

CITY COUNCIL AGENDA

OCTOBER 23, 2007

AMENDED AGENDA

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON P. NGUYEN
DAVID D CORTESE, VICE MAYOR
JUDY CHIRCO
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

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

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

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

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

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

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

Agendas and Staff Reports for City Council items may be viewed on the Internet at www.sanjoseca.gov/clerk/agenda.asp. Council Meetings are televised live and rebroadcast on Channel 26.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two business days before the meeting.

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

- **Call to Order and Roll Call**
 - 9:00 a.m. - Closed Session, Call to Order in Council Chambers
Adjourn to Closed Session in Council Chambers Conference Room, W133
[See Separate Agenda](#)
 - 1:30 p.m. - Regular Session, Council Chambers, City Hall
 - 3:00 p.m. - Hear Open Forum and continue the RDA Board Meeting
(no earlier than 3:00 p.m.) [See RDA Agenda](#)

- **Invocation (District 9)**
 - * Rev. Ed McNeill, St. Edward's Episcopal Church

- **Pledge of Allegiance**
- **Orders of the Day**
 - * Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- **Closed Session Report**

1. CEREMONIAL ITEMS

- 1.1** Presentation of a commendation to the Geographic Information System (GIS) Team for its exemplary dedication and valuable contributions to the City organization. (Public Works)
 - *

- 1.2** Presentation of a commendation to Xilinx, INC for their outstanding contributions to the economic vitality of the City of San José. (Mayor/Chirco)
 - * (Rules Committee referral 10/17/07)

1. CEREMONIAL ITEMS

- 1.3 Presentation of a commendation to ComedySportz for their dedication to bringing family-friendly entertainment to the residents of San José. (Mayor/Liccardo)
* (Rules Committee referral 10/17/07)
- 1.4 Presentation of a proclamation declaring October as Domestic Violence Awareness Month. (Williams/Campos)
* (Rules Committee referral 10/17/07)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

Recommendation: Approval of minutes.

- (a) Regular minutes of [August 7, 2007](#).
- (b) Regular minutes of August 14, 2007.

2.2 Final adoption of ordinances.

* **Recommendation:** Final adoption of ordinances.

- (a) ORD. NO. 28144 – Amending Title 23 of the San José Municipal Code, the Sign Code, to add new sections to Chapter 23.02 to define a historic sign and a projected light sign, to amend Section 23.023.1010 of Chapter 23.02 to clarify displays that are prohibited unless otherwise allowed, to amend Section 23.02.1090 of Chapter 23.02 to allow for relocation of historic signs and make other clarifying changes and to amend Section 23.04.120 of Chapter 23.04 to allow for the display of projected light signs within the Downtown Sign Zone under specified parameters and making clarifying changes.
- (b) ORD. NO. 28149 – Amending Ordinance No. 27606 and repealing Ordinance No. 28055 to extend the entire period of the limited pilot program to allow certain second residential units from January 1, 2006 to April 30, 2008, which program automatically terminates if 100 permits are issued, and to modify certain parameters of the pilot program related to size, setbacks, height and windows; and amending Ordinance No. 27675 to extend until April 30, 2008 the temporary suspension of Chapter 14.25 of Title 14 of the San José Municipal Code pertaining to park impact requirements otherwise applicable to second units.

