CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

CITY COUNCIL AGENDA

MARCH 17, 2015

SYNOPSIS

CHAPPIE JONES	DISTRICT 1		PIERLUIGI OLIVERIO	DISTRICT 6
ASH KALRA	DISTRICT 2		TAM NGUYEN	DISTRICT 7
RAUL PERALEZ	DISTRICT 3	SAM LICCARDO MAYOR	ROSE HERRERA VICE MAYOR	DISTRICT 8
MARJORIE MATTHEWS	DISTRICT 4		DONALD ROCHA	DISTRICT 9
MAGDALENA CARRASCO	DISTRICT 5		JOHNNY KHAMIS	DISTRICT 10

CITY OF SAN JOSE
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Office of the City Clerk

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Community & Economic Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Neighborhood Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation & Aviation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Successor Agency to the Redevelopment Agency Board. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 7 p.m. as needed, unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at http://www.sanjoseca.gov/index.aspx?NID=3549. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Council Wing, 2nd Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document.
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To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 or (408) 294-9337 as soon as possible, but at least three business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- Call to Order and Roll Call

  9:08 a.m. - Closed Session, Call to Order in Council Chambers
  Absent: Mayor Liccardo, Councilmember Rocha.

  1:32 p.m. - Regular Session, Council Chambers, City Hall
  Absent: Mayor Liccardo.

- Invocation (District 3)

  Very Rev. David Bird Daen, from Trinity Cathedral, presented the Invocation.

- Pledge of Allegiance

  Vice Mayor Herrera led the Pledge of Allegiance.

- Orders of the Day

  The Orders of the Day and the Amended Agenda were approved.

- Closed Session Report

  None.

1. CEREMONIAL ITEMS

1.1 Presentation of a commendation to Pamela Anderson-Brulé for being recognized as the first woman in Santa Clara County to be elevated to the College of Fellows in the American Institute of Architects. (Herrera)
Vice Mayor Herrera recognized Pamela Anderson-Brulé for being the first woman in Santa Clara County to be elevated to the College of Fellows in the American Institute of Architects.

1.2 Presentation of a commendation to the San José Symphonic Choir for their 90 years of operation in the City of San José. (Mayor)
Vice Mayor Herrera presented a commendation to the San José Symphonic Choir for their 90 years of operation in the City of San José.

2. CONSENT CALENDAR

2.1 Approval of Minutes.

Recommendation: Approval of minutes.
(a) Regular Minutes of December 2, 2014.
(b) Regular Minutes of December 9, 2014.
(c) Regular Minutes of December 16, 2014.
(d) Regular Minutes of December 19, 2014.
(e) Special Minutes of December 30, 2014.
Approved.

2.2 Final Adoption of Ordinances.
None provided.

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.
(a) Public Safety, Finance, and Strategic Support Committee Report of February 19, 2015. (Oliverio)
(b) Community and Economic Development Committee Report of February 23, 2015. (Khamis)
(c) Rules and Open Government Committee Report of February 25, 2015. (Mayor)
Approved.

2. CONSENT CALENDAR

2.4 Mayor and Council Excused Absence Requests.
None provided.

2.5 City Council Travel Reports.
None provided.

2.6 Report from the Council Liaison to the Retirement Boards.
None provided.

2.7 Great American Litter Pick-Up.

Recommendation: As recommended by the Rules and Open Government Committee on March 4, 2015:

(a) Approve the Great American Litter Pick-up as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: File No. PP13-056, Public Project exemption for activities associated with Citywide Litter Clean-up Activities. (City Clerk)
[Rules Committee referral 3/4/15 – Item G(1)(a)]
Approved.

2.8 Actions Related to the Agreement with Mel Chin Studios for Public Art Management Services.

Recommendation:

(a) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:

(1) Increase the appropriation to the Office of Economic Development for Cultural Affairs Special Projects in the amount of $10,000; and

(2) Increase the estimate for Other Revenue by $10,000.

Ordinance No. 29543 adopted.
Resolution No. 77310 adopted.

(b) Adopt a resolution authorizing the City Manager or his designee to execute a Continuation and Second Amendment to the Agreement for Public Art Management Services between the City of San José and Mel Chin Studios to extend the term to December 31, 2016, to increase the rate of compensation and scope of work, and increase the total maximum compensation to be paid to City to $96,500.

CEQA: Not a Project, File No. PP10-066(a), Agreements and Contracts. (Economic Development/City Manager)
Resolution No. 77304 adopted.

2. CONSENT CALENDAR

2.9 Amendment to the Agreements with CH2M Hill and GHD for Engineering Services for the Wastewater Facility Capital Improvement Program.

Recommendation:

(a) Approve the Third Amendment to the Master Agreement with CH2M HILL, for engineering services for the San José-Santa Clara Regional Wastewater Facility, extending the term from June 30, 2015 to December 31, 2017, at no additional cost to the City, for a total budgeted amount of $4,000,000.

(b) Approve the Second Amendment to the Master Agreement with GHD, for engineering services for the San José-Santa Clara Regional Wastewater Facility, extending the term from June 30, 2015 to December 31, 2016, at no additional cost to the City, for a total budgeted amount of $1,500,000.

CEQA: Plant Master Plan EIR, Resolution No. 76858, adopted 11/19/2013.
(Environmental Services)
Approved.

2.10 Actions Related to the Intention to Annex Territory Into Zone C of Maintenance District 15.

Recommendation:

(a) Approve an agreement with Edenbridge Capital Partners, LP to perform and fund a maintenance district annexation for the maintenance of landscape and open space improvements for an area within the Silver Creek Valley area.

Approved.

(b) Adopt a resolution of intention to annex territory into existing Zone C of Maintenance District 15 (Silver Creek Valley), and directing the Director of Public Works to create and file an engineer's report.

Resolution No. 77305 adopted.

(c) Adopt the following 2014-2015 Appropriation Ordinance amendments and Funding Sources Resolution amendments in the Maintenance District No. 15 Fund:

(1) Increase the estimate for Earned Revenue by $15,000; and

(2) Establish an appropriation to the Department of Public Works for the Maintenance District No. 15 Annexation Project in the amount of $15,000.

CEQA: Mitigated Negative Declaration, File No. PDC09-007. Council District 8.
(Public Works/City Manager)
Ordinance No. 29544 adopted.
Resolution No. 77306 adopted.

2.11 Neighborhoods Commission Appointment.

Recommendation: Appoint Joe Horwedel to the vacant District 1 position on the Neighborhoods Commission to an unexpired term ending June 30, 2018. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Clerk)
Approved.

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the Interim City Manager, Norberto Dueñas (Verbal Report).
Interim Successor Agency Executive Officer Norberto Duenas congratulated the Mayor and City Staff for a successful State of the City celebration and expressed gratitude for the Staff's strong representation at the resource fair. He acknowledged National Sunshine Week and commended the City of San José's participation in developing leading edge policies and a culture to support transparency in government.

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.
No update provided.

3.3 Semi-Annual Recommendation Follow-Up Report on All Outstanding Audit Recommendations.

Recommendation: Accept the Semi-Annual Recommendation Follow-Up Report on all Outstanding Audit Recommendations for the Six Months Ended December 31, 2014. CEQA: Not a Project, File No. PP10-069(a), Staff Reports, Assessments and Annual Reports. (City Auditor)
Accepted.

3.4 Waiver of Revolving Door Restrictions.

Recommendation: As recommended by the Rules and Open Government Committee on March 11, 2015, consider the request by Leslye Corsiglia, the former Director of Housing for a Waiver of the Revolving Door Restrictions for consultant work with the City of San José. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Attorney)
[Rules Committee referral 3/11/15 – Item G(2)]
City Attorney Richard Doyle provided correction to the agenda language, indicating that it should read as a "…request from former Director of Housing Leslye Corsiglia for a waiver of the Revolving Door Restrictions for consultant work with the *Health Trust of Santa Clara County*".
Recommendation accepted.
Noes: Khamis, Jones.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Rezoning the Real Property Located at the Southwest Corner of West San Carlos Street and Sunol Street.

Recommendation: Consideration of an ordinance rezoning the real property located at the southwest corner of West San Carlos Street and Sunol Street (860 West San Carlos Street) from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to allow for specific changes to previously approved Development Standards, most notably: eliminating the minimum building height, lowering the minimum amount of commercial square footage from 24,000 to 14,000, and requiring standard conformance with the City's parkland dedication requirements, for the subject 8.0 gross acre site (Santa Clara County Transit District, Owner). CEQA: Ohlone Mixed Use EIR Resolution No. 09064, File No. PDC08-061. Planning Commission recommends approval (5-0-1). (Planning, Building and Code Enforcement)
PDC13-004 – District 6
(Deferred from 2/24/15 – Item 11.5 and 3/10/15 – Item 4.1)
Ordinance No. 29545 passed for publication.

4.2 Friends of Levitt Pavilion Exploratory Committee. - *DEFERRED*

Recommendation: As recommended by the Community and Economic Development Committee on February 23, 2015:

(a) Receive a verbal report on the Friends of Levitt San José Exploratory Committee regarding the feasibility of a performance venue in Saint James Park; and

(b) Accept the *Levitt Pavilions Exploratory Committee: Building Community Through Music Report* and endorse the community moving forward with its business planning, fundraising and entity formation.

(Economic Development/Parks, Recreation and Neighborhood Services)
[Community and Economic Development Committee 2/23/15 – Item D(2)]
Deferred to 3/24/15 per Administration.

4.3 Acceptance of the Annual Progress Report on the Implementation of the General Plan Housing Element Update.

Recommendation: Accept the Calendar Year 2014 Annual Progress Report on the Implementation of the San José 2014-22 Housing Element, which includes as an attachment to the staff memorandum, the FY 2013-14 Housing Successor to Redevelopment Agency Annual Report, per reporting requirements of Senate Bill 341 Redevelopment. CEQA: Not a Project, File No. PP10-069(a), Annual Report. (Housing/Planning, Building and Code Enforcement)
Accepted.

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. REDEVELOPMENT – SUCCESSOR AGENCY

Notice of City Engineer's Pending Decision on Final Maps

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

Tract	Location	Council District	Developer	Lots/ Units	Type	Proposed Decision
10295	Communications Hill Blvd	7	KB Home, Inc.	85 Lots	Financing	Approved

- Open Forum
  None

- Adjournment
  The Council of the City of San José adjourned at 2:53 p.m. in memory of Joseph "Joe" Bell, a long-time Rose Garden resident and a World War II veteran. Joe Bell, who served our country as a paratrooper, was 95 when he passed away on January 8, 2015. (Herrera)

CITY OF SAN JOSE
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HOUSING AUTHORITY OF
THE CITY OF SAN JOSE AGENDA

1:30 P.M. **TUESDAY, MARCH 17, 2015** **CHAMBERS**

2. The Moving to Work 2016 Annual Plan and Collaboration with the Housing Authority of the County of Santa Clara.

Recommendation:

(a) Accept this update on the collaboration between the City Housing Authority and the Housing Authority of the County of Santa Clara (HACSC); and

Accepted.

(b) Authorize the City Housing Authority's Interim Executive Director to submit a letter to the HACSC that does the following:

(1) Supports the Moving to Work 2016 Annual Plan; and

(2) Requests that the HACSC seek HUD approval to issue vouchers to individuals/families in short-term housing programs and other initiatives to facilitate housing the homeless as discussed in this memorandum.

CEQA: Not a Project, File No. PP10-068, General Procedure and Policy Making. (Housing)

Authorized.