

RESOLUTION NO. 78489

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE ORDERING A REPORT PERTAINING TO
THE EVERGREEN SENIOR HOMES INITIATIVE**

WHEREAS, an initiative petition entitled “Evergreen Senior Homes Initiative” has been certified by the county elections official as containing verified signatures equal to not less than 15 percent of the voters of the City pursuant to the last report of registration by the county elections official to the Secretary of State pursuant to Elections Code section 2187; and

WHEREAS, under Elections Code section 9214(c), the Council is authorized to order a report; and

WHEREAS, it is in the interest of the City and its citizens to perform an initial analysis of the initiative petition to determine whether the Council should adopt the measure or take other actions indicated by the results of said report.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The Council hereby ratifies and reaffirms its previous action on October 17, 2017, and authorizes and directs the City Manager pursuant to Elections Code section 9214(c) to prepare a report consistent with Elections Code section 9212 analyzing the following aspects of the proposed initiative measure:
 - a. Its fiscal impact;
 - b. Its effect on internal consistency of the City’s General and Specific Plans, including the Housing Element, the consistency between planning and zoning, and the limitations on City actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with

Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code;

- c. Its effect on the use of land, the impact of the availability and location of housing and the ability of the City to meet its regional housing needs;
 - d. Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks and open space;
 - e. Impact on the community's ability to attract and retain business and employment;
 - f. Its impact on the uses of vacant parcels of land;
 - g. Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization;
 - h. Its economic impact; and
 - i. Its environmental impact.
2. That the report shall be presented to the City Council no later than 30 days after January 23, 2018, and when the report is presented to the Council, the Council shall either adopt the Initiative measure within 10 days thereafter, or order an election pursuant to Elections Code section 9214(b).

///

///

///

///

///

///

///

///

ADOPTED this 23rd day of January, 2018, by the following vote:

AYES: ARENAS, CARRASCO, DAVIS, DIEP, JONES, JIMENEZ,
KHAMIS, NGUYEN, PERALEZ, ROCHA.

NOES: NONE.

ABSENT: LICCARDO.

DISQUALIFIED: NONE.



SAM LICCARDO
Mayor

ATTEST:



TONI J. TABER, CMC
City Clerk