



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

District 10 November Newsletter

Dear Ray,

Before I dive into the upcoming events, useful information, and recent council items my newsletters usually contain, I will take a moment to reflect on and recognize some of the wonderful things I have to be thankful for. First, you! I feel incredibly blessed to be able to serve you, the residents of District 10. Every day, I am grateful that you chose me as your representative here at City Hall. I am nearing my two-year mark as a Councilmember, and with each passing week and month, I can truly say I love my job more and more.

Second, I am thankful for a fantastic staff who, I know, have the same passion to serve our community as do I. They are bright, talented, and above all, have good hearts and are dedicated to the betterment of District 10 and the greater City of San Jose.

Third, I am so very thankful for my beautiful wife and sons. They are my rock, and I so appreciate their support in all that I do. In a world where goodness often seems to be overshadowed by tragic events or evil deeds, we should all take a moment to pause and reflect on all of the blessings poured out on our lives. They are certainly there to find.

SANTA FLIES INTO SAN JOSE VIA UBER-CHOPPER

Even though it is still November, the man in red flew into San Jose via Uber-Chopper this past Saturday, to kick off the holiday season at Westfield Oakridge Mall! Councilmember Kalra and I joined Santa, his Merry Makers, Westfield representatives, and a couple hundred families and children to ring in the holiday season. We were also joined by the Oak Grove Eagles Marching Band & Colorguard! A wonderful time was had by all!



TOYS FOR TOTS DRIVE AND HOLIDAY CELEBRATION IN DISTRICT 10

With Thanksgiving a week away, and Christmas just around the corner, I want to invite you to the Playa Del Rey Toys for Tots Drive and Holiday Celebration! On Saturday, December 13th from 5:00 PM - 9:00 PM, the Playa Del Rey Neighborhood Association will host a block-party event for one and all! The event will take place on Blairburry Way, showcasing the crown jewel of holiday bling, the home of Bob and Jenny Vonderwerth! Bob spends months preparing his home with a light display that has been a national media sensation! In addition to the incredible light display, there will be games and crafts for kids, live music, food from Buffalo Wild Wings, and an appearance from the big guy himself, Santa! And don't forget, this is a Toys for Tots Drive!! Please remember to bring an unwrapped toy to donate! If you have any questions, please contact Rayshelle Edmunds at rayshelle.edmunds@sanjoseca.gov or call 408-535-4910. We hope to see you there!

NEW WATER TANK IN ALMADEN

The San Jose Water Company is planning to install a new 1,000,000 gallon water tank and 3,300 foot long pipeline in the hills between New Almaden and McKean Rd. This project is designed to improve the reliability and storage capacity of the water supply system. On October 29th, the San Jose Water Company and the Planning Department held the required community meeting to inform the residents in New Almaden of their upcoming water tank project. Unfortunately, no community members attended the meeting (it was the final game of the World Series after all)!

While it appears that both departments have been diligent in making thoughtful decisions and plans, it is still important for the community to be aware of the project. One issue of concern is the number of trees that will need to be removed. I have asked Almaden resident and Sierra Club member, Dave Poeschel, to look into the project and provide his analysis. At this time, the project is still awaiting Geologic Hazard Clearance from the Public Works Department, but you can read the other technical documents and reports at <http://www.sanjoseca.gov/index.aspx?nid=2165> and scroll down to **File No. CP14-029 McKean Tank and Pipeline Project**. If you have further questions, please contact my office, or Frank Du at the San Jose Water Company, frank_du@sjwater.com.

COLEMAN ROAD SEWER AND PAVEMENT PROJECT

In the next few weeks you will begin to see construction activity on Coleman Road. Over the following 12 months, an underground sewer pipe will be replaced from Almaden Expressway to Redmond Avenue. After this sewer project is completed, the road will be repaved. Work is scheduled to be completed by the end of 2015.

COUNCIL VOTES TO IMPOSE NEW TAX ON BUILDERS OF RENTAL HOUSING

At the most recent City Council meeting, the City Council, on a 7-3 vote, approved a

new tax of \$17/square foot on builders of for-rent housing. I believe that the entire justification for the fee was flawed and suffered from a lack of an analysis of the connection between builders and the need for affordable housing, as well as an analysis of the potential effects of the fees. I opposed this new Housing Impact Fee along with Mayor Reed and Councilmember Oliverio. Councilmember Constant also expressed his opposition, but was unavailable for the vote. Thank you very much for all of you provided your feedback to me, whether for or against the proposal via email and Nextdoor.com or who came out to speak to the Council at yesterday's meeting!

When I first came to the US as a refugee, my family and I lived in affordable housing. I agree that it is important to have affordable housing in our community – it is a goal I wholeheartedly support. I will also note that I am not opposed to all taxes or fees to fund affordable housing, but I believe that this is the completely wrong solution to a community-wide problem. By passing this fee, the Council is asking one small subset of builders to bear the entire burden of building affordable and low-income housing in San Jose. Like with any product, if we heavily tax it, we will get less of it. By increasing the cost to build rental housing, we will see fewer rental units built and we will see rental rates rise even more.

Compounding the negative economics of the Housing Impact Fee, is an automatic increase of the fee by 2.4% every year – regardless of whether the economy is doing well or not. Not only that, the fee will be collected at the time a building permit is issued - before even one stick of housing is built - making it even more challenging and expensive for builders to finance their projects.

The City Council should have instead looked at ways to increase the supply of housing, which is the only sure way to help relieve increasing rents and home prices. As a financial advisor for 20 years, I have advised builders on their projects and it is clear to me that this significant new tax will discourage builders from constructing new for-rent homes. Ultimately, the new Housing Impact Fee will likely be challenged in court and it may be years before the Housing Department receives any dollars to build new affordable homes.

Details of the action the City Council took to impose the new Housing Impact Fee are as follows:

[Vice Mayor Nguyen and Councilmember Liccardo put forward a memo](#) that would have the Council approve the Staff Recommendation of a [\\$17-per-square-foot Housing Impact Fee](#). Their motion states:

“Subject all market rate residential rental housing to the Housing Impact Fee, with the exception for 5 years of downtown high-rise residential housing development. After five years from the operative fee date, the exemption for high-rise housing shall sunset.”

[Also included in the Council action were items 2, 3, and 4 from a memo from Councilmember Rocha:](#)

2. Authorize staff to do additional research on a potential non-residential development fee as an additional source of revenue for affordable housing development;
3. Schedule a review of the Housing Impact Fee to be brought along with the results of

the nonresidential development fee for a potential fee adjustment, as well as additional research on the following development types:

- The economic feasibility of the fee on a micro-unit product type, and
- Any negative impacts of the fee on small-scale infill development;

4. As part of the 2015 Major Update of the 2040 General Plan, conduct a comprehensive review of the current framework for development in Urban Villages, including the distribution of jobs and housing between villages and the Village phasing plan, in order to determine whether we need to adjust our approach in order to ensure successful implementation of the Urban Village model.”

Finally, the action included instructions to staff to research and bring back to [Council items 3, 4, and 6 from Councilmember Herrera’s memo](#):

“Exempt 50% of the Fee for mixed-use developments that have a minimum Floor-Area Ratio (FAR) of 0.5 dedicated for commercial or retail use

4. Allow City staff to waive the Fee for a development if some percentage of the units were restricted to affordable rent by a recorded covenant enforceable by a government agency other than the City of San Jose

6. For purposes of the Fee, do not include assisted living facilities as residences.”

Councilmember Oliverio successfully added an amendment to have the City discuss with the County a more broad-based tax for affordable and low-income housing and Councilmember Herrera added an amendment to move forward with discussion of a Housing joint-powers agency to be formed by municipalities within Santa Clara County.

COUNTY BOARD OF SUPERVISORS REJECTS BOLDER RIDGE EXPANSION

Yesterday, on a 2-2 vote, the Santa Clara County Board of Supervisors rejected a proposal from Boulder Ridge Golf Course to add a swim and fitness facility. Supporting the application, but with additional restrictions to elements such as noise and times of operation, were Board President Wasserman and Supervisor Simitian. Opposed were Supervisors Cortese and Chavez.

I submitted a letter to the Board of Supervisors that highlighted some of the major concerns of the residents who live in the Almaden Valley below Boulder Ridge. I also had my Chief of Staff, Shane Patrick Connolly, attend the board meeting to express those concerns verbally to the Board during the public comment period. While the project is not within the jurisdiction of the City of San Jose, it is surrounded by neighborhoods within the City’s jurisdiction. The project was opposed by several environmental groups, as well as neighborhood groups that included Almaden Hills Estates HOA, Graystone HOA, and the Santa Teresa Foothill Neighborhood Association.

HIGHWAY 85 EXPRESS LANES UPDATE

On November 6th, the VTA Board of Directors decided to continue the discussion regarding the Highway 85 Express Lanes. 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

impacted, quality of life is affected and stress levels rise. That is why it is prudent to move forward with Silicon Valley transportation projects that help us address these concerns.

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 or 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.

Between now and January you have to opportunity to let the VTA Board of Directors know how you feel about the proposed project. This project would be tremendously beneficial to District 10 commuters and other residents. If you are supportive of this project I would encourage you to contact the Valley Transportation Authority's Board of Directors listed here: <http://www.vta.org/get-involved/board-of-directors> .You can also contact Victor Gomez, my Deputy Chief of Staff at (408) 535-4979 or Victor.Gomez@sanjoseca.gov with any questions.

I wish you all a safe and happy Thanksgiving Holiday! And please remember those less fortunate during this holiday season. If you are able, consider donating to a food bank or volunteering with organizations like Martha's Kitchen, City Team, InnVision, or Second Harvest Food Bank. Those are just a few of the wonderful charities and organizations who are always looking for more volunteers!

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 or call 408-535-4910. Also, for updates between newsletters, add me as a friend on [Facebook](#) or follow me on [Twitter](#)!

Sincerely,

Johnny

Los Alamitos Creek Trail has Final 200 Feet Paved

The popular Los Alamitos Creek Trail is enjoyed by more than 1,000 daily users as it extends from Lake Almaden to Harry Road/McKean Avenue. The six-mile trail pavement had reached a point just short of Harry Road, and the final stretch had remained unpaved for many years. The City has recently completed the pavement work on the final section of trail, and new gateway feature now welcomes trail users at the roadway (see attached map of trail and project site). The project was made possible by a joint-use agreement with Santa Clara Valley Water District. Follow [@SanJoseTrails](#)

on Twitter for updates on San José's trail development efforts.

Looking for 2015 ELLA Program Applicants

The Latina Coalition of Silicon Valley is accepting applications for its 2015 ELLA Program. This 6-month leadership program is designed to give emerging Latina leaders the self-confidence and 21st century skills to effectively advocate for their community. Please note that applicants must be 19-26 years of age and reside in San Mateo or Santa Clara counties.

We hope you will spread the word about this powerful program and encourage young Latinas with leadership potential to apply. For more information and to access the application please go to our website: <http://latinacoalition.org/ella-program/>. The application deadline is December 20, 2014. The program begins the last week in February.

Trail Count

The Department of Parks Recreation and Neighborhood Services provided the Transportation and Environment Committee an annual Trail Program report last week. As part of that report, they have shared some findings from the City's recent Trail Count.

They documented that trail usage continues to increase year after year. The Guadalupe River Trail system was paved about 18 months ago - and it has drawn many more users. There has been an increase of 50% over last year's numbers at the Coleman Avenue count station. A 40% increase at the San Fernando Avenue count station provides further evidence of the growing popularity of trails.

The linked Fact Sheet below provides an overview of the Trail Count. PRNS will follow up in the coming weeks with a more detailed summary report that explores the count, as well as survey findings.

<http://www.sanjoseca.gov/DocumentCenter/View/35667>

35th Annual Dr. Martin Luther King, Jr. Luncheon

The African American Community Service Agency (AACSA) - 35th Annual Dr. Martin Luther King, Jr. Luncheon committee is proud to announce our 2015 Keynote Speaker will be Dr. Bernard A. Harris, Jr., the First African American to walk in space.

Theme: DREAM

Save-the-Date: Monday, January 19, 2015 from 12 noon to 2:00 p.m.

Where: San Jose Airport Garden Hotel, 1740 N 1st St, San Jose, CA 95112

For tickets, sponsorship packet, vendors application, souvenir booklet ads, and information, please visit: www.sjaacsa.org/mlkluncheon

Call (408) 292-3157 or E-mail: info@sjaacsa.org

Memorial Bench for Errick Wright

The family of Errick Wright, the young man who was killed in Guadalupe Oak Grove Park last year, has started a kickstarter campaign in order to raise funds for a memorial bench to be placed in the park. If you are interested in donating to this campaign, please visit <http://www.gofundme.com/ezcxs0>. They are already half way to their goal!

Foam Food Ware Ordinance – Effective at All Restaurants in San José January 1st

Starting New Year's Day 2015, diners at all restaurants in San José will no longer receive their soups, beverages, or leftovers in foam containers. After one year of compliance required from only multi-state chain restaurants, all San José restaurants, including small businesses and food trucks, will stop using foam food containers this January. To replace Expanded Polystyrene (EPS) foam containers, restaurants can use any other food containers of their choice. Options for alternative containers include paper, plastic, foil, and biodegradables.

EPS foam food containers are a uniquely problematic form of litter in our rivers and creeks. EPS foam containers do not degrade and tend to break into small pieces. These small pieces are very difficult to clean up, and are harmful to fish and wildlife when mistaken as food. By eliminating the use of foam containers, we improve the health of our water, wildlife, and community.

For more information:

Visit: www.sjenvironment.org/eps (Includes information in English, Spanish and Vietnamese.)

Email: greentogo@sanjoseca.gov

Call: 408-975-2586

Call for Entry in the 2014 CreatiVe Awards

CreaTV San Jose is proud to announce the Call for Entries for the 2014 CreaTiVe Awards. Video makers from the Bay Area and Santa Cruz are invited to submit videos and TV shows for competition in one or more of 10 categories at www.creatvsj.org through November 15, 2014.

Categories include: Business, Citizen Journalist, Educator, Filmmaker, Non-profit, Student, CreaTiVe Excellence (Producer, Director, Editor, Cinematographer) and Bay Area Public Access TV Series

Important Entry Links:

Award Categories & Descriptions: <http://bit.ly/1aQaVk7>

Entry Instructions: <http://bit.ly/1dYJczv>

Entry Form: <http://bit.ly/1a4vIVr>

Finalists announced December 8. Winners announced on January 10, 2015 at The CreaTiVe Awards Gala at the California Theatre in San Jose.

Questions? Contact Pam Kelly at (408) 295-8815 ext. 307 or pam.kelly@creatvsj.org.

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