



**OFFICE OF COUNCILMEMBER JOHNNY KHAMIS  
SAN JOSE, DISTRICT 10**

## District 10 Mid-June Newsletter

Dear Neighbor,

Independence Day is less than three weeks away and I am so excited about our First Annual July 4th Fun Festival and Fireworks Show! Please join me this Fourth of July as we celebrate the birth of our nation with an afternoon and evening festival, culminating with a fireworks show, at Almaden Lake Park. Over the last several years, there has been a marked increase in the use of illegal fireworks. With resources already strained, this creates an additional burden on our Police and Fire departments. Also, with drought conditions increasing the risk of fire, illegal fireworks pose a serious threat to our community. Instead of resorting to illegal fireworks displays, let's gather as a community to enjoy a wonderful family-friendly celebration and a professional fireworks show!

As many of you know, I am a strong advocate for frugality and fiscal responsibility when it comes to your tax dollars. Consistent with this, I have worked very hard to minimize the amount of taxpayer money will be needed to support this community event. Instead, I am relying on the support of generous businesses and individuals from our community to provide the necessary financial support. So far, the response has been phenomenal but we are still short of our fundraising goal. If you would like to help, the San Jose Parks Foundation, a qualified 501(c)(3) charitable organization, has set up a fund to receive the donations to help pay for this event. Your tax-deductible contributions may be made by visiting the San Jose Parks Foundation website ([http://www.sanjoseparks.org/donate\\_-\\_3\\_easy\\_ways/donate\\_directly\\_to\\_programs\\_services](http://www.sanjoseparks.org/donate_-_3_easy_ways/donate_directly_to_programs_services)). Click on donate and select "Almaden Lake 4th of July Fireworks." All contributions will go directly to covering the costs of the event. Our latest sponsor is the Almaden Winery Neighborhood Association (AWNA), whose members have contributed a collective \$1,000 toward the event. A big thank you to Nick and the rest of the supporters from AWNA!

On the Fourth of July, the Family Festival will occupy the majority of Almaden Lake Park. The festivities will begin at 2 p.m. with live music, safety vendors, local businesses and artists, food trucks, and kids' activities. At 5 p.m. we will have a

kids' parade and contest. The band headlining the entertainment will take the stage at 6 p.m., and a professional fireworks display will launch at 9:15 p.m.! Admission to the festival is FREE TO THE PUBLIC, so come out and enjoy!

In addition, to make an effort to better understand the concerns residents may have regarding this festival, we would like to hold a community meeting on Tuesday, June 24th at 6:30pm at Almaden Community Center (6445 Camden Avenue, San Jose, 95120). If you have any questions or concerns about the event, please feel free to voice them at the meeting on the 24th. We look forward to seeing you there.

### **REGISTER NOW for STOP IT! (Identity Theft) Symposium**

The San Jose Police Department, Councilmembers Ash Kalra, Don Rocha & Johnny Khamis, and Corporate Sponsor McAfee bring you an exciting new symposium that addresses both prevention of and recovery from identity theft – one of the fastest growing crimes in the United States! Your identity is your most valuable asset. Are you doing all that you can to protect it? Learn more by attending the STOP IT! Symposium – EMPOWER yourself with education, information, and resources.

June 21, 2014  
8 a.m. to 12:30 p.m.  
Branham High School  
1570 Branham Ln  
San Jose, CA 95118

[Registration is now open! Attendance is limited, so register today!](#)

If you have, or work for, a safety or security-related business, and you are interested in sponsoring the event or purchasing a vendor space at the Symposium, please contact Shane Patrick Connolly at the District 10 Council Office at [district10@sanjoseca.gov](mailto:district10@sanjoseca.gov) or call 408-535-4910.

### **HIGHWAY 85 EXPRESS LANES**

According to a recent study, commuters here in the Bay Area endure 61 hours per year of delays, tied for second place with Los Angeles among the nation's 15 largest metropolitan regions. As commuters sit in traffic, air quality is negatively affected, quality of life is reduced, and stress levels rise. That is why it is prudent to move forward with Silicon Valley transportation projects that help us address these concerns.

Last week, I submitted a Memo to the Rules & Open Government Committee requesting that the City of San José take a “support” position for the Highway 85 Express Lanes program. The Committee unanimously approved my memo and it will now be considered at Tuesday's City Council meeting. The Silicon Valley High Occupancy Toll (HOT) Lanes Program (referred to as the Express Lanes Program) has been under development since 2003. The SR 85 express lanes project is within the central corridor of the Silicon Valley Express Lanes Program being implemented by the Santa Clara Valley Transportation Authority (VTA). This project will convert approximately 27 miles of existing High Occupancy Vehicle (HOV) lanes, also known as carpool lanes, to express lanes. The project will also

add a second HOV express lane, between SR 87 and I-280. The project limits are between US 101 in Mountain View and Bailey Avenue on US 101 in south San Jose. The project will also convert the existing HOV direct connector in south San Jose from US 101 to SR 85 to an express lane connector. For the lane additions, room for the new lanes will be made available by adding lanes in the extra-wide median that currently separates the lanes of travel on Highway 85 and shifting existing lanes inward so as to avoid the environmental and other affects that would have to be addressed were the highway to be widened.

This project would be tremendously beneficial to District 10 commuters and other residents. If you are supportive of this project to relieve congestion on Highway 85, I would encourage you to contact the Valley Transportation Authority's Board of Directors with your letters of support. (link to: <http://www.vta.org/get-involved/board-of-directors>)

### **PLANNING DEPARTMENT TECHNOLOGY IMPROVEMENTS**

I am excited to announce that the next technology improvement to the Planning, Building, and Code Enforcement Department (PBCE) that I have advocated for has been implemented. Not only will costs go down for small projects, but the time it takes to get a permit will be reduced, especially for those projects for which you can now apply online (a new feature). For small additions and remodeling projects, permits can soon be obtained over-the-counter.

With this new process, permitting costs for a 100-square-foot addition will cost 29% less and the time it takes to obtain your permit will be reduced by days. A 300-square-foot kitchen remodel will cost 5% less and require one-third the review time. Re-roofing projects and water heater installation permits can now be obtained on-line! Soon, a re-roofing project will cost 18% less and a water heater installation will cost 24% less with the online application process.

This is one of a number of initiatives that my team and I have been working on with PBCE to improve services and reduce costs. I appreciate the staff of PBCE who worked hard to implement these new, customer-oriented, improvements!

### **RECENT COUNCIL ACTIONS**

#### ***Marijuana Collectives:***

Thank you to those of you who called and emailed about the medical marijuana collective issue. I am proud to say that the Council has passed strong restrictions on these collectives, while still allowing access by those who are legally allowed to obtain medical marijuana under the Compassionate Use Act. Until now, we have faced a "wild west" situation, where collectives popped up throughout the City and, while technically not allowed to operate legally, the City has had a difficult time closing them down because we have had no regulations in place governing their operation. At the 1:30 p.m. City Council meeting tomorrow, Tuesday, June 17, there will be a final reading of the ordinance which will then take effect 30 days later. Collectives will have 30 days, 90 days, or up to 1 year, depending on what part of the code they are violating, to meet the new restrictions. If they fail to comply, Code Enforcement will shut them down. To read more specifics on the new regulations, please visit Mayor Reed's newsletter article on the topic. (link: <http://www.sanjoseca.gov/DocumentCenter/View/32323>)

**Brasilia Way:**

On the evening of June 10th, my colleagues and I took action on the proposed Brasilia Way development for the vacant Athenour property on the west side of Almaden Expressway just south of Coleman Avenue. The City Council unanimously rejected the challenge, filed by a majority of the property's immediate neighbors, to the proposed change in zoning that would bring the property into conformance with the city's General Plan. This action then allowed the City Council to proceed with a discussion of the zoning change and certification of the Mitigated Negative Declaration for the Brasilia Way Residential Development Project and the related Mitigation Monitoring and Reporting Program. These actions were approved on a 10-1 vote, with only Councilmember Kalra voting in opposition. You can view the video of the discussion that took place at the Council Meeting, if you are interested. (link to: [http://sanjose.granicus.com/MediaPlayer.php?view\\_id=51&clip\\_id=7435](http://sanjose.granicus.com/MediaPlayer.php?view_id=51&clip_id=7435)) If you are on a desktop or laptop, these videos work best with the Internet Explorer browser. In the window below the video, scroll down and click on item 11.2 to bypass other City Council business and jump to the Brasilia Way item.

A big thank you to all of the residents who came to speak on this project, both in favor and against, and for the Girl Scouts who I both met with personally and who submitted a video message that was played during the public testimony. I also appreciate the community's input at the two community meetings that were held, at the planning commission hearing, and at the June 10th Council meeting. The public's input helped to achieve numerous changes and improvements to the project which ensure that:

- Over 70% of the land on the site will be preserved as permanent, protected open space;
- 48 of the existing 55 native oak trees will be preserved, and the developer will make every attempt to save a 49th native oak using special grading techniques near this tree;
- 34 new, native oak trees will be planted which are more mature trees that come in large, 48" planter boxes, for immediate visual impact;
- Plantings will be supplemented by the planting of acorns and seedlings;
- Proper transitions will occur between existing homes and the new development by providing a step-up from 2-story homes to 3-level, 2 ½-story homes for the lower cluster of five homes;
- Screening trees will be added and other measures implemented to maintain the privacy of the few neighboring homes that would be effected;
- There will be minimal affect on the surrounding view-shed by clustering the homes around the top of the hill in such a way as to maximizing screening of the homes by the existing tree canopy.

The residents who spoke out on this project should be proud to know that their input had a positive effect on the development proposal.

Along the way, there was a great deal of misinformation disseminated about the proposed project, including drawings incorrectly attributed to the Planning Department and inaccurate hand-sketched mock-ups of the site. It was also suggested that the developer was being asked for special favors, however, no special favors were requested by the developer and no exceptions to the City's processes were made for them. They followed all of the City's transparent, public processes that are required – going so far as to exceed the required public meeting requirements to ensure that those who wanted to have a say about the proposed project had an opportunity to give their input. Ultimately, the City Council approved a change in zoning of the property to the Rural Residential designation. This is consistent with the designation that was specified for the property in the City's General Plan. General Plan 2040 was approved in 2011 after much public input, many public meetings, and discussion by the City Councilmembers at the time, including former District 10 Councilmember Nancy Pyle.

My vote on this project was the most difficult vote I have taken since my election to represent District 10. If we considered only the concerns of immediate neighbors to any given project, it would be easy to reject most proposed projects. As Councilmembers, however, we must weigh all the factors involved and make our best, most educated decision.

The factors that I considered when reaching my decision included:

- The concerns of neighbors;
- The concerns of other stakeholders, such as environmental advocates;
- The City's General Plan that was decided by a past City Council after a multi-year process that involved a great deal of public input;
- The rights of property owners;
- The need for in-fill development so that we can preserve the natural beauty of our urban reserve beyond the City's current urban growth boundaries.

I then made my decision only after all of the following:

- Attending the two community meetings that the developer held in cooperation with the Planning Department;
- Holding private meetings with neighbors, girl scouts, environmental advocates, the developer, and other residents;
- Personally walking the site of the proposed development to see site lines and each tree that had the potential to be removed;
- Watched the proceedings of the Planning Commission and the public testimony;
- Reading the applicable General Plan 2040 details;
- Discussing the proposal with the City Attorney and other Council appointees;
- Carefully reviewing the recommendations of the City's professional planning staff.

Along the way - no less than three times - I asked the developer to go back and address the concerns that were expressed over trees, the view-shed, and privacy.

Ultimately, the City Council felt that this was a good project that conformed to the City's General Plan that will provide much-needed executive-style housing at an appropriate in-fill location while at the same time maximizing the preservation of important open space. Another positive outcome is that the developer has volunteered to partner with the Almaden Rotary to bring long-sought-after gateway signage and improved landscaping to Almaden Expressway in a location near the new Brasilia Way development. Again, thank you to all who spoke out and participated in the process in order to ensure the best outcome for the City and its residents.

### **NATIONAL NIGHT OUT**

Last year, National Night Out was a tremendous success throughout District 10. I am hoping that with some advanced notice, more neighborhoods will join the effort and host their own events! National Night Out will take place on Tuesday, August 5th this year, and I hope you all consider participating! For those of you who may be unfamiliar with National Night Out, it is held each year to promote involvement in crime prevention activities, police-community partnerships, neighborhood camaraderie and to send a message to criminals to let them know that our neighborhoods are organized and fighting back. We encourage you and your neighbors to spend some time outside, getting to know one another, and making your presence known in the neighborhood. If you'd like to learn more about hosting an event in your [community click here](#).

### **COMMUNITY OFFICE HOURS**

The City Council is in recess in July, which means we will be holding the last Community Office Hours meeting before the break on Wednesday, June 18th at City Espresso on Blossom Hill Road. Even though we will be taking a short hiatus from Community Office Hours, my staff will still be available to take your calls and emails during the month of July. Please keep reading our newsletter for new dates and times in August.

Continue reading below for more updates and opportunities to get involved in our community. If you have any questions with regard to what you've read in this newsletter, feel free to contact my office at [district10@sanjoseca.gov](mailto:district10@sanjoseca.gov) or call 408-535-4910. Also, for updates between newsletters, add me as a friend on [Facebook](#) or follow me on [Twitter](#)!

Sincerely,

Johnny

### **New Page Makes it Easier to Contact All Members of the City Council**

The City has released a new contact form where you can select each Council office you wish to email, plus, it lists the email addresses for each District. The login option you see at the top of the web page is optional, you can just scroll down,

check each box next to the offices you want to email, then fill in the "from" info. This new form should make things simple whether you wish to contact one, or all, of the members of the City Council.

<http://www.sanjoseca.gov/FormCenter/Mayor-23/Contact-Your-Councilmember-240>

### **Nonprofit Works To Save Historic Landmark: Mt Umunhum Radar Tower**

The most prominent local landmark in District 10 (and beyond) is the iconic radar tower atop Mt. Umunhum. It is the last vestige of the former Almaden Air Force Station which closely guarded the Bay Area from an air attack/invasion during the Cold War. However, this historic structure is in danger of being demolished and needs funding for preservation and future use as a historical resource. Some of the future reuse ideas are a visitor center, day-use science camp for school children, Cold War museum (which would be the only one of it's kind in the area), and many more possibility. There is a local non-profit group (Umunhum Conservancy, Inc.) who is tasked with raising funds to save the tower. If you are interesting in helping and learning more, please visit them at [www.Umunhum.net](http://www.Umunhum.net) and help save an important piece of history

### **Almaden Kiwanis Fundraiser**

Want to play miniature golf and help our community service programs at the same time?

The Almaden Valley Kiwanis Club is sponsoring a Mini Golf Fundraiser Tournament and invites you to an evening of fun and friendly competition!

When: June 25, 2014 5-9 PM

Where: Emerald Hills Golfland, 976 Blossom Hill Road

What: Golf, BBQ and Prizes

Donation: Golf, BBQ & Prizes

\$14 per person

\$12 for age 12 and under

Come have a "Hole" lot of fun supporting Almaden Valley community service programs!

A percentage of the proceeds will be used to benefit our community service programs including Leland and Pioneer Key Clubs, Almaden Valley beautification projects and the development of new student leadership programs in Almaden Valley elementary and middle schools.

For more information contact Mike by Thursday June 19, 2014:

[Ok3green@aol.com](mailto:Ok3green@aol.com) or 408-921-0362 with your ticket orders and make checks payable to Almaden Valley Kiwanis.

### **Supervisor Wasserman Hosts Photo Contest**

The 2014 Summer Photo Contest is here! Supervisor Wasserman wants to see your favorite photos that show why Santa Clara County is the place to be in the summer. He will frame and proudly display the winning photos in his office. Grab your camera and showoff your favorite images of landscape, farmers markets, parades, county parks, neighborhood BBQs, pets, and other fun images of summer! Deadline: August 1, 2014. Simply email your photo to [Kevin.Maitski@bos.sccgov.org](mailto:Kevin.Maitski@bos.sccgov.org) along with your name, address, and where you took the photo. More information on the photo contest including rules and photos of past winners can be found on the Supervisor's website.

As always, you can reach his office at (408) 299-5010, or you can email [mike.wasserman@bos.sccgov.org](mailto:mike.wasserman@bos.sccgov.org) with your comments and concerns.

### **Senator Beall Free Child Car Seat Safety Clinic**

Make sure your child's car seat is properly installed with a free safety inspection by trained professionals. Learn about car seat safety laws and other important tips to protect your children in vehicles.

Saturday, June 21st  
10:00am-2:00pm  
Kohl's Parking Lot  
2323 McKee Road  
San Jose, CA 95116

For more information or to [RSVP CLICK HERE](#)  
Appointments are necessary. To make an appointment please call (408) 467-5400. For more information please contact Domingo Candelas at the district office at (408) 558-1295

### **Seminar: Crime Prevention Forum**

Wednesday, June 25, 2014 4:00 PM - 7:00 PM  
San Jose Silicon Valley Chamber of Commerce  
101 W. Santa Clara St.  
San Jose, CA 95113

Over the past eighteen months, the SJSV Chamber has hosted Business Walks in four key areas of San Jose: downtown primarily the South First Street, North First Street, Blossom Hill/Almaden and Willow Glen. The feedback from these walks consistently identified three major issues: public safety, parking, and the need for more events/marketing as ways to improve business.

Since the completion of these walks, we have been working with stakeholders, elected officials and business leaders to share this feedback and develop solutions in an effort to make San Jose and our region an even better location to develop

business. Recently an opportunity arose that we believe will help to address one of the main areas identified during the walks: public safety.

Partnering with the Dr. Martin Luther King, Jr. Association and the Fraternal Order of Police Lodge 52, we are proud to announce a FREE crime prevention and public safety meeting for business owners.

Topics to be covered by the Fraternal Order of Police include:

- Securing and protecting your business from being burglarized
- What to do and what not to do during a burglary or robbery
- How to be a good witness and specific instructions how to properly report crime
- Question and Answer section

### **Movie Night at Almaden Lake Park**

Come enjoy a family friendly film in a beautiful outdoor setting! Movie begins at 8:30pm or when it becomes dark enough outside! The movie is free, but parking costs \$6.00. Refreshments will also be available for purchase. For more information please call: 408-927-0868

Saturday, June 28, 2014- FROZEN

Saturday, July 26, 2014-E.T

Saturday, August 23, 2014-THE LEGO MOVIE

Almaden Lake Park

15652 Almaden Expressway, San Jose, CA 95120

### **Happy Hollow Summer Zoo Camp 2014**

Space Still Available!

Go wild this summer at Happy Hollow Zoo Camp! Each unique camp topic provides interactive learning experiences, hands-on science-based activities, zoo tours, and the opportunity to meet live animals up close!

For details, registration and pricing click here. <http://www.hhpz.org/index.cfm/id/314>

### **Free Event to Help Homeowners Avoid Foreclosure**

The Foreclosure Help Consortium, in collaboration with Wells Fargo Bank, Bank of America, the City of San Jose, and the City of Sunnyvale, is holding a special event on June 28, 2014. This free event to support Homeownership Preservation and Foreclosure Prevention will be held at the Willow Glen Community Center, 2175 Lincoln Avenue, San Jose, from 10 a.m. to 4 p.m.

Foreclosure remains a risk for many homeowners in our community.

Representatives from Wells Fargo Bank and Bank of America will be available to

meet with homeowners to determine if they are eligible for mortgage modifications or other preservation solutions. HUD Housing Counselors will be available to provide information and assistance on other programs such as Keep Your Home California and new consumer protections under the Homeowners' Bill of Rights. All services at this Event are free and confidential.

Reserved appointments are available. For more information on the June 28th Event call ForeclosureHelp at (408) 793-6000 or email [help@foreclosurehelpscc.org](mailto:help@foreclosurehelpscc.org).

### **Almaden Super Lions Club Fundraiser**

The Almaden Super Lions Club will be holding their 15th Annual Miniature Golf Tournament at Golfland, on the corner of Blossom Hill Road and Winfield Boulevard, SJ on Thursday, August 21, 2014. Pizza and Sodas begin at 5:45 p.m. and the shot gun start begins at 7:15 p.m. 100% of donations made go to their Sight and Hearing Projects for children/adults. For more details and tickets, please contact Past President Alan Woertink at 408-978-1011. This is a family event. Please stop by their booth at the July 4th Family Festival at Almaden Lake Park and meet some of the enthusiastic club members and find out how you can get involved with community service work in District 10.

### **Food Ware Open House**

Final phase of the City's Foam Food Ware Ordinance effective on January 1, 2015. Learn more by attending the Food Ware Open House.

On September 10, 2013, the City of San José adopted a new ordinance to phase out expanded polystyrene (EPS), commonly known as Styrofoam™, food ware at all restaurants in San José. The ordinance has taken effect at multi-state restaurant chains on January 1, 2014, and will be required at all other restaurants, including mobile and street vendors, on January 1, 2015.

Attend the June 30th Food Ware Open House (<http://www.sanjoseca.gov/DocumentCenter/View/30583>) to learn about the Foam Food Container Ordinance ([www.sjenvironment.org/eps](http://www.sjenvironment.org/eps)), and how it affects your business. You will also learn about foam free replacement containers and costs.

Monday, June 30

2:00-4:00 p.m.

San José City Hall

Wing Rooms 119-120

200 East Santa Clara Street

If you have any questions, contact the Green To Go team:

Email: [greentogo@sanjoseca.gov](mailto:greentogo@sanjoseca.gov)

Phone: (408) 975-2586

Web: [www.sjenvironment.org/eps](http://www.sjenvironment.org/eps)

