

MINUTES OF THE CITY COUNCIL

SAN JOSE, CALIFORNIA

TUESDAY, JUNE 9, 2015

The Council of the City of San José convened in Regular Session at 9:33 a.m. in the Council Chambers at City Hall.

Present: Councilmembers - Carrasco, Jones, Kalra, Khamis, Nguyen, Matthews, Oliverio, Peralez, Rocha; Liccardo.

Absent: Councilmembers - Herrera. (Excused)

STRATEGIC SUPPORT SERVICES

3.2 Accept Labor Negotiations Update.

There was no report.

CLOSED SESSION

Upon motion unanimously adopted, Council recessed at 9:37 a.m. to a Closed Session in Room W133 (A) to confer with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) with respect to existing litigation; (1) Plata, Raymond and Michelle v. City of San José; Names of Partie(s) Involved: Raymond and Michelle Plata, individually and on behalf of other members of a class of similarly situated residents and taxpayers, City of San José; Court: Superior Court of California, County of Santa Clara; Case No: 1-14-CV-258879; Amount of Money or Other Relief Sought: Declaratory Relief, Injunctive Relief; (2) IAFF Local 230 v. City of San José; Names of Partie(s) Involved: International Association of Firefighters Local 230, City of San José; Court: State of California Public Employees Relations Board; Case No.: SF-CE-969-M; Amount of Money or Other Relief Sought: Damages According to Proof; (3) IFPTE Local 21 v. City of San José; Names of Partie(s) Involved: International Federation of Professional and Technical Engineers Local 21, City of San José; Court: State of California Public Employees Relations Board; Case No.: SF-CE-996-M; Amount of Money or Other Relief Sought: Damages According to Proof; (4) American Federation of State, County & Municipal Employees, et al. v. City; Names of Partie(s) Involved: American Federation of State, County & Municipal Employees, City of San José; Court: State of California

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/city> or <http://www.sanjoseca.gov/civiccenter>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.

CLOSED SESSION (Cont'd.)

Public Employees Relations Board; Case No.: SF-CE-924-M; Amount of Money or Other Relief Sought: Damages According to Proof; (5) American Federation of State, County & Municipal Employees, et al. v. City; Names of Partie(s) Involved: American Federation of State, County & Municipal Employees, City of San José; Court: State of California Public Employees Relations Board; Case No.: SF-CE-972-M; Amount of Money or Other Relief Sought: Damages According to Proof; (6) OE#3 v. City of San José; Names of Partie(s) Involved: Operating Engineers Local Union No. 3, City of San José; Court: State of California Public Employees Relations Board; Case No.: SF-CE-900-M; (7) San José Police Officers' Association v. City, et al; Names of Parties Involved: San José Police Officers' Association, City of San José, Board of Administration for Police and Fire Department Retirement Plan of City of San José and Does 1-100; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-225926; Amount of Money or Other Relief Sought: Declaratory and injunctive relief. (8) 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; Amount of Money or Other Relief Sought: Declaratory Relief and Verified Petition for Writ of Mandate. (9) 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 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. (10) 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 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. (11) Mukhar, et al. v. City of San José, et al; Names of Parties Involved: John Mukhar, Dale Dapp, James Atkins, William Buffington, Kirk Pennington, City of San José, Debra Figone in her official 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; Amount of Money or Other Relief Sought: Challenge to Measure B. (12) 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; Amount of Money or Other Relief Sought: Challenge to Measure B; (B) to Confer with Labor Negotiator Pursuant to Government Code Section 54957.6: City Negotiator: Jennifer Schembri, Interim 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:

CLOSED SESSION (Cont'd.)

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

By unanimous consent, Council recessed from the Closed Session at 11:45 p.m. and reconvened to Regular Session at 1:35 p.m. in the Council Chambers.

Present: Councilmembers - Carrasco, Herrera, Jones, Kalra, Khamis, Matthews, Nguyen, Oliverio, Peralez, Rocha; Liccardo.

Absent: Councilmembers - All Present.

INVOCATION

Rabbi Menachem Levine, Congregation Am Echad, provided the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Liccardo led the Pledge of Allegiance.

ORDERS OF THE DAY

Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Pierluigi Oliverio and carried unanimously, the Orders of the Day and the Amended Agenda were approved with Item 4.1 to be heard directly following the Consent Calendar. (11-0.)

CEREMONIAL ITEMS

1.3 A commendation acknowledging the importance of the San José Police Department's School Safety & Education Unit in promoting school safety throughout the City. (Mayor)

Mayor Sam Liccardo and Councilmembers Oliverio, Rocha and Matthews honored the San José Police Department's School Safety & Education Unit for promoting school safety throughout the City.

**1.4 Presentation of a commendation recognizing former Supervisor Blanca Alvarado for the contributions she made to the families in East San Jose as a Councilmember and to the families in Santa Clara County serving as Supervisor. (Carrasco)
(Rules Committee referral 6/3/15)**

Councilmembers Carrasco and Matthews, Vice Mayor Herrera and Mayor Liccardo honored former Supervisor Blanca Alvarado for her enduring contributions as a Councilmember, as Santa Clara County Supervisor and leader in the Community.

**1.5 Presentation of a commendation to Patricia Diaz for her leadership with the Services, Immigrant Rights and Education Network (SIREN). (Kalra)
(Rules Committee referral 6/3/15)**

Mayor Liccardo and Councilmember Kalra offered a commendation to Patricia Diaz for her leadership and years of service with the Services, Immigrant Rights and Education Network (SIREN).

CONSENT CALENDAR

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

2.1 Approval of Minutes.

None provided.

2.2 Final adoption of ordinances.

- (a) **ORD. NO. 29576 – Amending Title 9 of the San José Municipal Code to add a new Chapter 9.46 to regulate tobacco product sampling. CEQA: Not a Project; File No. PP10-068(c), Municipal Code or Policy that involves no changes in the physical environment. (City Attorney)**

Documents Filed: Proof of Publication of the Title of Ordinance No. 29576 executed on June 5, 2015, submitted by the City Clerk.

Action: Ordinance No. 29576 was adopted. (11-0.)

2.3 Approval of Council Committee Reports.

- (a) **Rules and Open Government Committee Report of May 13, 2015. (Mayor)**
(b) **Neighborhood Services and Education Committee Report of May 14, 2015. (Rocha)**
(c) **Community and Economic Development Committee Report of May 18, 2015. (Khamis)**

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.

Documents Filed: (1) Rules and Open Government Committee Report dated May 13, 2015. (2) Neighborhood Services and Education Committee Report dated May 14, 2015; (3) Community and Economic Development Committee Report dated May 18, 2015.

Councilmember Johnny Khamis pulled Item 2.3c to question staff on long-term traffic needs as presented in the report.

Deputy City Manager/Director of Economic Development Kim Walesh responded to questions from Council.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Rose Herrera and carried unanimously, the Council Committee Reports were accepted. (10-0-1. Absent: Kalra.)

2.4 Request for an excused absence for Vice Mayor Herrera from the Regular Meeting of the Rules and Open Government Committee on May 27, 2015 due to Authorized City Business: San José Silicon Valley Chamber of Commerce State Legislative Summit. . CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Herrera)

Documents Filed: Memorandum from Vice Mayor Rose Herrera, dated May 27, 2015, requesting an excused absence due to authorized City business.

Action: The excused absence was approved. (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 (a) Approve First Amendments to the Consultant Master Agreements with Landrum & Brown, Inc. and Ricondo & Associates, Inc. for Airport economic analysis services to extend the term of each agreement from June 30, 2015 to June 30, 2018, with the City’s option for one additional two-year extension, with no additional compensation.**
- (b) Adopt a resolution authorizing the City Manager to exercise options to extend the Consultant Master Agreements with Landrum & Brown, Inc. and Ricondo & Associates, Inc. for Airport economic analysis services for an additional two-year period from June 30, 2018 to June 30, 2020, with no change in maximum compensation.**

CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Airport)

Documents Filed: Memorandum from Director of Aviation Kimberly J. Becker, dated May 18, 2015, recommending approval of a First Amendment and adoption of a resolution.

Action: The First Amendments to the Consultant Master Agreements with Landrum & Brown, Inc. and Ricondo & Associates, Inc. for Airport economic analysis services to extend the term of each agreement from June 30, 2015 to June 30, 2018, with related contingencies, was approved; and Resolution No. 77367, entitled: “A Resolution of the Council of the City of San José, Authorizing the City Manager to exercise the Option to Extend the Consultant Master Agreements with Landrum & Brown, Inc. and Ricondo & Associates, Inc. for Airport Economic Analysis Services at the Norman Y. Mineta San José International Airport, Each for One Additional Two-Year Period”, was adopted. (11-0.)

- 2.8 As recommended by the Rules and Open Government Committee on May 27, 2015, adopt a position of support for AB 24 (Nazarian) – Transportation Network Companies: Public Safety Requirements. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Airport)**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 28, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: A position of support for AB 24 (Nazarian), was adopted. (11-0.)

- 2.9 Adopt a resolution authorizing the City Attorney to execute a Second Amendment to Agreement for services between the City of San José and Hanson Bridgett, LLP to provide legal and investigative services as the Evaluator to the San José Ethics Commission for services through June 30, 2015, and increasing compensation by \$10,000 for a total amount of compensation not to exceed \$310,000. CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (City Attorney)**

Documents Filed: City Council Action Request from City Clerk Toni J. Taber, CMC, dated June 9, 2015, recommending adoption of a resolution.

Action: Resolution No. 77368, entitled: “A Resolution of the Council of the City of San José Authorizing the City Attorney to Execute a Second Amendment to the Agreement with Hanson Bridgett LLP for Legal and Investigative Services as the Evaluator to the San José Ethics Commission”, was adopted. (11-0.)

- 2.10 Adopt a resolution authorizing the City Manager or his designee to execute the First Amendment to the Lease by and between the City of San José and Our City Forest to extend the term for use of the property to April 30, 2016, amend the City’s right for termination to allow the Director of Economic Development to terminate the agreement instead of the Director of General Services, and to update the mailing address for the City and the Our City Forest. CEQA: Not a Project, File No. PP10-066(f), Lease of existing space for the same use. (Economic Development)**

Documents Filed: City Council Action Request from Deputy City Manager/Director of Economic Development Kim Walesh, dated June 9, 2015, recommending adoption of a resolution.

Action: Resolution No. 77369, entitled: “A Resolution of the Council of the City of San José Authorizing the City Manager to Execute a First Amendment to the Lease with Our City Forest”, was adopted. (11-0.)

- 2.11 Adopt of a resolution authorizing the City Manager or his designee to execute a Second Amendment to the Sublease for the use of real property for the Spartan Keyes Neighborhood Action Center, between the City of San José and Roem Development Corporation, allowing for continued use of 2,256 square feet of commercial space for community gatherings as well as office space for staff. CEQA: Mitigated Negative Declaration, File No PDC03-018, as addended by File No PD04-065. (Economic Development)**

Documents Filed: City Council Action Request from Deputy City Manager/Director of Economic Development Kim Walesh, dated June 9, 2015, recommending adoption of a resolution.

Public Comment: Paul Gonzalez, Hope Nguyen and Isabel Ayala offered appreciation for continued use of the Center.

2.11 (Cont'd.)

Action: Upon motion by Councilmember Raul Peralez, seconded by Vice Mayor Rose Herrera, and carried unanimously, Resolution No. 77370, entitled: “A Resolution of the Council of the City of San José Authorizing the City Manager or His Designee to Execute a Second Amendment to the Sublease for the Use of Real Property for the Spartan Keyes Neighborhood Action Center between the City of San José and Roem Development Corporation”, was adopted. (11-0.)

- 2.12 (a) **Preliminary approval of the report as filed by the Downtown Business Improvement District Advisory Board, or as modified by Council; and adoption of a resolution of intention to levy the annual assessment for Fiscal Year 2015-2016, to suspend collection of the Downtown BID assessments for businesses that qualify for the business tax financial hardship exemption under the City’s general business tax ordinance, and set June 23, 2015 at 1:30 p.m. as the date and time for the public hearing on the foregoing matters.**
- (b) **Preliminary approval of the report as filed by the Hotel Business Improvement District Advisory Board, or as modified by Council; and adoption of a resolution of intention to levy the annual assessment for Fiscal Year 2015-2016 and set June 23, 2015 at 1:30 p.m. as the date and time for the public hearing on the levy of the proposed assessments.**
- (c) **Preliminary approval of the report as filed by the Japantown Business Improvement District Advisory Board, or as modified by Council; and adoption of a resolution of intention to levy the annual assessment for Fiscal Year 2015-16, and set June 23, 2015 at 1:30 p.m. as the date and time for the public hearing on the levy of the proposed assessments.**

CEQA: Exempt, File No. PP08-048. Council District 3. (Economic Development)

Documents Filed: Three memoranda from Deputy City Manager/Director of Economic Development Kim Welsh, each dated May 19, 2015, recommending adoption of resolutions.

Action: Resolution No. 77371, entitled: “A Resolution of the Council of the City of San José Declaring its Intent to Levy Assessments for Fiscal Year 2015-2016 in the Downtown Business Improvement District and Suspend Collection of the Assessments for Businesses that Qualify for the Business Tax Financial Hardship Exemption Under the City’s General Business Tax Ordinance; and Setting the Date and Time for the Public Hearing”; and Resolution No. 77372, entitled: “A Resolution of the Council of the City of San José Declaring its Intent to Levy Assessments for Fiscal Year 2015-2016 in the Hotel Business Improvement District Pursuant to the Parking and Business Improvement Area Law of 1989; and Setting the Date and Time for the Public Hearing; and Resolution No. 77373, entitled: “A Resolution of the Council of the City of San José, Declaring its Intent to Levy Assessments for Fiscal Year 2015-2016 in the Japantown Business Improvement District Pursuant to the Parking and Business Improvement Area Law of 1989; and Setting the Date and Time for the Public Hearing”, were adopted. (11-0.)

- 2.13 (a) **Approve travel by Councilmember Khamis to Beijing, China from June 15–21, 2015 to represent the City of San José on the Inaugural Flight of the new, direct Boeing 787 Dreamliner Air Service between San José Mineta International Airport and Beijing Capital International Airport in the People’s Republic of China. Source of Funds: Councilmember Khamis’ Personal Funds.**
- (b) **Request for an excused absence for Councilmember Khamis from the following meetings:**
- (1) **The Closed Session and the Regular Meeting of the City Council on June 16, 2015;**
 - (2) **The Regular Meeting of the Rules and Open Government Committee on June 17, 2015; and**
 - (3) **The Regular Meeting of the Public Safety, Finance, and Strategic Support Committee on June 18, 2015.**

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Khamis)

Documents Filed: Memorandum from Councilmember Johnny Khamis, dated April 21, 2015, requesting approval of authorized travel and an excused absence due to authorized City business.

Action: The travel was authorized and the absence for Councilmember Johnny Khamis was approved. (11-0.)

- 2.14 (a) **Accept the Annual Status Report on the Safe Neighborhood Parks and Recreation Bond Projects for the FY 2013-2014.**
- (b) **Accept the Annual Status Report on the Branch Library Bond Projects for the FY 2013-2014.**
- (c) **Accept the Annual Status Report on the Public Safety Bond Program for the FY 2013-2014.**

CEQA: Not a Project, File No. PP10-069(a), Annual Reports. (Public Works)

Documents Filed: City Council Action Request from Director of Public Works Barry Ng, dated June 9, 2015, recommending acceptance of the Annual Status Reports.

Mayor Sam Liccardo pulled Item 2.14 to request clarification from staff. Interim Assistant Director of Parks, Recreation and Neighborhood Services Matt Cano responded to questions.

Action: Upon motion from Vice Mayor Rose Herrera, seconded by Councilmember Raul Peralez and carried unanimously, the Annual Status reports on the Safe Neighborhood Parks and Recreation Bond Projects for the FY 2013-2014, the Branch Library Bond Projects for the FY 2013-2014, and the Annual Status Report on the Public Safety Bond Program for the FY 2013-2014, were accepted. (11-0.)

- 2.15 (a) **Approve award of a Construction Contract for the 7177 – Autumn Parkway Extension Project - Phase 1C (Coleman Avenue to West Julian Street) to the lowest responsive bidder, Ghilotti Construction Company, Inc. in the amount of \$3,040,240;**
- (b) **Approve a ten percent contingency in the amount of \$304,024;**
- (c) **Adopt a resolution authorizing the City Manager to negotiate and execute a Compensation Agreement between the City and various local taxing entities so that the City can obtain the property required for the Autumn Parkway Extension Project - Phase 1C from the Successor Agency to the Redevelopment Agency of the City of San José and authorizing the City Manager to accept such property upon transfer.**

CEQA: The Coleman Avenue/Autumn Street Improvement Project EIR, File No. PP06-166, Resolution No. 74870, adopted April 7, 2009. Council District 3. (Public Works/Transportation/Successor Agency)

Documents Filed: Joint memorandum from Director of Public Works Barry Ng, Interim Director of Transportation Jim Ortbal and Successor Agency Managing Director Richard A. Keit, dated May 18, 2015, recommending approval of an award and adoption of a resolution.

Action: Award of a Construction Contract for the 7177 – Autumn Parkway Extension Project - Phase 1C (Coleman Avenue to West Julian Street) to the lowest responsive bidder, Ghilotti Construction Company, Inc. in the amount of \$3,040,240, with related contingencies, were approved; and Resolution No. 77374, entitled: “A Resolution of the Council of the City of San José, Authorizing the City Manager to Negotiate and Execute a Compensation Agreement with Various Local Taxing Entities so that the City can Obtain the Property Required for the Autumn Parkway Extension Project from the Successor Agency to the Redevelopment Agency of the City of San José, and Authorizing the City Manager to Accept Such Property Upon Transfer”, was adopted. (11-0.)

- 2.16 (a) **Approve an agreement with BKF Engineers for engineering consultant services for the Charcot Avenue Extension Over I-880 project for a term from date of full execution to June 30, 2017 with the City’s option to extend for up to two additional six-month periods, subject to the appropriation of funds, and in the amount not to exceed \$991,367.**
- (b) **Adopt the following Appropriation Ordinance Amendments in the Construction Excise Tax Fund:**
- (1) **Increase the appropriation to the Department of Transportation for the North San José Improvements - Route 880/Charcot project by \$300,000; and**
- (2) **Decrease the North San José Traffic Impact Fees Reserve by \$300,000**

CEQA: Not a Project, File No. PP10-066(d), Consultant Services.

Documents Filed: Joint memorandum from Interim Director of Transportation Jim Ortbal and Senior Deputy City Manager Jennifer Maguire, dated May 18, 2015, recommending approval of an award and adoption of an appropriation ordinance.

2.16 (Cont'd.)

Mayor Sam Liccardo pulled Item 2.16. Interim Director of Transportation Jim Ortbal responded to questions from Council.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Raul Peralez and carried unanimously, an agreement with BKF Engineers for engineering consultant services for the Charcot Avenue Extension Over I-880 project for a term from date of full execution to June 30, 2017 with the City's option to extend for up to two additional six-month periods, subject to the appropriation of funds, and in the amount not to exceed \$991,367, was approved; and Ordinance No. 29582, entitled: "An Ordinance of the City of San José Amending Ordinance No. 29431 to Appropriate Monies in the Construction Excise Tax Fund for the North San José Improvements – Route 880/Charcot Project; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", was adopted. (11-0.)

- 2.17 (a) **Accept an invitation from the Fundación Germán Sánchez Ruipérez (Fundación GSR) and to attend ReadMagine - an educational conference that explores library/reading services, digital innovation, and an initiative to improve libraries throughout Latin America from June 9 - 13, 2015. The Fundación GSR will pay the cost for travel to/from and lodging within Madrid during the event.**
- (b) **Approve travel to Madrid, Spain for Jill Bourne, Library Director, who will represent the City of San José as a featured presenter at the ReadMagine conference.**

CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (Library)

Documents Filed: Memorandum from Library Director Jill Bourne, dated June 3, 2015, recommending acceptance of an invitation to an education conference and approval of travel.

Action: An invitation from the Fundación Germán Sánchez Ruipérez (Fundación GSR) and to attend ReadMagine - an educational conference, with travel to Madrid, Spain for Library Director Jill Bourne, representing the City of San José as a featured presenter at the ReadMagine conference was approved. (11-0.)

- 2.18 **As recommended by the Rules and Open Government Committee on June 3, 2015:**
- (a) **Approve the Philippine Flag Raising as a City Council sponsored Special Event and approve the expenditure of fund; and**
- (b) **Approve and accept donations from various individuals, businesses, or community groups to support the event.**

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Kalra)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated June 4, 2015, transmitting the recommendations of the Rules and Open Government Committee.

2.18 Action: The Philippine Flag Raising 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.)

2.19 **As recommended by the Rules and Open Government Committee on June 3, 2015:**
(a) **Approve the District 10 Leadership BBQ as a City Council sponsored Special Event and approve the expenditure of fund; and**
(b) **Approve and accept donations from various individuals, businesses, or community groups to support the event.**

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Khamis)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated June 4, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: The District 10 Leadership BBQ 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.)

2.20 **As recommended by the Rules and Open Government Committee on June 3, 2015:**
(a) **Retroactively approve the Eritrean Flag Raising as a City Council sponsored Special Event and approve the expenditure of fund; and**
(b) **Approve and accept donations from various individuals, businesses, or community groups to support the event.**

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Mayor/ Peralez)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated June 4, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Eritrean Flag Raising 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.)

2.21 **As recommended by the Rules and Open Government Committee on June 3, 2015:**
(a) **Approve the Portuguese Flag Raising as a City Council sponsored Special Event and approve the expenditure of fund; and**
(b) **Approve and accept donations from various individuals, businesses, or community groups to support the event.**

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Mayor/ Carrasco/Matthews/Peralez)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated June 4, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Portuguese Flag Raising 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.)

- 2.22 As recommended by the Rules and Open Government Committee on June 3, 2015, adopt a position of opposition for SB 661 (Hill) Property Taxation: State Assessment: Commercial Air Carrier Personal Property. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated June 4, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: A Position of opposition for SB 661 (Hill) Property Taxation: State Assessment: Commercial Air Carrier Personal Property was adopted. (11-0.)

END OF CONSENT CALENDAR

COMMUNITY & ECONOMIC DEVELOPMENT

- 4.1 As recommended by the Community and Economic Development Committee on May 18, 2015, adopt a resolution authorizing the City Manager to negotiate and execute an agreement with San José State University for the operations and maintenance of the Hammer Theatre for an initial incubation period of three years, in an amount not to exceed \$285,000 per year, subject to the annual appropriation of funds. CEQA: Not a Project, File No. PP10-066, Agreements/Contracts. (Economic Development) [Community and Economic Development Committee referral 5/18/15 – Item D(2)]**

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo and Councilmembers Peralez, Matthews and Carrasco, dated June 5, 2015, recommending approval of the staff report with direction to the City Manager. (2) Memorandum from City Clerk Toni J. Taber, CMC, dated May 28, 2015, providing recommendations of the Community and Economic Development Committee. (3) Letter from Team San José Chairman of the Board of Directors, Michael Mulcahy, dated June 8, 2015, in support of staff's recommendations.

Deputy City Manager/Director of Economic Development Kim Welsh and Director of Cultural Affairs Kerry Adams Hapner provided a presentation on the Hammer Theatre Reuse recommendations, and San José State University Dean of the College of Humanities and the Arts, Dr. Lisa Volendorf, continued with the City's vision for the theatre.

Public Comment: Offering support to the agreement with San José State University for the Hammer Theatre Reuse, were: Andy Feinstein, Luis Valdez, Rick Holden, Scott Sublett, Marilyn Abad-Cardinalli, Joe Cardinalli, Randall King, Dennis Martin and Scott Knies.

Extensive Council discussion followed.

4.1 (Cont'd.)

Motion: Councilmember Raul Peralez moved approval of the memorandum he coauthored with Mayor Sam Liccardo and Councilmembers Peralez, Matthews and Carrasco, dated June 5, 2015. The motion was seconded by Councilmember Magdalena Carrasco.

Action: On a call for the question, the motion carried unanimously, and Resolution No. 77386, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to Negotiate and Execute an Agreement with San José State University for the Operation and Maintenance of the Hammer Theatre", was adopted, with direction to staff as outlined in the joint memorandum from Mayor Sam Liccardo and Councilmembers Peralez, Matthews and Carrasco, dated June 5, 2015, to form an advisory board with membership agreed upon and co-convened by San José State and the City, in coordination with the District Three Council Office and the Mayor's Office, committed to the vision of the partnership and success of the Theatre. (11-0.)

STRATEGIC SUPPORT SERVICES

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

City Manager Norberto Dueñas lauded Fire Station #9 for taking the initiative to replace their brown lawn with low-maintenance, drought-resistant plants. Additionally he noted constituents' praise of City's DOT staff members for outstanding service on a recent call for service.

- 3.3 (a) **Review, discussion and approval of the Mayor's 2015 June Budget Message**
(b) **Adopt a resolution by the City Council authorizing the City Manager to negotiate and execute agreements addressed in the Mayor's Budget Message which are for amounts that exceed the City Manager's contract authority, provided that any required environmental review has been completed.**

CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (Mayor)

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, dated May 29, 2015, providing the June Budget Message for Fiscal Year 2015-2016. (2) Supplemental memorandum from Mayor Sam Liccardo, dated June 8, 2015, clarifying and adding additional direction to the June Budget Message. (3) Replacement memorandum from Councilmember Margie Matthews, dated June 8, 2015 requesting funding for the the June Budget Message. (4) Memorandum from Councilmember Johnny Khamis, dated June 8, 2015 requesting funding for the June Budget Message. (5) Memorandum from Councilmember Donald Rocha, dated June 9, 2015 requesting funding for the June Budget Message. (6) Email correspondence from Marilyn Wilson, BVM, received June 7, 2015, and from Benita Hopkins, received June 8, 2015, requesting funding for the Coordinator position with the South Bay Coalition to End Human Trafficking. (7) Letter from "Homeless Advocates" dated June 8, 2015, requesting funds to improve the approach to homelessness.

3.3 (Cont'd.)

Public Comment: Providing advocacy for the homeless community in San José were: Phil Mastrocola, Pat Farrow, Phil Olmstead and Robert Aguirre. Speaking in solidarity with those serving immigrant communities, were Jasmine Morales, Wendy Ho, Juritzi Torres, Elvira Gonzalez, Eunice Hernandez and Salvador Bustamante. Ross Signorino suggested using drones to control the graffiti problem.

Mayor Sam Liccardo provided opening remarks and thanked Councilmembers for the budget documents they submitted. Council discussion ensued.

Motion: Vice Mayor Rose Herrera moved approval of the Budget Message and supplemental memorandum as submitted by Mayor Sam Liccardo with the inclusion of memoranda from Councilmembers Matthews, Khamis and Rocha as indicated below in “Action”. The motion was seconded by Councilmember Magdalena Carrasco.

Action: On a call for the question and carried unanimously, Resolution No. 77375, entitled: “A Resolution of the Council of the City of San José Authorizing the City Manager to Negotiate and Execute Agreements Identified in the Mayor’s 2015 June Budget Message which are for Amounts that Exceed the City Manager’s Contract Authority”, was adopted, and Mayor Liccardo’s supplemental memorandum dated June 8, 2015, was accepted, approving the June Budget Message with changes to: (1) Authorize the additional changes proposed in the Manager’s Budget Addendum #27 that were brought forward in the replacement memorandum including an additional \$5 million in savings to the Police Staffing and Operations Reserve and clarification of the function of the Reserve to include retention, hiring, and recruitment; (2) Amend Spending Proposal 2C “Residential Parking Permit Program” to support a limited date position of an Associate Transportation Specialist, rather than a Transportation Specialist; and (3) Defer approval of San Jose Recycle Plus rates contingent on City Council action on June 16, 2015.

The memorandum from Councilmember Matthews, dated June 8, 2015, was approved, to (1) Include Item 5.h. containing the funding amounts of \$250,000 for the Alviso Park Masterplan; (2) Approve an additional \$478,000 in funding from Council District 4 for the Alviso Park Improvements and Development.

The memorandum from Councilmember Khamis dated June 8, 2015, was approved, to (1) Direct the City Manager to add 1.00 FTE Park Maintenance Assistant FT at Almaden Lake Park and open Almaden Lake Park and trail on Mondays on a one-time basis for FY 2015-2016, utilizing \$60,327 in funding from the District 10 Office Rebudget; (2) Direct the City Manager to explore opportunities for providing for the opening of all four regional parks on Mondays on an ongoing basis when planning for FY 2016-2017.

3.3 (Cont'd.)

Councilmember Rocha's memorandum dated June 9, 2015, was approved: (1) Direct staff to return with a strategy to fund an additional position in the Housing Department at or before approval of the Annual Report, using eligible sources, as appropriate, to ensure that the Housing Department can make an accelerated hire for a position to provide key Housing Department services, such as administering City's rental rights and referrals program, administering other affordable housing programs, or providing homeless services, and (2) To make textual changes on page IX-9 of the proposed budget as indicated: Homeless Response Team: As directed in the Mayor's March Budget Message for Fiscal Year 2015-2016, as approved by the City Council, this action allocates \$1.5 million from a 2015-2016 Earmarked Reserve that was set aside as part of the 2014-2015 Adopted Budget to continue the Homeless Response Team for a third year and continues the funding on an ongoing basis. ~~This program addresses the community's concerns about the growing and visible homeless encampments.~~ This program provides the City with a stronger infrastructure for addressing the needs of our homeless residents ~~homelessness~~, including the response relating to encampments and the concerns of community members and businesses ~~regarding individuals living in encampments~~. This funding will allow staff to continue to respond to the health and safety concerns ~~needs~~ of encampment occupants, public safety and health concerns of neighborhoods, and any environmental damage caused by encampments. (Ongoing costs: \$1,500,000)

And with use of additional money to be decided by the Housing Department contingent upon Council approval of Recycle Plus rates, approval of the sewer service and use charges and storm service charge rates on June 23, 2015. Also per Councilmember Rocha's memorandum of June 9, 2015, to assess end funding balances in CDBG, housing restricted funds fees or charges as appropriate, and to return in August with feedback from the Budget Office on funds that might be available. (11-0.)

- 3.4 (a) **Hold a Public Hearing on proposed San José Municipal Water System 2015-2016 potable water rates and charges; and**
(b) **Adopt a resolution increasing the San José Municipal Water System potable water rates and charges by up to 29%, effective July 1, 2015, except for quantity charges in the McCarthy/Dixon zone, which are indexed to the cost of potable water purchased from the City of Milpitas.**
CEQA: Statutorily Exempt, File No. PP10-067(a), Increase or Adjustment to Fees, Rates and Fares. Council Districts 2, 4, 7, and 8. (Environmental Services)

Documents Filed: (1) Memorandum from Environmental Services Director Kerrie Romanow, dated May 18, 2015, recommending holding a Public Hearing and adoption of a resolution. (2) Supplemental memorandum from Environmental Services Director Kerrie Romanow, dated June 5, 2015, reporting on written protests received.

Public Comment: Mayor Liccardo opened the public hearing. There was no testimony from the floor. Mayor Liccardo closed the public hearing.

3.4 (Cont'd.)

City Clerk Toni J. Taber, reported that subsequent to the Environmental Services Department supplemental memorandum dated June 8, 2015, the Office of the City Clerk has received valid written protests representing zero additional customers. The total number of valid written protests is 94 total for the proposed municipal water system rate increase. The total of all written protests received during the public protest period represents less than one half of 1% of all customers impacted by the change in water retail rates, allowing Council to consider staff's recommendation for Municipal Water System rate increase.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Pierluigi Oliverio, and carried unanimously, Resolution No. 77376, entitled: "A Resolution of the Council of the City of San José to Establish New Charges for Potable Water Service Effective July 1, 2015", was adopted. (11-0.)

3.5 **Adopt a resolution to supersede Resolution No. 76971 and to amend the Recycle Plus rates effective July 1, 2015, as follows:**

- (a) **Increase rates for single-family households by up to five percent;**
- (b) **Increase rates for multi-family households by five percent;**
- (c) **Increase the rates for large item collection services by 1.33 percent;**
- (d) **Increase the rates for subscription yard trimmings cart services by 1.49 percent.**

CEQA: Not a Project, File No. PP10-067(a), Increase or Adjustment to Fees, Rates & Fares. (Environmental Services)

Documents Filed: Memorandum from Mayor Sam Liccardo, dated June 8, 2015, recommending Item 3.5 be deferred one week.

Action: Deferred to June 16, 2015 per Council.

3.6 **Adopt a resolution to repeal Resolution 75677 and set forth the Schedule of Parking Penalties and Late Payment Penalty for Parking Violations to increase certain parking penalties, and include the cost of special collections on any unpaid delinquent parking citation that is collected through special collection efforts, effective July 1, 2015. CEQA: Not a Project, File No. PP10-067(a), Increase or Adjustment to Fees, Rates & Fares. (Transportation)**

Documents Filed: Memorandum from Interim Director of Transportation Jim Ortbal, dated May 18, 2015, recommending adoption of a resolution.

Motion: Councilmember Raul Peralez moved approval of staffs' recommendations with the inclusion of increasing fines for parking in disabled and crosshatch spaces an additional \$90 to \$410, as outlined in his proposed budget recommendations. The motion was seconded by Vice Mayor Rose Herrera.

3.6 (Cont'd.)

Action: On a call for the question, the motion carried unanimously, and Resolution No. 77377, entitled: “A Resolution of the Council of the City of San José Setting Forth the Schedule of Parking Penalties and Late Payment Penalty for Parking Violations and Repealing Resolution No. 75677, Effective July 1, 2015”, was adopted, including the Proposed Budget recommendations by Councilmember Peralez to increase the fines for parking in disabled and crosshatch spaces an additional \$90 to \$410. (11-0.)

3.7 **Adopt a resolution to repeal Resolution 77336 and adopt an amended administrative citation schedule of fines for certain violations of the San José Municipal Code in order to establish and increase fines for tree removal, effective July 1, 2015. CEQA: Not a Project, File No. PP10-067(a), Increase or Adjustment to Fees, Rates & Fares. (Transportation)**

Documents Filed: (1) Memorandum from City Clerk Toni Taber, dated April 30, 2015, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee. (2) Joint memorandum from Director of Planning, Building and Code Enforcement, Harry Freitas and Interim Director of Transportation Jim Ortbal, dated May 18, 2015, recommending adoption of a resolution and an amended administrative citation schedule.

Councilmember Johnny Khamis offered that he could not support the recommendation as presented, since the public should first be educated on the process for tree removal.

Action: Upon motion by Councilmember Pierluigi Oliverio, seconded by Vice Mayor Rose Herrera and carried, Resolution No. 77378, entitled: “A Resolution of the Council of the City of San José Amending the Administrative Citation Schedule of Fines for Certain Violations of the San José Municipal Code in Order to Establish and Increase Administrative Fines for Violations Related to Tree Removal; and Repealing Resolution No. 77336”, was adopted. (10-1. Noes: Khamis.)

- ### 3.8
- (a) **Adopt a resolution approving the Operating Budget for 2015-2016 for the City of San José, the Capital Budget for 2015-2016 for the City of San José, and the Five-Year Capital Improvement Program for 2016-2020 for the City of San José as revised by the Mayor’s Budget Message and directing the City Manager to prepare final documents for adoption, contingent upon approval of the Sewer Service and Use Charges and Storm Sewer Service Charge Rates for which the public hearing is scheduled for June 23, 2015.**
 - (b) **Adopt a resolution establishing the Schedule of Fees and Charges for 2015-2016.**
 - (c) **Adopt a resolution amending Council Policy 1-18, Operating Budget and Capital Improvement Program Policy, to amend Operating Budget, Section 3 (Contingency Funds or Accounts) and Section 4 (Fund Balance).**
 - (d) **City Council certification that the net operating and maintenance costs for the new Lake Cunningham Bike Park, estimated at \$120,000 once the park opens in Fiscal Year 2016-2017, will not require a decrease in existing basic neighborhood services.**

3.8 (Cont'd.)

CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (City Manager)

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, dated June 4, 2015, recommending adoption of resolutions and approval of a certification. (2) Proposed Operating Budget Binder for Fiscal Year 2015-2016. (3) Proposed Fiscal Year 2015-2016 Capital Budget and 2015-2020 Capital Improvement Program Binder. (3) Proposed 2015-2016 Fees and Charges Report.

See Appendix A, Page 31 for related Budget Documents, Manager's Budget Addenda and Public Correspondence.

Mayor Sam Liccardo noted his memorandum, dated June 4, 2015, and City Attorney Richard Doyle offered additional clarification regarding recycle plus rates.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Pierluigi Oliverio and carried unanimously, Resolution No. 77379, entitled: "A Resolution of the Council of the City of San José Approving for Adoption the Operating Budget for Fiscal Year 2015-2016"; Resolution No. 77380, entitled: "A Resolution of the Council of the City of San José Approving for Adoption the Capital Budget for Fiscal Year 2015-2016"; Resolution No. 77381, entitled: "A Resolution of the Council of the City of San José Approving for Adoption the Five Year Capital Improvement Program for Fiscal Year 2015-2016"; Resolution No. 77382, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 72737 to Amend and Establish Various Fees and Charges Effective July 1, 2015"; and Resolution No. 77383, entitled: "A Resolution of the Council of the City of San José Approving Revisions to Council Policy 1-18 Relating to Operating Budget and Capital Improvement Program Policy", were adopted; including City Council certification that the net operating and maintenance costs for the new Lake Cunningham Bike Park, estimated at \$120,000 once the park opens in Fiscal Year 2016-2017, will not require a decrease in existing basic neighborhood services; and with the inclusion of Mayor Liccardo's memorandum, dated June 4, 2015, directing the City Manager to return to Public Safety, Finance and Strategic Support Committee in Fall 2015 with a proposal to add a new section to the Police Department Fees and Charges to: (1) Include a Temporary Street Closure Series permit, issued by the Chief of Police, for a duration not to exceed 6 months, for a series of events that: i. Take place at the same location; ii. Consist of the same activities, is of similar size and involves same set-up; iii. Only occur once a week; iv. Comply fully with permit conditions; (2) Review the process and cost structure for issuing a Temporary Street Closing Permit and Block Party Permit for neighborhood associations with the intent to either eliminate or significantly reduce fees where the event is open to all residents living within the boundary of the neighborhood. To be contingent upon approval of the sewer service and use charge rates before Council on the June 23, 2015, and contingent on adoption of the recycled plus fees. (11-0.)

3.9 Adopt a Statement of Policy and City Council Questions related to the selection of a permanent Director of Public Works, in compliance with City Charter Section 411.1. CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager)

Documents Filed: Memorandum from City Manager Norberto Dueñas, dated May 29, 2015, recommending adoption of a Statement of Policy and Questions for the Director of Public Works.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Tam Nguyen and carried unanimously, a Statement of Policy and City Council Questions related to the selection of a permanent Director of Public Works, in compliance with City Charter Section 411.1, was adopted. (11-0.)

3.10 Adopt a Statement of Policy and City Council Questions related to the selection of a permanent Director of Parks, Recreation and Neighborhood Services, in compliance with City Charter Section 411.1. CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager)

Documents Filed: Memorandum from City Manager Norberto Dueñas, dated May 29, 2015, recommending adoption of a Statement of Policy and City Council Questions for the Director of Parks, Recreation and Neighborhood Services.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Tam Nguyen and carried unanimously, a Statement of Policy and City Council Questions related to the selection of a permanent Director of Parks, Recreation and Neighborhood Services, in compliance with City Charter Section 411.1, was adopted. (11-0.)

3.11 As recommended by the Public Safety, Finance, and Strategic Support Committee on May 21, 2015, adopt a resolution by the Council of the City of San José to approve the proposed revisions to the City of San José's Investment Policy. CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making. (Finance) [Public Safety, Finance, and Strategic Support Committee referral 5/21/15 – Item D(5)]

Documents Filed: Memorandum from City Clerk Toni Taber, dated May 28, 2015, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Pierluigi Oliverio and carried unanimously, Resolution No. 77384, entitled: “A Resolution of the Council of the City of San José Approving Revisions to City Council Policy 1-12, the City of San José Investment Policy”, was adopted. (11-0.)

- 3.12 As recommended by the Public Safety, Finance, and Strategic Support Committee on May 21, 2015, adopt a resolution by the Council of the City of San José to approve the proposed revisions to the City of San José's Debt Management Policy. CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making. (Finance)
[Public Safety, Finance, and Strategic Support Committee referral 5/21/15 – Item D(6)]**

Documents Filed: Memorandum from City Clerk Toni Taber, dated May 28, 2015, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Pierluigi Oliverio and carried unanimously, Resolution No. 77385, entitled: “A Resolution of the Council of the City of San José Approving Revisions to City Council Policy 1-15, the City of San José Debt Management Policy”, was adopted. (10-0-1. Absent: Kalra.)

(Note: Item 3.12 and Item 9.1 were heard concurrently.)

REDEVELOPMENT – SUCCESSOR AGENCY

- 9.1 Adopt a resolution by the Board of the Successor Agency to the Redevelopment Agency of the City of San José requiring the Successor Agency to conform to the City of San José's Debt Management Policy, as modified from time to time. CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making. (Finance)
[Public Safety, Finance, and Strategic Support Committee referral 5/21/15 – Item D(6)]**

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Pierluigi Oliverio and carried unanimously, Successor Agency Resolution No. 7041, entitled: “A Resolution of the Successor Agency to the Redevelopment Agency of the City of San José Requiring the Successor Agency to Comply with the City of San Jose's Council Policy 1-15 Relating to Debt Management, as Modified from Time to Time”, was adopted. (10-0-1. Absent: Kalra.)

- 3.13 As recommended by the Public Safety, Finance, and Strategic Support Committee on April 16, 2015, accept the semi-annual report on the status of City-wide technology projects and future information technology investment strategies. CEQA: Not a Project, File No. PP10-069(a), Staff Reports, Assessments and Annual Reports. (Information Technology)
[Public Safety, Finance, and Strategic Support Committee referral 4/16/15 – Item D(5)]**

3.13 (Cont'd.)

Documents Filed: Memorandum from City Clerk Toni Taber, dated May 28, 2015, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee.

Assistant City Manager Dave Sykes and Director of Information Technology Vijay Sameta provided a presentation on IT Projects Status and future technology investment strategies.

Motion: Councilmember Charles “Chappie” Jones moved acceptance of the report, with recommendations as outlined in the memorandum he coauthored with Mayor Sam Liccardo, Vice Mayor Rose Herrera and Councilmember Johnny Khamis. Vice Mayor Rose Herrera seconded the motion.

Action: On a call for the question, the motion carried unanimously, the semi-annual report on the status of City-wide technology projects and future information technology investment strategies, was accepted, including the joint memorandum from Mayor Liccardo, Vice Mayor Herrera, and Councilmembers Jones and Khamis, dated June 5, 2015 to explore the following recommendations related to the City's Technology Investment Strategy and return to the Rules Committee with a workload assessment that prioritizes measures that can be quickly implemented, but refers items requiring more extensive staff work to the Council's prioritization process: (1) Include, as part of the Employee Suggestion Program, rewards for City employees who develop and deploy technological solutions that improve City services and drive a culture of innovation; (2) Develop a framework that forges partnerships with technology companies and local research universities that support City objectives. Establish an Information Technology (IT) Advisory Group, consisting of key private sector, university, and foundation experts, to provide strategic recommendations to the City on current and future opportunities in technology; (3) Develop an Information Communication Technology Master Plan that focuses on ensuring San Jose's internet infrastructure remains competitive in its economic development efforts to recruit companies and talent to San Jose; (4) Develop a technological baseline that allows for connectivity and collaboration among Departments and systems through compatibility with open source, mobile, and open data platforms. Create a Customer Relationship Management Strategic Plan to integrate systems across Departments and function; (5) Develop a framework for increased use of data analytics to improve City services and infrastructure; (6) Review IT systems, expertise, and capacity to determine whether we can improve efficiencies and avoid inconsistent technology adoption by centralizing IT services. Identify Department IT functions that are not currently managed by Information Technology Department (ITD) and analyze the costs and benefits of direct ITD management. (11-0.)

3.14 As recommended by the Public Safety, Finance, and Strategic Support Committee on May 21, 2015, accept the following Third Quarter Financial Reports for Fiscal Year 2014-2015 for the following programs:

- (a) Debt Management Report;**
- (b) Investment Report; and**
- (c) Revenue Collection Report.**

CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities. (Finance)

[Public Safety, Finance, and Strategic Support Committee referral 5/21/15 – Item D(4)]

Documents Filed: Memorandum from City Clerk Toni Taber, dated June 4, 2015, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee.

Action: Upon motion by Councilmember Pierluigi Oliverio, seconded by Vice Mayor Rose Herrera and carried unanimously, the Third Quarter Financial Reports for Fiscal Year 2014-2015 for the Debt Management Report, the Investment, and the Revenue Collection Report, were accepted. (11-0.)

COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Adopt a resolution directing the Interim Director of Housing to pursue the acquisition of the Plaza Hotel located in San José at 96 South Almaden Boulevard from the Successor Agency to the Redevelopment Agency of the City of San José for housing the homeless. CEQA: Not a Project, File No. PP10-069(a), Staff Report. (Housing)

Action: Deferred to June 16, 2015 per Administration.

4.3 Conduct a Public Hearing and adopt a resolution to vacate a portion of Elester Court, reserving a public service easement over the area proposed for vacation. CEQA: Exempt, File No. PP15-021. Council District 9. (Public Works)

Documents Filed: Memorandum from Director of Public Works Barry Ng, dated May 20, 2015, recommending adoption of a resolution.

Public Comments: Mayor Liccardo opened the public hearing. There was no testimony from the floor. Mayor Liccardo closed the public hearing.

Action: Upon motion by Councilmember Donald Rocha, seconded by Councilmember Pierluigi Oliverio and carried unanimously, Resolution No. 77387, entitled: “A Resolution of the Council of the City of San José Vacating a Portion of Elester Court and Reserving a Public Service Easement Over the Entire Area Being Vacated”, was adopted. (11-0.)

RECESS/RECONVENE

The City Council recessed at 5:51 p.m. from the afternoon Council Session and reconvened at 6:49 p.m. in the Council Chambers, City Hall.

Present: Council Members - Carrasco (7:05), Herrera, Jones, Kalra, Khamis, Matthews (7:00), Nguyen (7:00), Oliverio, Peralez, Rocha; Liccardo.

Absent: Council Members - All Present.

City Clerk Toni J. Taber, CMC read the requests for continuance of the applications. Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Pierluigi Oliverio and carried unanimously, the below noted continuances and actions were taken as indicated. (8-0-3. Absent: Carrasco, Matthews, Nguyen.)

CEREMONIAL ITEMS

1.1 Presentation of commendations to the winners of the 2015 Falcon Naming Contest. (Mayor)

Mayor Sam Liccardo provided a commendation to winners of the 2015 Falcon Naming Contest.

1.6 Presentation of a proclamation to declare International Yoga Day in the City of San José. (Kalra) (Rules Committee referral 6/3/15)

Mayor Liccardo and Councilmember Kalra proclaimed June 21, 2015 as International Yoga Day in the City of San José.

COMMUNITY & ECONOMIC DEVELOPMENT

4.4 As recommended by the Community and Economic Development Committee on May 18, 2015, accept the status report on project scope, project schedule and workplan action items to complete an update to the Downtown Strategy 2000 Environmental Impact Report. CEQA: Not a Project, File No. PP10-069(a), Staff Report. (Planning, Building and Code Enforcement) [Community and Economic Development Committee referral 5/18/15 – Item D(4)]

Documents Filed: Memorandum from City Clerk Toni Taber, dated May 28, 2015, transmitting the recommendations of the Community and Economic Development Committee.

4.4 (Cont'd.)

Motion: Councilmember Raul Peralez moved approval of the status report, with the inclusion of a nexus study as indicated below in “Action”. Vice Mayor Rose Herrera seconded the motion.

Action: On a call for the question, the motion carried unanimously, the status report on project scope, project schedule and workplan action items to complete an update to the Downtown Strategy 2000 Environmental Impact Report, was accepted, with the incorporation of a nexus study that will examine developing a policy for preservation of commercial land near future BART and other transit stations and to explore methods to fund and mitigate future traffic impacts. (10-0-1. Absent: Kalra.)

TRANSPORTATION & AVIATION SERVICES

- 6.1 Report on bids and award of contract for the 7714 - Mineta San José International Airport - Airfield Improvements 2015 Project to the low bidder, Granite Rock Company, to include the base bid in the amount of \$2,700,170, and approval of a contingency in the amount of \$270,017. CEQA: San Jose International Airport Master Plan Update Final Environmental Impact Report, Resolution Nos. 67380 and 71451, File No. PP14-066. (Airport/Public Works)
(Continued from 6/2/15 – Item 6.1 and deferred from 5/19/15 – Item 6.2)**

(Note: Item 6.1 was bifurcated into parts (1) and (2) to include two separate votes)

Documents Filed: (1) Joint memorandum from Councilmember Ash Kalra, Jones, Peralez and Matthews, dated May 29, 2015, offering recommendations related to the Airport Airfield Improvements Project. (2) Memorandum from Councilmember Ash Kalra, dated June 9, 2015 regarding rebidding the project. (3) Memorandum from Director of Aviation Kimberly J. Becker, dated March 25, 2015, recommending approval of a Management and Operating Plan. (4) Letter from Reginald Swilley and Walter Wilson of the Minority Business Consortium, dated June 2, 2015, expressing concerns about the contracting process.

Public Comment: Reginald Swilley, representing the Minority Business Consortium, offered criticism of the process. Jim Mitchell, Granite Rock Company, responded to questions from the Council.

Action #1: Upon motion by Councilmember Pierluigi Oliverio, seconded by Vice Mayor Rose Herrera, and carried unanimously, the Report on bids and award of the contract were accepted. (11-0)

6.1 (Cont'd.)

Action #2: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Ash Kalra, and carried, the memorandum from Councilmembers Kalra, Jones, Peralez and Matthews, dated May 29, 2015 to accept staff recommendations and direct the City Manager, with assistance from the City Attorney, to: (a) Develop a standard outreach process with measurements of success based upon feedback from women and minority-owned businesses to increase Disadvantaged Business Enterprise (DBE) participation with assistance from community partners; (b) Create protocol to detail DBE outreach as part of the staff reports on all City projects; and (c) Develop the strongest language possible under the law to encourage maximum DBE participation from prime contractors, including the subcontractors they bring onto projects. (10-1. Noes: Oliverio.)

NEIGHBORHOOD SERVICES

5.2 **Accept the updated report on the Youth Commission's activities and collaboration with the Youth Advisory Councils. CEQA: Not a Project, File No. PP10-069(a), Staff Report. (Parks, Recreation and Neighborhood Services)**

Documents Filed: Memorandum from Interim Assistant Director of Parks, Recreation and Neighborhood Services, Angel Rios, dated May 18, 2015, recommending acceptance of the report.

The Year-End Report was presented by the 2015 Youth Commissioners, and 2016 Commissioners were introduced.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Pierluigi Oliverio and carried unanimously, the updated report on the Youth Commission's activities and collaboration with the Youth Advisory Councils, was accepted. (11-0.)

5.3 **Accept the work plan for preparation of the Alviso Master Plan Project. CEQA: Not a Project, File No. PP10-069(a), Staff Report. (Parks, Recreation and Neighborhood Services)**

Documents Filed: (1) Memorandum from Councilmember Margie Matthews, dated June 8, 2015, recommending acceptance of the Work Plan and appointment of a Task Force. (2) Memorandum from Interim Assistant Director of Parks, Recreation and Neighborhood Services, Angel Rios, dated May 18, 2015, recommending acceptance of the Alviso Master Plan Project. (3) Letter from Jenifer Santos-Kendall, offering support to the project. (4) Email from Stan Rose, Received June 9, 2015, offering support.

Public Comment: Charles Taylor, Richard Ruiz, Rebecca Paredes, Jill Smith, Susan Guerrero, Mark Espinoza and Ruben Orozio, offered support to the Alviso Master Plan Project.

5.3 (Cont'd.)

Motion: Councilmember Margie Matthews moved approval of the staff report and asked that the Alviso Park Master Plan Task Force be appointed this evening as presented in her memorandum dated June 8, 2015. Vice Mayor Rose Herrera seconded the motion.

Action: On a call for the question, the motion carried unanimously, and the work plan for preparation of the Alviso Master Plan Project was accepted, and the Alviso Park Master Plan Task Force was appointed as outlined in Councilmember Margie Matthews' memorandum dated June 8, 2015. (9-0-2. Absent: Kalra, Oliverio.)

5.1 **As recommended by the Neighborhood Services and Education Committee on May 14, 2015, accept the Neighborhoods Commission Update on FY 2014-2015 activities. CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (City Manager)**

Documents Filed: (1) Memorandum from City Clerk Toni Taber, dated May 28, 2015, transmitting the recommendations of the Neighborhood Services and Education Committee. (2) Report from Larry Ames, Chair of the Neighborhood Services and Education Committee, as presented on June 9, 2015.

Public Comment: Ernest Guzman read Neighborhood Services and Education Committee Chair, Larry Ames', report.

Motion: Councilmember Raul Peralez moved approval of the update and asked that the use of police body-worn cameras be added to the work plan. Councilmember Charles "Chappie" Jones seconded the motion.

Action: On a call for the question, the motion carried unanimously, and the Neighborhoods Commission Update on FY 2014-2015 activities was accepted, with the Neighborhood Services and Education Committee instructed to add the use of police body-worn cameras to the work plan. (9-0-2. Absent: Kalra, Oliverio.)

PUBLIC HEARINGS ON CONSENT CALENDAR

11.1 (a) **Consideration of an ordinance rezoning the real property located on the southeast corner of Great Oaks Boulevard and Via Del Oro (100 Great Oaks Boulevard) from the A(PD) Planned Development Zoning District to the CIC Combined Industrial/Commercial Zoning District on a 2.35 gross acre site (PD Development LLC, Owners). CEQA: Envision San José 2040 General Plan Final Program EIR, Resolution No. 76041. (Planning, Building and Code Enforcement) C15-013 – District 2**

Documents Filed: (1) Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. C15-013, dated May 18, 2015. (2) Proof of Publication of Notice of Public Hearing executed on May 22, 2015, submitted by the City Clerk.

11.1 (Cont'd.)

Public Comments: Mayor Liccardo opened the public hearing. There was no testimony from the floor. Mayor Liccardo closed the public hearing.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Councilmember Raul Peralez and carried unanimously, Ordinance No. 29583, entitled: “A Resolution of the Council of the City of San José Rezoning Certain Real Property of Approximately 2.35 Acres Situated on the Northeast Corner of Great Oaks Boulevard and Via Del Oro (100 Great Oaks Boulevard) from the A(PD) Planned Development Zoning District to the CIC Combined Industrial/Commercial Zoning District”, was passed for publication. (9-0-2. Absent: Kalra, Oliverio.)

- 11.2 Consideration of a Conditional Use Permit to allow a drinking establishment (for more than 250 people) and late night use until 2:00 a.m. in an existing 8,684 square foot public eating establishment in the DC Downtown Primary Commercial Zoning District on an approximately 0.15 gross acre site, located on the east side of South 1st Street, approximately 400 feet southerly of East Santa Clara Street (58 South 1st Street). CEQA: Exempt per Section 15303(c) for conversion of small structures. Planning Commission recommends approval (4-1-1-1) (Abelita absent and Yob recused). (Planning, Building and Code Enforcement)
CP15-016 – District 3**

Action: Deferred to June 23, 2015 per Administration

- 11.3 Conduct a Public Hearing and adopt a resolution designating the “San José Mercury News Building” as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature. CEQA: The Landmark designation is not considered a project under CEQA. Pursuant to CEQA Guidelines Section 15378, a project means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The designation of the subject building as a City Landmark in itself would not result in any physical changes to the structure, and therefore, would not have any direct or indirect physical change on the environment. Historic Landmarks Commission recommends that the Council approve the proposed Landmark Designation for the San Jose Mercury News building (6-0-1, Schultz absent). (Planning, Building and Code Enforcement)
HL15-215 – District 3**

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo, Vice Mayor Rose Herrera and Councilmember Raul Peralez, dated June 5, 2015, recommending denial of a historical landmarks designation. (2) Memorandum from Councilmember Donald Rocha, dated June 9, 2015, recommending additional actions regarding the San José Mercury News Building. (3) Memorandum from Historic Landmarks Commission Secretary Harry Freitas, dated May 20, 2015, providing recommendation of the Historic Landmarks Commission. (4) Supplemental memorandum from Director of Planning, Building and Code Enforcement, Harry Freitas, dated June 5, 2015, providing additional analysis

regarding a historic landmark designation. (5) Proof of Publication of Notice of Public Hearing executed on April 17, 2015, submitted by the City Clerk.

11.3 (Cont'd.)

Mayor Liccardo opened the public hearing.

Public Comment: Brian Grayson recommended incorporating a portion of the original resources into the new structure. Applicant Ryan Ford spoke to the merits of the project.

Mayor Liccardo closed the public hearing.

Motion: Councilmember Raul Peralez moved approval of the memorandum he coauthored with Mayor Sam Liccardo and Vice Mayor Rose Herrera dated June 5, 2015. Vice Mayor Rose Herrera seconded the motion.

Councilmember Donald Rocha requested to amend the motion to include his memorandum of June 5, 2015. Councilmember Raul Peralez and Vice Mayor Rose Herrera accepted the amendment to the motion.

Action: On a call for the question, the recommendation to designate the “San José Mercury Building” as a City Landmark was denied; Councilmember Rocha’s memorandum dated June 9, 2015, to approve Mayor Liccardo’s memorandum dated June 5, 2015 and with the following items to be accomplished by the applicant along with the redevelopment of the Mercury News site was accepted: (1) Accomplish the de-installation, restoration and storage of the Jagger sculpture that currently hangs in the loggia of the former Mercury News building, and make best efforts to identify a new location to install the sculpture in a venue that is open for public viewing; (2) Establish a plaque on the site in a prominent place that commemorates its history; (3) Complete Historical American Buildings Surveys Level III documentation of the existing building prior to demolition; (4) Work with History San José to establish an online exhibit that would document the history of the San José Mercury News at its former Ridder Park location. (9-0-2. Absent: Kalra, Oliverio.)

OPEN FORUM

- (1) Blair Beekman provided observations on the drone use program.
- (2) Brian Darby expressed the concerns of fellow residents of the Winchester Mobile Home Park, that they will lose their homes if the park is rezoned.
- (3) Jon Max Reger offered reflections on the City’s budget, opining that discretionary funds should be based on need.
- (4) David Andre, Gary Galiotto and Warren Cox all offered criticism of the inadequate signage on the west side of O’Connor Way, poor street markings and parking issues, and the need for the City’s Department of Transportation to develop a permanent solution.

ADJOURNMENT

The Council of the City of San José was adjourned at 10:24 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

Toni J. Taber, CMC
City Clerk

rmk/6-09-15MIN

APPENDIX A

3.8 (Continued from Page 19)

[A] FISCAL YEAR 2015-2016 BUDGET DOCUMENTS (BD) AND DOCUMENT LOG: [1] Memorandum from Lee Wilcox, Mayor's Budget Office, dated April 23, 2015, providing the background for the Budget Process for FY 2015-2016 and the Budget Document Template. [2] Memorandum from Councilmember Ash Kalra, dated May 19, 2015, requesting funding for the Human Trafficking Task Force. [3] Memorandum from Councilmember Ash Kalra, dated May 19, 2015, requesting funding for Code Enforcement I/II. [4] Memorandum from Councilmember Ash Kalra, dated May 19, 2015, requesting funding for FTE Executive Analyst I/II as Small Business Ambassador. [5] Memorandum from Councilmember Ash Kalra, dated May 19, 2015, requesting funding for Downtown Core Homeless Drop-In Centers. [6] Memorandum from Councilmember Ash Kalra, dated May 19, 2015, requesting funding for Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) and (DACA) Programs. [7] Memorandum from Councilmember Ash Kalra, dated May 19, 2015, requesting Council District 2 Budget Carryover. [8] Memorandum from Councilmember Tam Nguyen, dated May 19, 2015, requesting Council District 7 Office Budget Carryover. [9] Memorandum from Councilmember Tam Nguyen, dated May 19, 2015, requesting funding for Downtown Streets Team Services. [10] Memorandum from Councilmember Tam Nguyen, dated May 19, 2015, requesting funding for the Vietnamese Community Center. [11] Memorandum from Councilmember Chappie Jones, dated May 20, 2015, requesting funding for Additional Resources for the SJPB Burglary Unit. [12] Memorandum from Councilmember Chappie Jones, dated May 20, 2015, requesting funding for Residential Parking Permit Program. [13] Memorandum from Councilmember Chappie Jones, dated May 20, 2015, requesting the District 1 Office Rebudget. [14] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting Council District 3 Budget Carryover. [15] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting funding for the Office of Immigrant Affairs. [16] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting funding for the San José Veterans Parade. [17] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting funding for an Increase in parking citation fines for disabled and crosshatch parking spots. [18] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting funding for District 3 Participatory Budgeting pilot project. [19] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting Funds to Support Police Recruitment and Retention. [20] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting funding to Update and Add Equipment to Bring Spartan Keyes, McKinley and Washington Re-Use Centers Up to Date. [21] Memorandum from Councilmember Raul Peralez, dated May 20, 2015, requesting funding for a Responsible Landlord Engagement Initiative (RLEI). [22] Memorandum from Councilmember Johnny Khamis, dated May 19, 2015, requesting funding to acquire two additional License Plate Readers for SJPB. [23] Memorandum from Councilmember Johnny Khamis, dated May 19, 2015, requesting funding for Pavement maintenance for Priority Street Network. [24] Memorandum from Councilmember Johnny Khamis, dated May 19, 2015, requesting funding for the Almaden Lake Park Monday Opening. [25] Memorandum from

APPENDIX A (Cont'd.)

[A] FISCAL YEAR 2015-2015 BUDGET DOCUMENTS (BD) AND DOCUMENT LOG [26] (Cont'd.): Councilmember Johnny Khamis, dated May 19, 2015, requesting funding for Financial Transparency Initiative. [26] Memorandum from Councilmember Johnny Khamis, dated May 19, 2015, requesting funding for a *Make it in San José!* Initiative. [27] Memorandum from Councilmember Johnny Khamis, dated May 19, 2015, requesting a District 10 Office Budget – Rebudget Request. [28] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting funding for District 5 Enhanced Beautification Days. [29] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting funding for Family Camp Experience for Low Income Families. [30] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting funding for Alum Rock Youth Center Extended Programming. [31] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting funding for Improving Neighborhood Safety on Foss Avenue. [32] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting to Rebudget Council Office Funds. [33] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting funding for East San José Business Improvement District Exploration. [34] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting funding for District 5 Visual Arts Outreach. [35] Memorandum from Councilmember Magdalena Carrasco, dated May 20, 2015, requesting funding for District 5 Park Activation. [36] Memorandum from Vice Mayor Rose Herrera, dated May 20, 2015, requesting funding for the Village Square Branch Library – Friends of the Library. [37] Memorandum from Vice Mayor Rose Herrera, dated May 20, 2015, requesting funding for the Anti-Human Trafficking Coordinator/Analyst. [38] Memorandum from Vice Mayor Rose Herrera, dated May 21, 2015, requesting funding for a Gang Prevention National/International Conference in San José. [39] Memorandum from Vice Mayor Rose Herrera, dated May 21, 2015, requesting funding for a Proactive San José Communications Campaign. [40] Memorandum from Vice Mayor Rose Herrera, dated May 21, 2015, requesting funding for the Grey Water Home Owner Assistance Program. [41] Memorandum from Vice Mayor Rose Herrera, dated May 21, 2015, requesting funding for Boards and Commissions Workshop. [42] Memorandum from Vice Mayor Rose Herrera, dated May 21, 2015, requesting Youth Commission Funding. [43] Memorandum from Vice Mayor Rose Herrera, dated May 21, 2015, requesting funding for Interior Improvements for the Village Square Library. [44] Memorandum from Vice Mayor Rose Herrera, dated May 21, 2015, requesting Council District 8 Budget Carryover. [45] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting an Annual Council Office Rebudget. [46] Memorandum from Councilmember Pierluigi Oliverio, dated May 15, 2015, requesting funding for Traffic Calming a Core District 6 Service. [47] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Traffic Management a Core District 6 Service. [48] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Vision Zero a Core Service. [49] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Street Lights a Core Service. [50] Memorandum

APPENDIX A (Cont'd.)

[A] FISCAL YEAR 2015-2015 BUDGET DOCUMENTS (BD) AND DOCUMENT LOG [52] (Cont'd.): from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Law Enforcement a Core Service. [51] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Trees a beautiful and healthy Core Service. [52] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Smooth Streets a Core Service. [53] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for the Parks Department a Core Service. [54] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Water Supply a Core Service. [55] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Keeping Pace with Workload Demand a Core Service. [56] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for Sidewalks a Core Service. [57] Memorandum from Councilmember Pierluigi Oliverio, dated May 20, 2015, requesting funding for More Jobs Pay for Core Services. [58] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the Guadalupe River Park Conservancy. [59] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the Branham Lane Road Diet/Safety Improvements. [60] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for Our City Forest. [61] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the End City Suite Sellback at SAP Center. [62] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for a Gender Pay Equity Study. [63] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for San José Jazz Tentnology. [64] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for San José Sports Authority Funding. [65] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for Meals on Wheels. [66] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the position of Community Solutions Human Trafficking Coordinator. [67] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for Los Gatos-Almaden Sidewalk/Crosswalk Enhancements. [68] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the San José Parks Foundation. [69] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the Hispanic Foundation Latinos in Technology Initiative. [70] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for a 0.5 FTE Coordinator, Domestic Violence Prevention Program. [71] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting District 9 Office Rebudget. [72] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for Carlton Avenue Sidewalk Installation. [73] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for a Volunteer Tool Trailer & Debris Trailer. [74] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for a position Librarian II. [75] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the Corner Store Initiative. [76] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for the Camden

APPENDIX A (Cont'd.)

[A] FISCAL YEAR 2015-2015 BUDGET DOCUMENTS (BD) AND DOCUMENT LOG [78] (Cont'd.): Community Center Gymnasium Upgrade Project. [77] Memorandum from Councilmember Donald Rocha, dated May 20, 2015, requesting funding for Construction of New Sidewalk on Adonis Way (Carlton Avenue School). [78] Memorandum from Councilmember Margie Matthews, dated May 20, 2015, requesting Council District 4 Budget Carryover. [79] Memorandum from Councilmember Margie Matthews, dated May 20, 2015, requesting funding to Add the Berryessa Business Association to the Neighborhood Business District (NBD) Grant Program. [80] Memorandum from Councilmember Margie Matthews, dated May 20, 2015, requesting funding for Pilot Expansion of Recreation Services for Youth, Families, and Senior Services at the Berryessa Community Center Hub and Two District 4 Youth Centers, Including a Hybrid Model Youth Center and Additional Operating Hours. [81] Memorandum from Councilmember Margie Matthews, dated May 20, 2015, requesting funding for Alviso Parklands Master Plan and Alviso Park Improvements.

[B] FISCAL YEAR 2015-2016 MANAGER'S BUDGET ADDENDA (MBA) AND DOCUMENT LOG: [1] Memorandum from Deputy City Manager/Budget Director Jennifer A. Maguire, dated May 1, 2015, transmitting the master schedule and the detailed agendas for the 2015-2016 Budget Study Sessions. [2] Memorandum from Deputy City Manager/Budget Director Jennifer A. Maguire, dated May 6, 2015, informing Council of the process to obtain cost estimates necessary for the development of Council Member 2015-2016 Budget Documents that are submitted to the Mayor's Office for consideration as part of the Mayor's release of his June Budget Message. [3] Information memorandum from Deputy City Manager/Budget Director Jennifer A. Maguire, dated May 7, 2015, providing information in Preparation for the City Council policy discussion on General Fund Excess Ending Fund Balance. [4] Information memorandum from Environmental Services Director Kerrie Romanow, dated May 8, 2015, providing an update on the proposed elimination of the Low Income Rate Assistance and Medical Exemption Rate Reduction Assistance Residential Garbage Rate Assistance programs. [5] Memorandum from Planning Commission Secretary Harry Freitas, dated May 7, 2015, transmitting the Planning Commission recommendation on the 2016-2020 Proposed Capital Improvement Program. [6] Memorandum from City Manager Norberto Dueñas, dated May 19, 2015, providing an assessment of the City's role in implementing President Obama's Executive Action on Immigration. [7] Memorandum from Deputy City Manager/Director of Economic Development Kim Walesh, dated May 20, 2015, recommending approval of the proposed 2015-2016 funding allocations for Transient Occupancy Tax funded arts and cultural grant awards. [8] Memorandum from Chief of Police Larry Esquivel, dated May 20, 2015, recommending funding for Anti-Human Trafficking Efforts. [9] Memorandum from Director of Public Works Barry Ng, dated May 18, 2015, providing information requested during the 2015-2016 Proposed Operating Budget Study Session on the Environmental and Utility Services City Services Area (EUS CSA). [10] Joint memorandum from Interim Assistant Director of Parks, Recreation and Neighborhood Services, Angel Rios and Senior Deputy City Manager Jennifer Maguire, dated May 20, 2015, requesting funding for Water District-Funded Homeless Response Team Park Rangers Extension. [11] Memorandum from Deputy City Manager/Director of Economic Development Kim Walesh, dated May 21, 2015

APPENDIX A (Cont'd.)

[B] FISCAL YEAR 2015-2015 MANAGER'S BUDGET ADDENDA (MBA) AND DOCUMENT LOG [12] (Cont'd.): recommending a framework for the process to implement a new traffic control model for outdoor special events. [12] Joint memorandum from Deputy City Manager/Director of Economic Development Kim Welsh and Director of Planning, Building and Code Enforcement, Harry Freitas, dated May 22, 2015 recommending funding options for Small Business Activation and Assistance. [13] Memorandum from Interim Assistant Director of Parks, Recreation and Neighborhood Services, Angel Rios, dated May 22, 2015, providing a Parks, Recreation and Neighborhood Services Department organizational chart as recommended by Councilmember Johnny Khamis. [14] Memorandum from Director of Public Works Barry Ng, dated May 22, 2015, recommending possible alternatives analysis of Police Response Data for Animal Related Calls and Service. [15] Memorandum from Director of the Human Resources Joseph Angelo, dated May 14, 2015, responding to questions from Councilmember Chappie Jones related to the City's Employee Referral Program. [16] Joint memorandum from Director of Planning, Building and Code Enforcement, Harry Freitas and Interim Director of Transportation Jim Ortbal, dated May 22, 2015, requesting funding for illegal tree removal fines. [17] Information memorandum from Interim Assistant Director of Parks, Recreation and Neighborhood Services, Angel Rios, dated May 18, 2015, requesting funding for the Community Center Reuse Program Satellite Center Evaluation. [18] Joint memorandum from Interim Director of Transportation Jim Ortbal and Senior Deputy City Manager Jennifer Maguire, dated May 22, 2015, recommending approval of the US 101/Oakland/Mabury Transportation Funding Strategy. [19] Memorandum from Deputy City Manager/Director of Economic Development Kim Welsh, dated May 27, 2015, recommending approval of the Team San José performance and incentive measures for FY 2015-2016. [20] Replacement memorandum from Library Director Jill Bourne and Senior Deputy City Manager Jennifer Maguire, dated June 3, 2015, recommending amendments to the 2015-2016 Proposed Operating Budget. [21] Joint memorandum from Interim Assistant Director of Parks, Recreation and Neighborhood Services, Angel Rios and Senior Deputy City Manager Jennifer Maguire, dated May 28, 2015, recommending acceptance of the Gang Prevention and Intervention Efforts. [22] Joint memorandum from Director of Planning, Building and Code Enforcement, Harry Freitas and Environmental Services Director Kerrie Romanow, dated May 28, 2015, responding to questions requesting funding for Alternative Neighborhood Clean-Up Cycles. [23] Memorandum from Senior Deputy City Manager Jennifer Maguire, dated May 27, 2015, recommending approval of 2015-2016 Proposed Operating Budget amendments to the General Fund. [24] Replacement memorandum from Senior Deputy City Manager Jennifer Maguire, dated June 2, 2015, recommending approval of amendments to the 2015-2016 Proposed Fees & Charges Report. [25] Joint memorandum of Chief of Police Larry Esquivel and Senior Deputy City Manager Jennifer Maguire, dated May 28, 2015, recommending funding for Police Body Worn Cameras. [26] Memorandum from Senior Deputy City Manager Jennifer Maguire, dated May 28, 2015, recommending an amendment to City Council Policy 1-18, Operating Budget and Capital Improvement Program Policy. [27] Replacement memorandum from Senior Deputy City Manager Jennifer Maguire, dated June 5, 2015, recommending Amendments to the 2015-2016 Proposed Operating and Capital Budgets. [28] Memorandum from Senior Deputy City Manager Jennifer Maguire, dated May 28,

APPENDIX A (Cont'd.)

[B] FISCAL YEAR 2015-2015 MANAGER'S BUDGET ADDENDA (MBA) AND DOCUMENT LOG [29] (Cont'd.): 2015, providing a 2015-2016 Property Tax Estimate Update. [29] Memorandum from Deputy City Manager Julie Edmonds-Mares, dated June 2, 2015, providing the Community Budget Meeting Summary. [30] Memorandum from Maguire, dated June 18, 2015, recommending adoption of the 2015-2016 Operating and Capital Budgets.

[C] BUDGET CORRESPONDENCE FROM THE PUBLIC: [1] Two letters, both dated May 21, 2015, from Clarence Madrilejos, Chair of the Human Services Commission, requesting funding for an ADA Coordinator position, and for the Human Trafficking Task Force. [2] Letter from Dr. Lawrence Ames, Chair of the Neighborhoods Commission, dated May 26, 2015, recommending particular emphasis on certain items in the Mayor's budget message.