court; Sixth Appellate District; Supreme Court of California; Case No.: 1-09-CV-150427; H039498; S218066; Amount of Money or Other Relief Sought: Damages according to proof; (5) San José Retired Employees Association, et al. v. City, et al; Names of Parties Involved: San José Retired Employees Association, Howard E. Fleming, Donald S. Macrae, Frances J. Olson, Gary J. Richert and Rosalinda Navarro, City of San José Does 1 – 50, Board of Administration for the Federated City Employees Retirement System; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-233660; H040979; H042074; Amount of Money or Other Relief Sought: Declaratory Relief and Verified Petition for Writ of Mandate. (6) Sapien, et al. v. City of San José, et al; Names of Parties Involved: Robert Sapien, Marty Kathleen McCarthy, Thanh Ho, Randy Sekany, Ken Heredia, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, Does 1-15, The Board of Administration for the 1961 San José Police and Fire Department Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-225928; Amount of Money or Other Relief Sought: Challenge to Measure B. (7) Harris, et al. v. City of San José, et al; Names of Parties Involved: Teresa Harris, Jon Reger, Moses Serrano, Suzann Stauffer, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226570; Amount of Money or Other Relief Sought: Challenge to Measure B. (8) Mukhar, et al. v. City of San José, et al; Names of Parties Involved: City of San José, John Mukhar, Dale Dapp, James Atkins, William Buffington, Kirk Pennington, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226574; H040979; H042074; Amount of Money or Other Relief Sought: Challenge to Measure B; (9) AFSCME, et al. v. City of San José, et al; Names of Parties Involved: American Federation of State, County and Municipal Employees, Local 101 on behalf of its members, City of San José, The Board of Administration for the Federated City Employees' Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-225928; H040979; H042074; Amount of Money or Other Relief Sought: Challenge to Measure B; (10) Peter Constant, Steven Haug and Silicon Valley Taxpayers' Association v. Superior Court; Names Of Partie(s) Involved: Peter Constant, Steven Haug, Silicon Valley Taxpayers' Association, a California non-profit Corporation,

CLOSED SESSION (Cont'd.)

Proposed Intervenors, Appellants, Petitioners, Superior Court of California, County of Santa Clara, Respondent, the People of the State of California ex. Rel. San José Police Officers Association, Plaintiff, Respondent and Real Party in Interest, City of San José, City Council of San José, Defendants, Respondents and Real Parties in Interest; Court: Sixth District Court of Appeal; Case No.: H043540; Amount of Money or Other Relief Sought: Petition for Writ of Mandate or, In the Alternative, Supersedeas, or Other Appropriate Relief; (11) San José Retired Employees Association, et al. v. City of San José, et al; Names of Partie(s) Involved: San José Retired Employees Association, Kirk Pennington, David Armstrong, Donna Jewett, Dorothy McGinley, City of San José, the Board of Administration for the Federated City Employees Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case No: 1-14-CV-268085; Amount of Money or Other Relief Sought: Change to City medical plan; (C) to Confer with Labor Negotiator Pursuant to Government Code Section 54957.6: City Negotiator: Jennifer Schembri, Director of Employee Relations; Employee Organizations: (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and ABMEI. (2) Association of Engineers & Architects (AEA); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AEA. (3) Association of Maintenance Supervisory Personnel (AMSP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AMSP. (4) City Association of Management Personnel Agreement (CAMP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CAMP. (5) Confidential Employees' Organization, AFSCME Local 101 (CEO); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CEO; (6) International Association of Firefighters, Local 230 (IAFF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Association of Firefighters. (7) International Brotherhood of Electrical Workers (IBEW); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and IBEW; (8) Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and MEF; (9) International Union of Operating Engineers, Local No. 3 (OE#3); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Union of Operating Engineers, Local No. 3. (10) San José Police Officers' Association (SJPOA); Nature of Negotiations: Salaries, Hours, Working Conditions, etc.; Name of Existing Wages Contract or MOA: Memorandum of Agreement between City of San José and San José Police Officers' Association. (11) Association of Legal Professionals of San José (ALP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc;

CLOSED SESSION (Cont'd.)

Web: http://www.sanjoseca.gov/?nid=186; Telephone for Employee Relations: 408-535-8150.

By unanimous consent, Council recessed from the Closed Session at 11:35 a.m. and reconvened to Regular Session at 1:33 p.m. in the Council Chambers.

Present: Councilmembers - Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, Nguyen, Peralez, Rocha; Liccardo.

Absent: Councilmembers - All present.

INVOCATION

Demone Carter, hip hop artist and youth educator recited an original piece, entitled "What is San José?"

PLEDGE OF ALLEGIANCE

Mayor Sam Liccardo led the Pledge of Allegiance.

CEREMONIAL ITEMS

1.1 Presentation of a proclamation recognizing the month of May as Lupus Awareness Month in the City of San José. (Mayor)

Mayor Sam Liccardo presented a proclamation to the representatives of the Lupus Foundation of Northern California, recognizing the month of May as Lupus Awareness Month in the City of San José.

1.2 Presentation of a commendation to The Santa Clara Valley Audubon Society and the Sierra Club, Loma Prieta Chapter. (Peralez)

Mayor Sam Liccardo and Councilmember Raul Peralez presented a commendation to Shani Kleinhaus of the Santa Clara Valley Audubon Society and James Eggers of the Sierra Club, Loma Prieta Chapter, honoring their organizations' advocacy work in engaging and encouraging our community to explore, enjoy and protect our planet.

1.3 Presentation of a proclamation in honor of Older Americans Month of May.

Mayor Sam Liccardo and Councilmember Johnny Khamis introduced a video presentation highlighting San José community centers and honoring Older Americans Month, offered appreciation to seniors and senior program workers and presented a proclamation honoring Older Americans in the month of May.

ORDERS OF THE DAY

Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Sergio Jimenez and carried unanimously, the Orders of the Day and the Amended Agenda were approved, with Item 4.3 deferred to June 13, 2017. (11-0.)

Amended Item 4.2, "Downtown Sign District and Citywide Electronic Billboards." 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).

CONSENT CALENDAR

Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Raul Peralez and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

2.1 Approval of Council Minutes:

None provided.

2.2 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)

Documents Filed: Proof of Publication of the Title of Ordinance No. 29904 executed on May 12, 2017 by the City Clerk.

Action: Ordinance No. 29904 was adopted. (11-0.)

(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)

Documents Filed: Proof of Publication of the Title of Ordinance No. 29905 executed on May 10, 2017 by the City Clerk.

Action: Ordinance No. 29905 was adopted. (11-0.)

2.2 (Cont'd.)

(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)

Documents Filed: Proof of Publication of the Title of Ordinance No. 29911 executed on May 12, 2017 by the City Clerk.

Action: Ordinance No. 29911 was adopted. (11-0.)

2.3 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)

Documents Filed: (1) AD-HOC Committee for Development Services Minutes of April 27, 2017. (2) Community and Economic Development Committee Minutes of April 24, 2017. (3) Rules and Open Government Committee Minutes dated April 26, 2017.

Action: The Council Committee Minutes were accepted. (11-0.)

2.4 Mayor and Council Excused Absence Requests.

(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)

Documents Filed: (1) Memorandum from Councilmember Raul Peralez, dated May 5, 2017, requesting an excused absence due to illness. (2) Memorandum from Councilmember Sylvia Arenas, dated May 9, 2017, requesting an excused absence due to illness.

Action: The requested absences were excused. (11-0.)

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards

None provided.

2.7 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)

Documents Filed: City Council Action request from Director of Finance Julia H. Cooper, dated May 16, 2017, recommending adoption of a resolution.

Action: Resolution No. 78158, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to: (1) 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 of $459,710; and (2) 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", was adopted. (11-0.)

2.8 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)

Documents Filed: City Council Action request from Director of Finance Julia H. Cooper, dated May 16, 2017, recommending adoption of a resolution.

2.8 (Cont'd.)

Action: Resolution No. 78159, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to: (1) Execute a Purchase Order with SimplexGrinnell Fire & Security (Livermore, CA) for Fire Sprinkler Systems Services for Fire Sprinkler Systems Services for the term May 1, 2017 through April 30, 2018, in an amount not-to-exceed $220,000; and (2) 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", was adopted. (11-0.)

2.9 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)

Documents Filed: City Council Action request from Director of Finance Julia H. Cooper, dated May 16, 2017, recommending adoption of a resolution.

Councilmember Donald Rocha pulled Item 2.9 to question staff on the API component of the contract. Director of Parks, Recreation and Neighborhood Services Angel Rios, Jr. responded to questions.

Public Comment: Blair Beekman offered comments on graffiti abatement.

Action: Upon motion by Councilmember Donald Rocha, seconded by Councilmember Johnny Khamis and carried unanimously, Resolution No. 78160, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to: (1) Negotiate and Execute the Second Amendment to the Agreement with Graffiti Protective Coatings, Inc. to Increase the Maximum 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", was adopted. (11-0.)

2.10 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)

Documents Filed: Memorandum from Director of Finance Julia H. Cooper, dated April 24, 2017, recommending setting a public hearing and adoption of a resolution.

Action: Resolution No. 78161, entitled: "A Resolution of the Council of the City of San José Setting a Public Hearing for the Approval of a Report of the Director of Finance on the Cost of Unpaid Sidewalk Repairs for June 27, 2017", was adopted. (11-0.)

2.11 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)

Documents Filed: Memorandum from Director of Transportation Jim Ortbal, dated April 24, 2017, recommending adoption of a resolution.

Action: Resolution No. 78162, entitled: "A Resolution of the Council of the City of San José (1) Authorizing the City Manager or Designee to Submit a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2017-2018 Transportation Development Act, Article 3 (TDA3) State Grant Funding in the Amount of $921,063 for Citywide Bicycle and Pedestrian Projects; (2) Making the Certifications and Assurances Required Under the Grant Program; and (3) Authorizing the City manager or Designee to Accept any Grant Funding Awarded from MTC and to Negotiate and Execute any Grant Documents Necessary to Effectuate the Grant", was adopted. (11-0.)

2.12 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)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 5, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Oak Hill Memorial Day event as a City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.13 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)

2.13 (Cont'd.)

Documents Filed: Memorandum from Chief of Police Edgardo Garcia, dated May 10, 2017, recommending adoption of a resolution.

Action: Resolution No. 78163, Amending Resolution No. 72737, the 2016-2017 Schedule of Fees and Charges 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, was adopted. (11-0.)

2.14 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).

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 11, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Action: 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), was adopted. (11-0.)

2.15 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)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 12, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Action: 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, was approved. (11-0.)

END OF CONSENT CALENDAR

STRATEGIC SUPPORT SERVICES

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

City Manager Norberto Dueñas noted that the City's flags were flown at half-mast yesterday to honor those peace officers who gave their lives to protect ours, and to thank the law enforcement officers who serve for their dedication and service to our communities.

3.3 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)

Documents Filed: Memorandum from Director of Employee Relations, Jennifer Schembri, dated May 4, 2017, recommending adoption of a resolution.

Action: Upon motion by Councilmember Donald Rocha, seconded by Councilmember Johnny Khamis and carried unanimously, Resolution No. 78164, entitled: "A Resolution of the Council of the City of San José Approving the Terms of an Agreement between the City of San José and the Confidential Employees' Organization, AFSCME, Local 101 (CEO), with a Term of July 1, 2017 – June 30, 2018, and Authorizing the City Manager to Execute an Agreement with CEO", was adopted. (10-0-1. Absent: Peralez.)

3.4 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)

Mayor Sam Liccardo opened the public hearing.

Public Comments: Robert Lindo, representing Club M8rix, and James Giacchetti and McManis Faulkner, Bay 101 Club, offered objections to the proposed fee increases. Deb Kramer of Keep Coyote Creek Beautiful presented environmental concerns.

Mayor Sam Liccardo closed the public hearing.

Action: No action required.

3.5 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;

3.5 (Cont'd.)

(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.

Documents Filed: Memorandum from Director of Finance Julia H. Cooper, dated April 24, 2017, recommending adoption of a resolution.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Raul Peralez and carried unanimously Resolution No. 78165, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to: (1) Execute the Second Amendment to the Restated Agreement with Penske Truck Leasing Co. L.P. for the Lease and Maintenance of Ten Compressed Natural Gas (CNG) Shuttle Buses at the Norman Y. Mineta San Jose International 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; (2) Negotiate and Execute Amendments and/or Change Orders to the Agreement to Increase Compensation if the Actual Utilization of Buses is Greater than Forecast, Subject to the Appropriation of Funds; and (3) 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", was adopted. (10-0-1. Absent: Nguyen.)

3.6 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.

Documents Filed: (1) Memorandum from Councilmember Lan Diep, dated May 15, 2017, recommending approval of the report with modifications. (2) Memorandum from City Clerk Toni J. Taber, dated May 12, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Motion: Councilmember Lan Diep moved approval of the report, including his memorandum dated May 15, 2017. Councilmember Dev Davis seconded the motion.

Action: On a call for the question the motion carried unanimously, and 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, was accepted, including the memorandum from Councilmember Lan Diep, dated May 15, 2017, including "An amendment of Section 12.06.1120 of the San Jose Municipal Code, to set no time limits on fundraising specifically for Legal Defense Funds"; Specifically, to clarify that legal defense funds may be collected until the conclusion of the legal proceeding. (11-0.)

COMMUNITY & ECONOMIC DEVELOPMENT

4.1 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.

Action: No action taken.

(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)

Item heard jointly with Item 10.1.

4.1 (Cont'd.)

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco, Councilmember Chappie Jones, Councilmember Tam Nguyen and Councilmember Lan Diep, dated May 12, 2017, recommending direction to staff. (2) Memorandum from Mayor Sam Liccardo, dated May 16, 2017, providing direction to staff. (3) "Analysis and Recommendations of the California Rural Legal Assistance Foundation to the City of San José's Proposed Mobile Home Park Closure Ordinance", provided by William Constantine, Attorney on behalf of the California Rural Legal Assistance Foundation. (4) Letter from the Law Foundation of Silicon Valley, dated May 11, 2017, regarding protection of park residents and preservation of mobilehome parks. (5) Letter from Martha O'Connell regarding utility infrastructure.

Public Comments: Thirty-one members of the public spoke to the issues of the preservation of mobilehome parks, homelessness and affordable housing.

Action: Upon motion by Councilmember Lan Diep, seconded by Vice Mayor Magdalena Carrasco and carried, Ordinance No. 29945, entitled: "A Ordinance of the Council of the City of San José Amending Part 2 of Chapter 20.120 and Section 20.80.460 of Part 5 of Title 20 to Provide for a More Comprehensive Review of Development Proposals for Property with Existing Multi-Family Housing and Mobilehome Parks", was passed for publication; Resolution No. 78166, entitled: "A Resolution of the Council of the City of San José Approving Revisions to City Council Land Use Policy 6-33 Regarding Mobilehome Park Conversion", was adopted, including Mayor Sam Liccardo's memorandum dated May 16, 2017, to:
1. Decline staff recommendation to enact a Mobilehome Park Closure Ordinance.
2. Direct the City Manager to return to Council in August with: (a) An analysis, including workload, cost, and necessary level of environmental clearance, for a General Plan amendment overlay for dozens of mobilehome park sites to either a "Commercial," "Industrial," "Industrial Park" or a (proposed) "Mobilehome Park" land use designation for those sites that currently have a Residential designation; (b) A review of the recommendations proposed by the Law Foundation of Silicon Valley, in its letter dated May 11, 2017, and a presentation of staffs perspectives on any such recommendations that can be incorporated when the Council returns in August.
3. Approve staff recommendations (b) and (c) as per the posted May 16, 2017 City Council Agenda.
4. Approve the staff-recommended General Plan Text Amendments relating to protection of existing mobilehome parks.
(10-1. Noes: Khamis)

4.2 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

4.2 (Cont'd.)

(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)

Documents Filed: (1) Memorandum from City Clerk Toni J. Taber, CMC, dated May 5, 2017, providing recommendations of the Community and Economic Development Committee. (2) Joint supplemental memorandum from Director, Planning, Building and Code Enforcement Harry Freitas and Deputy City Manager/Director of Economic Development Kim Walesh, dated May 10, 2017, providing additional information regarding the expanded workplan. (3) Letter from Henry Cord, Cord Associates, dated May 8, 2017, regarding the downtown sign district. (4) Letter from Matthew Mahood, Silicon Valley Organization, dated May 15, 2017, regarding citywide electronic billboards.

Planning, Building and Code Enforcement Director, Harry Freitas offered a presentation, and Deputy City Manager/Director of Economic Development Kim Walesh responded to questions.

Public Comment: Four members of the public addressed the scope of public advertising and concerns regarding regulation revisions.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Johnny Khamis and carried unanimously, 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 was accepted, with staff directed to implement the workplan for City owned and controlled sites as identified in the April 12, 2017 memorandum, and 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. (11-0.)

4.3 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)

Action: Deferred to June 13, 2017 per Orders of the Day.

ENVIRONMENTAL & UTILITY SERVICES

7.1 (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)

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco, Councilmember Chappie Jones, Councilmember Sergio Jimenez and Councilmember Raul Peralez, dated May 12, 2017, offering approval of staff recommendations with additional direction. (2) Memorandum from Councilmember Johnny Khamis, dated May 12, 2017, offering approval of the memorandum from the Mayor and Council with additional direction. (3) Memorandum from Director, Environmental Services, Kerrie Romanow, dated May 1, 2017, regarding establishment of San José Clean Energy. (4) Letter from State Assemblymember Ash Kalra, dated May 15, 2017, addressing the need to lead in addressing climate change and energy sustainability. (5) Letter from Mary Collins, League of Women Voters of San José and Santa Clara, dated May 10, 2017, offering support to the proposed clean energy program. (6) Letter from Rick Brown, TerraVerde Renewable Partners, offering support for Community Choice; (7) Letter from Michael Gross, Zanker, offering support. (8) Email correspondence from the following, offering support to the proposed clean energy program: Michelle White (May 7, 2017); Kathryn Hedges (May 8, 2017); Shayal Kumar (Mary 14, 2017); Andrew Millstein (May 13, 2017); Nicole Farkouh (May 13, 2017); Cristin Boyd (May 15, 2017); Chris Hall (May 15, 2017); Junior Barini (May 15, 2017); Mary Tucker (May 11, 2017); David Poeschel (May 14, 2017). (9) One hundred twenty cards from Sierra Club Loma Preieta Chapter urging the formation of a publicly-managed Community Choice Aggregation (CCA) entity for San José.

Director, Environmental Services, Kerrie Romanow provided a presentation on clean energy and responded to questions from the Council.

7.1 (Cont'd.)

Public Comments: Nineteen members of the public offered comments and support for efforts regarding climate protection.

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Chappie Jones and carried unanimously, the formation of San José Clean Energy, a Community Choice Energy operation with the framework as outlined by staff was approved, including the memorandum from Mayor Liccardo, Vice Mayor Carrasco, and Councilmembers Jones, Jimenez and Peralez, dated May 12, 2017, with direction to: (1) Return to Council with at least one power mix option offering a 100% GHG-free energy choice for San Jose Clean Energy's (SJCE) customers; (2) For the first two years of SJCE's launch and operation, return to Council semi-annually with updates on SJCE's financials and customer status; (3) Establish SJCE under a single jurisdiction model, but explore opportunities for formal partnerships and informal collaborations with existing CCEs to increase efficiencies, reduce capital requirements, share staffing and consultants, and reduce operating costs for such functions as data management services, joint power procurement, regulatory compliance, and legislative and regulatory advocacy; (4) Ensure that SJCE reserve policy includes direction that sufficient reserves be accumulated, prior to launch of local programs, that would support wind down of operations in the unlikely event that SJCE is discontinued; (5) Return to Council in the Fall with a framework for the Community Advisory Committee; and (6) Direct the City Manager to bring back required ordinance, plans, budget actions by August 2017.

Also including Items 1 and 3 from Councilmember Johnny Khamis' memorandum dated May 12, 2017 to (1) Set customer rates annually as part of the typical utility rate-setting process and allow for one mid-year adjustment in the event that PG&E adjusts rates to below the agency's low-cost rate option; and (3) Establish San José Clean Energy (SJCE) as a stand-alone enterprise and separate department, similar to the Norman Y. Mineta San José International Airport, to protect the General Fund from liability. (11-0.)

REDEVELOPMENT SUCCESSOR AGENCY

The meeting of the City Council was recessed, and the Successor Agency to the Redevelopment Agency of the City of San José was convened at 2:03 p.m.

9.1 (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)

9.1 (Cont'd.)

Documents Filed: Memorandum from Director of Finance Julia H. Cooper, dated April 24, 2017, recommending adoption of resolutions.

Director of Finance, Julia Cooper responded to questions from Council.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Donald Rocha and carried unanimously, Successor Agency Resolution No. 7060, entitled: "A Resolution of the Successor Agency to the Redevelopment Agency of the City of San José Authorizing the Executive Officer to Execute a Reinstatement of Loan Agreement by and Between the Successor Agency and the City of San José Related to the Reinstatement of Certain Parking Fund Loans on Terms and Conditions as Provided in the Redevelopment Dissolution Legislation", and Resolution No. 78167, entitled: "A Resolution of the Council of the City of San José Authorizing the Executive Officer to Execute a Reinstatement of Loan Agreement by and Between the Successor Agency and the City of San José Related to the Reinstatement of Certain Parking Fund Loans on Terms and Conditions as Provided in the Redevelopment Dissolution Legislation", were adopted. (11-0.)

9.2 (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)

Documents Filed: (1) Memorandum from Director of Finance Julia H. Cooper, dated April 24, 2017, recommending adoption of a resolution. (2) Supplemental memorandum from Director of Finance Julia H. Cooper, dated May 12, 2017, providing additional refunding bond information.

Director of Finance, Julia Cooper provided a presentation.

9.2 (Cont'd.)

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Raul Peralez and carried unanimously, Successor Agency Resolution No. 7061, entitled: "A Resolution of the Successor Agency to the Redevelopment Agency of the City of San José Approving the Issuance of Refunding Bonds in Order to Refund Certain Outstanding Obligations of the Dissolved Redevelopment Agency of the City of San José , Approving the Execution and Delivery of an Indenture of Trust, Escrow Agreements, Irrevocable Refunding Instructions and Other Documents Relating Thereto, Requesting Oversight Board Approval of the Issuance of the Refunding Bonds, Requesting Certain Determinations by the Oversight Board, and Providing for Other Matters Property Relating Thereto", was adopted. (11-0.)

LAND USE

10.1 General Plan Text Amendment: Mobilehome Park Closures.

(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)

Heard jointly with Item 4.1.
See Item 4.1 for public hearing testimony.

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco, Councilmember Chappie Jones, Councilmember Tam Nguyen and Councilmember Lan Diep, dated May 12, 2017, recommending direction to staff. (2) Letter from Margaret Nanda, Hopkins Carley Law Corporation, dated March 30, 2017, submitting objections to the proposed General Plan changes and proposed ordinances. (3) Proof of Publication of Notice of Public Hearing, executed on March 28, 2017, submitted by the City Clerk.

10.1 (Cont'd.)

Action: Upon motion by Councilmember Lan Diep, seconded by Vice Mayor Magdalena Carrasco and carried, Resolution No. 78168, entitled: "A Resolution of the Council of the City of San José Amending the Envision San José 2040 General Plan Pursuant to Title 18 of the San José Municipal Code Relating to the Protection of Existing Mobilehome Park Residents", was adopted.
(10-1. Noes: Khamis.)

OPEN FORUM

(1) Diego Mora, representing CommUniverCity, spoke of the university's successes, its importance to himself and those community-wide and the need for funding.
(2) James Welsh, representing Act Revival Center, invited everyone to join in "Rally the Valley", an hour of inspirational music and prayer, on Saturday June 10, 2017 at the Morgan Hill Community & Cultural Center Amphitheater.

ADJOURNMENT

Mayor Sam Liccardo adjourned the Council Meeting session at 7:33 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

Toni J. Taber, CMC
City Clerk

rmk/5-16-17 MIN