



CITY COUNCIL AGENDA

JUNE 17, 2008

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.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Council Wing, 2nd Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

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**

- 8:30 a.m. - Closed Session, Call to Order in Council Chambers
Adjourn to Closed Session in Council Chambers Conference Room, W133
[See Separate Agenda](#)
- 10:00 a.m. - Regular Session, Council Chambers, City Hall
- Redevelopment Agency Board Meeting
Agenda Items as listed, unless otherwise noticed
[See Separate Agenda](#)
Council will recess at 12:00 noon and reconvene at 1:30 p.m.
- 1:30 p.m. - Ceremonial Items
- 2:00 p.m. - Mayor's 2008 June Budget Message, Items 7.1, 7.2, 7.3 and 9.2 (in that order)
- 4:00 p.m. - Agenda Item 4.2, "Discussion and Overview of the Economic Feasibility Analysis Completed as a Part of the City's Inclusionary Housing Study."
- 7:00 p.m. - Public Hearings, Council Chambers, City Hall
All other Agenda Items not heard in the afternoon.

- **Invocation (District 6)**

Rabbi Joshua Berkenwald, Congregation Sinai

- **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 9.1, 9.2, AND 9.3 ARE TO BE CONSIDERED IN A JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD SESSION.

- * **SEE NEW ITEM 1.8, "PRESENTATION OF A COMMENDATION TO AIDAN PICENO, CAMERON MCELROY, AND JUSTIN HENDRYX . . ."**

- **Orders of the Day (Cont'd.)**
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 Strong Neighborhoods Initiative Project Advisory Committee for its invaluable civic leadership and community engagement in revitalizing the neighborhoods in San José. (Mayor/Redevelopment Agency)
TO BE HEARD IN THE EVENING
(Deferred from 6/3/08 – Item 1.7)
- 1.2** Presentation of a commendation to Jose Villanueva Jr. for his outstanding performance with the program “A Great American Litter Pick-Up”. (Cortese)
* **DROP**
- 1.3** Presentation to the San José City Council of the 2007 California League Championship Ring for the San José Giants. (Cortese)
TO BE HEARD IN THE EVENING
- 1.4*** Presentation of a proclamation to Cadence Design Systems, Inc. declaring June 19, 2008 as “Cadence Day” in the City of San José in commemoration of its 20th Anniversary as a leading driving industry technology company headquartered in San José. (Mayor)
- 1.5** Presentation of a proclamation declaring the month of June as “LGBT Month” in the City of San José and presentation of a commendation to the Billy DeFrank LGBT Community Center for its continuing perseverance in developing diverse resources to empower and support the LGBT Community Center and their allies.
* (Rules Committee referral 6/11/08)
- 1.6** Presentation of a commendation to Flextronics for their presence in San José, support of the local economy and focus on environmental protection. (Mayor/Chu)
* (Rules Committee referral 6/11/08)
- 1.7** Presentation of a commendation to Frank Schiavo for his passion for educating the public on environmental issues, dedication to environmental stewardship, and for the “greening” of his home. (Nguyen)
* (Rules Committee referral 6/11/08)
- 1.8** Presentation of a commendation to Aidan Piceno, Cameron McElroy and Justin Hendryx for their creativity in naming the three falcon chicks. (Mayor)
TO BE HEARD IN THE EVENING
* (Orders of the Day)

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 April 8, 2008](#)
- (b) [Regular Minutes of April 15, 2008](#)
- (c) [Joint City Council/San José Housing Authority Minutes of April 8, 2008](#)

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances.

- (a) ORD. NO. 28314 – Amending Section 3.04.1410 of Chapter 3.04 of Title 3 of the San José Municipal Code to provide that a disciplinary hearing for an employee in a City of San José Peace Officer classification shall be closed to the public unless the employee requests that the hearing be open to the public.
- (b) ORD. NO. 28317 – Amending Title 6 of the San José Municipal Code by amending Chapter 6.58 and 6.60 to add new sections and amend Section 6.60.200, and adding a new Chapter 6.62, to require promoters to be permitted prior to promoting events in Public Entertainment Venues or Public Dancehall Venues in the City, and require the operators of those venues to use only permitted promoters, and to specify that persons required to be permitted or licensed under the provisions of these chapters, but not so permitted or licensed, are also subject to the provisions of these chapters.
- (c) ORD. NO. 28318 – Rezoning certain real property situated on the northwest corner of East Brokaw Road and Oakland Road (1015 East Brokaw Road) to the CN-Commercial Neighborhood Zoning District. C08-029
- (d) ORD. NO. 28319 – Rezoning certain real property located at the southeast corner of Berryessa Road and Jackson Avenue to A(PD) Planned Development Zoning District. PDC07-033

(Item continued on the next page)

2. CONSENT CALENDAR

2.2 Final adoption of ordinances. (Cont'd.)

Recommendation: Final adoption of ordinances.

- (e) ORD. NO. 28320 – Amending Title 20 of the San José Municipal Code (the Zoning Code) to add Section 20.30.530 to Chapter 20.30 to provide for a height exception for Solar Photovoltaic Power Generation Systems mounted on accessory building or structures, to amend Sections 20.20.100, 20.30.100, 20.30.500, 20.40.100, 20.50.100, 20.70.100, 20.100.500, 20.100.610, and 20.100.1030 of various Chapters of Title 20 of the San José Municipal Code and Section 13.48.210 of Chapter 13.48 of the San José Municipal Code to clarify that a building permit may be issued for the installation of Solar Photovoltaic Power Generation Systems that conform to all of the development standards of the Zoning District in which the system is located, and to amend Section 20.200.1165 of Chapter 20.200 of Title 20 of the San José Municipal Code to amend the definition of Solar Photovoltaic Systems.

- (f) ORD. NO. 28321 – Amending title 20 of the San José Municipal Code (the Zoning code) to amend Section 20.40.520 of Chapter 20.40 to streamline requirements for outdoor uses in Commercial Zoning district, to amend Section 20.50.100 of Chapter 20.50 to allow Performing Arts Rehearsal Space with a Condition Use Permit in the IP-Industrial Park Zoning District, to apply to “CM” Mixed Industrial Overlay to properties with the Combined Industrial Commercial General Plan Designation, allow additional commercial uses in establishments, streamline permit requirements for Data Centers, and provide for a Tow Yard Use, to amend Section 20.50.115 of Chapter 20.50 to establish requirements for commercial uses associated with Large Format Commercial Establishments, to amend Section 20.50.120 to make additional provision for incidental retail sales in Industrial Zoning District, to amend Section 20.90.060 to reduce parking requirements for Data Centers and performing Arts Rehearsal Space, and to establish parking requirements for Tow Yards and Large Format Commercial Establishments, to add Sections 20.200.265, 20.200.605, and 20.200.1278 to Chapter 20.200 to define Data Centers, Large Format Commercial Establishments and Vehicle Tow Yards, respectively, and to make other clarifying changes.

- (g) ORD. NO. 28322 – Rezoning certain real property situated at the southwest corner of Murphy Avenue and Oyama Drive (1254 Murphy Avenue) to A(PD) Planned Development Zoning District. PDC07-088

2.3 [Approval of an Agreement for Airspace and Airfield Analysis Services at the Airport.](#)

- * **Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute a consultant agreement with Jacobs Consultancy Inc. for airspace and airfield analysis services at the Norman Y. Mineta San José International Airport in an amount not-to-exceed \$200,000 and for the term of July 1, 2008 to June 30, 2011. CEQA: Resolution Nos. 67380 and 71451, File No. PP08-072. (Airport)

2. CONSENT CALENDAR

2.4 [Assistance Modifications to an Agreement for Partial Reimbursement of Airport Funded Police Department Costs.](#)

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute Assistance Modifications to the cooperative agreement with the Transportation Security Administration to partially reimburse Airport-funded Police Department costs for four explosive detection canine teams for a total amount not-to-exceed \$200,500 per year at the Norman Y. Mineta San José International Airport and to negotiate and execute Assistance Modifications to the Cooperative Agreement for future years in an annual amount not-to-exceed \$200,500 on the same terms and conditions as the Cooperative Agreement. CEQA: Resolution Nos. 67380 and 71451, File No. PP08-089. (Airport)

2.5 [Office of the City Auditor's Report.](#)

Recommendation: Acceptance of the Office of the City Auditor's *Report of Activities and Findings for the Period April 16, 2008 through May 15, 2008.* (City Auditor)

2.6 [Ordinance implementing an amendment to a retirement benefit for Fire Department members of the Police & Fire Department Retirement Plan.](#)

* **Recommendation:** Approval of an Ordinance amending Section 3.36.1020 of Chapter 3.36 of Title 3 of the San José Municipal Code related to service connected disability benefits for employees of the Fire Department who are members of the Police and Fire Department Retirement Plan. CEQA: Not a Project. (City Manager's Office)

2.7 [Ordinance implementing a retirement survivorship benefit enhancement for Fire Department members of the Police & Fire Department Retirement Plan.](#)

* **Recommendation:** Approval of [an Ordinance](#) amending Sections 3.36.1270 and 3.36.1280 of Chapter 3.36 of Title 3 of the San José Municipal Code to revise the benefit formula for certain surviving spouses and surviving domestic partners of members of the Fire Department who are members of the Police and Fire Department Retirement Plan. CEQA: Not a Project. (City Manager's Office)

2.8 [Amendment to an Agreement for the Development and Implementation of the Environmental Enforcement Data Management System.](#)

[Supplemental – Letter from the Water Pollution Control Plant](#)

Recommendation: Approval of a third amendment to the agreement with enfoTech & Consulting, Inc. to extend the term of agreement by twenty-five months from December 31, 2007 to January 31, 2010 for the development and implementation of the Environmental Enforcement Data Management System at no additional cost to the City. CEQA: Not a Project. (Environmental Services)

2. CONSENT CALENDAR

2.9 [Memorandum of Agreement among Bay Area Cities to Implement a Regional Approach to Obtaining and Allocating Federal Funding for Water Recycling Projects.](#)

[Supplemental – Letter from the Water Pollution Control Plant](#)

Recommendation: Adoption of a resolution authorizing the City Manager to execute a Memorandum of Agreement among the cities of San José, Mountain View, Palo Alto and Redwood City, Delta Diablo Sanitation District, North Coast Water District, Santa Clara Valley Water District and the Bay Area Clean Water Agencies to implement a regional approach to obtaining and allocating federal funding for water recycling projects, at a cost for FY 2008-09 not-to-exceed \$30,000, with future year funding to be subject to appropriation by Council. CEQA: Not a Project. (Environmental Services)

2.10 [Agreement with the Water District for Cost Sharing for Water Conservation Programs in FY 2008-2009.](#)

[Supplemental – Letter from the Water Pollution Control Plant](#)

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with the Santa Clara Valley Water District for cost sharing associated with water conservation programs in FY 2008-2009, under which the City will receive an amount not-to-exceed \$280,000 and the District will receive an amount not-to-exceed \$406,977 for a net cost to the City of \$126,977. CEQA: Not a Project. (Environmental Services)

2.11 [Report on Bids and Award of Contract for Handrail Replacement and Concrete Repair for Grit Removal Tanks and Dissolved Air Floatation Tank.](#)

[Supplemental – Letter from the Water Pollution Control Plant](#)

Recommendation: Accept the report on bids and award a construction contract for “Handrail Replacement and Concrete Repair for Grit Removal Tanks and Dissolved Air Floatation Tanks” to the low bidder, Ashron Construction and Restoration, Inc., in the amount of \$477,869 and approval of a 15% contingency in the amount of \$72,000. CEQA: Exempt, File No. PP07-248. (Environmental Services)

2.12 [Library Parcel Tax for Fiscal Year 2008-2009.](#)

Recommendation: Adoption of a resolution increasing the Library Parcel Tax rates for FY 2008-2009 by 2.77% over the FY 2007-2008 rates and approving the placement of the Library Parcel Tax on the FY 2008-2009 Santa Clara County Property Tax Roll. CEQA: Not a Project. (Finance)

2.13 [Actions Related to Second Mortgages for Homebuyers at the Tierra Encantada Townhome Development.](#)

Recommendation: Adoption of a resolution approving:

- (a) A rollover of the existing \$400,000 City acquisition loan made to Tierra Encantada Development, LLC, into second mortgages to assist eight moderate-income homebuyers with second mortgages of up to \$50,000 each; and

(Item continued on the next page)

2. CONSENT CALENDAR

2.13 **Actions Related to Second Mortgages for Homebuyers at the Tierra Encantada Townhome Development. (Cont'd.)**

- (b) An increase of up to \$200,000 in additional funding for this project in order to assist up to four additional moderate-income homebuyers with second mortgages of up to \$50,000 each.

CEQA: Mitigated Negative Declaration, File No. PDC02-029. Council District 5. SNI: Mayfair. (Housing)

2.14 **Actions Related to the Willow Glen Woods Affordable Housing Development located on the east side of Evans Lane, north of Curtner Avenue.**

Supplemental – memo from the Director of Housing

Recommendation: Adoption of a resolution:

- (a) Approving the selection of The CORE Companies, or its designated affiliate, as the developer of the for-sale component of the Willow Glen Woods affordable housing development.
- (b) Authorizing the Director of Housing (“the Director”) to enter into an Exclusive Negotiations Agreement and to execute an Amendment to an Option Agreement for the purchase of the property between the City and CORE for the development.

CEQA: Not a Project. Council District 6. (Housing)

2.15 **Actions related to the Carolyn Norris Park Site.**

Recommendation:

- (a) Approval of the Carolyn Norris Park Master Plan Report.
- (b) Approval of a Turnkey Park Agreement with Summerhill Parkwood, LLC to construct turnkey park improvements on the Carolyn Norris Park site and to reimburse Summerhill Parkwood, LLC in an amount not to exceed \$198,328 for park improvements above its Parkland Dedication Obligations on the Carolyn Norris Park site associated with Planned Development Permit PD05-082 and Tentative Map No. PT05-103.
- (c) Adoption of the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Subdivision Park Trust Fund (Fund 375):
 - (1) Establish an appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$97,000 for Norris Park Turnkey Project Design Review and Inspection
 - (2) Decrease the Reserve: Future PDO/PIO Projects by \$97,000.

CEQA: Exempt, File No. PP07-263. Council District 9. (Parks, Recreation and Neighborhood Services)

2. CONSENT CALENDAR

2.16 [Los Gatos Creek Trail Reach 5 Master Plan.](#)

[Attachment – Los Gatos Trail Draft Master Plan](#)

- * **Recommendation:** Approval of the Los Gatos Creek Trail Reach 5 Master Plan and adoption of a resolution incorporating environmental mitigation measures as set forth in the Mitigation Monitoring and Reporting Program for the project. CEQA: Mitigated Negative Declaration, File No. PP06-112. Council Districts 3 and 6. SNI: Burbank/Del Monte, Delmas Park. (Parks, Recreation and Neighborhood Services)

2.17 [Coyote Creek Trail Master Plan.](#)

[Attachment – Coyote Creek Trail Draft Master Plan](#)

Recommendation: Approval of the Coyote Creek Trail Master Plan for the reach from Story Road to Lower Silver Creek and adoption of a resolution incorporating environmental mitigation measures as set forth in the Mitigation Monitoring and Reporting Program for the project. CEQA: Mitigated Negative Declaration, File No. PP08-014. SNI: Five Wounds/Brookwood Terrace, 13th Street/University, Spartan Keys. Council Districts 3 and 4. (Parks, Recreation and Neighborhood Services)

2.18 [Maintenance District Budget Reports for FY 2008-2009.](#)

- * **Recommendation:** Adoption of resolutions approving, confirming and adopting the Annual Budget Reports for Fiscal Year 2008-2009 for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21 and 22 and levying the assessment therein. CEQA: Exempt, File No. PP08-079. Council Districts 2, 3, 4 and 8. (Public Works)

2.19 [Amendment to an Agreement for Cost Estimating Consultant Services to support the Airport Terminal Area Improvement Program.](#)

- * **Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute a first amendment to the agreement with Leland Saylor Associates for cost estimating consultant services to support the Airport Terminal Area Improvement Program, increasing the compensation by \$340,000, for a total compensation not-to-exceed \$840,000. CEQA: Resolution Nos. 71451 and 67380, File No. PP08-066. (Public Works/ Airport)

2.20 [Amendment to an Agreement with the San José Downtown Association as it related to the Downtown Area Shuttle Program.](#)

Recommendation: Approval of an amendment to an existing \$600,000 three-year grant agreement with the San José Downtown Association to coordinate and implement a Downtown Area Shuttle program to be provided by the Santa Clara Valley Transportation Authority, extending the term one year for the period between July 1, 2008 and June 30, 2009 for an amount not-to-exceed \$200,000; bringing the total agreement to an amount not-to-exceed \$800,000. CEQA: Not a Project. Council District 3. (Transportation)

2. CONSENT CALENDAR

2.21 Excused absence for Councilmember Constant.

Recommendation: Request for an excused absence for Councilmember Constant from the Closed Session and Regular Meeting of the City Council on June 24, 2008 due to Authorized City Business: Federated City Employees' Retirement Services Education Training in San Francisco, CA. (Constant).
(Constant)
(Rules Committee referral 6/4/08)

2.22 Approval to Donate Five Surplus Brush Patrol Vehicles.

Recommendation: Adoption of a resolution authorizing the Director of Finance to donate five surplus Brush Patrol Vehicles (1988 Ford F350 Cab and Chassis with a Brush Patrol body) with a cumulative estimated value of \$25,000 as follows: one vehicle to the Spring Valley Fire District, a volunteer fire department; two vehicles to San José Search and Rescue, a non-profit organization; one vehicle to Central County Occupational Center, an educational organization; and one surplus Brush Patrol to the Eves Volunteer Fire Department. CEQA: Not a Project. (Finance)

* (Deferred from 6/3/08 – Item 2.10 and 6/10/08 – Item 2.11)

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Debra Figone (Verbal Report)

3.2 Report of the Rules and Open Government Committee – June 4, 2008 Mayor Reed, Chair

- (a) City Council (City Clerk)
 - (1) Review June 10, 2008 Final Agenda
 - (2) Review June 17, 2008 Special Meeting Draft Agenda
 - (a) Discussion and Overview of the Economic Feasibility Analysis Completed as a Part of the City's Inclusionary Housing Study.
- (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (c) Legislative Update
 - (1) State
 - (a) Legislative Update (Verbal Report). (City Manager's Office)
 - (2) Federal
- (d) Meeting Schedule
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committee
 - (1) 1 re-appointment and 4 new appointments to the Arts Commission. (Williams)

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee – June 4, 2008 (Cont'd.) Mayor Reed, Chair

- (g) Rules Committee Reviews, Recommendations and Approvals
 - (1) Staff Update on Work Load Assessment for Preserving Residential Neighborhoods. (Planning, Building and Code Enforcement)
- (h) Review of additions to Council Committee Agendas
 - (1) Community and Economic Development (CED) Committee
 - (a) Community and Economic Development Committee Workplan. (Mayor/Pyle)
 - (2) Neighborhood Services and Education Committee
 - (a) Neighborhood Services and Education Committee Workplan. (Mayor/Chirco)
 - (h) (3) Transportation and Environment (TE) Committee
 - (a) Transportation and Environment Committee Workplan. (Mayor/Williams)
 - (4) Public Safety, Finance and Strategic Support Committee
 - (a) Public Safety, Finance and Strategic Support Committee Workplan. (Mayor/Nguyen)
 - (5) Rules and Open Government Committee
 - (a) Rules and Open Government Committee Workplan. (Mayor)
 - (i) Open Government Initiatives
 - (j) Open Forum
 - (k) Adjournment

3.3 Report of the Public Safety, Finance and Strategic Support Committee Councilmember Nguyen, Chair – *No Report.*

3.4 [Statement of Policy and Questions for the Confirmation Process for the Fire Chief.](#)

[Attachment – Memo from Vice Mayor Cortese](#)

[Attachment – Memo from Councilmember Campos](#)

Recommendation: Adopt a Statement of Policy and City Council Questions related to the confirmation process for the Fire Chief as described in this memo, in compliance with City Charter Section 411.1. CEQA: Not a Project. (City Manager's Office)

3.5 [Actions Related to Employer Retirement Contributions.](#)

[Supplemental – Memo from the Director of Finance](#)

Recommendation: Approval of an ordinance amending Chapters 3.28 and 3.36 of Title 3 of the San José Municipal Code to:

- (a) Provide the City with the option to make lump sum payments of the City's required fiscal year 2008-09 pension and retiree medical benefits account contributions to the Police and Fire Department Retirement Plan and the Federated City Employees' Retirement System (the "Retirement Plans") on or before August 1, 2008 for the balance of fiscal year 2008-09;
- (b) Provide the City with an annual option, commencing with fiscal year 2009-10, to select the periodic basis on which the City's required contributions will be made in advance to the Retirement Plans;

3. STRATEGIC SUPPORT SERVICES

3.5 Actions Related to Employer Retirement Contributions. (Cont'd.)

Recommendation:

- (c) Provide for each of the Retirement Plan Boards to establish the amounts of the City's required contributions for the August 2008 lump sum payment and for such alternative periodic basis as the City may select commencing with fiscal year 2009-10, as determined by the Boards' actuaries to be actuarially equivalent to the bi-weekly payments that would otherwise have been required;
- (d) Provide that the City's required contributions to the medical benefits accounts within said Retirement Plans shall be made on the same periodic basis that the City's pension contributions are made; and
- (e) Provide for adjustment of the City's required contributions in the following fiscal year after any lump sum payment is made to reflect any difference in contributions due to a variance between the actual payroll amount for the fiscal year in which the payment was made as compared to the projected payroll amount on which the lump sum payment was calculated.

CEQA: Not a Project. (Finance)

3.6 [Report on Request for Proposal and Award of Contract for the Purchase of a Storage Area Network.](#)

- * **Recommendation:** Report on Request for Proposal for the purchase of a Storage Area Network (SAN) Solution and adoption of a resolution authorizing the Director of Finance to:
- (a) Negotiate and execute an agreement with Systems Technology Associates of Tustin, CA, for the design, purchase, implementation and first year of maintenance and support of a SAN to house the City's electronic data and provide enterprise backup, fileserver and disaster recovery solutions, for a total amount not-to-exceed \$2,236,336 including all hardware, software, professional services including installation and training, one year of extended maintenance and support, shipping and applicable sales tax.
 - (b) Execute change orders not-to-exceed 15% contingency in the amount of \$335,450 to cover any unanticipated changes or requirements related to the initial purchase, design, implementation, and support of the system.
 - (c) Exercise four one-year options for ongoing maintenance and support subject to appropriation of funds.

CEQA: Not a Project. (Finance/Information Technology)

3.7 [Actions Related to Retiree Healthcare.](#)

[Attachment – Consultant Report to Council](#)

- * **Recommendation:**
- (a) Acceptance of the staff report on retiree healthcare, including the consultant report and Joint Retirement Board Committee report on Solutions to Retiree Healthcare.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.7 Actions Related to Retiree Healthcare. (Cont'd.)

Recommendation:

- (b) Direction to staff to collaboratively develop options for a pre-funding plan, ramping up over a multiple year period to full pre-funding of the actuarially determined annual required contribution for retiree healthcare.
- (c) Direction to staff to move forward with total health management and risk reduction strategies through the wellness program.

CEQA: Not a Project. (Human Resources)

* **TO BE HEARD IN THE MORNING**

3.8 Report of the Rules and Open Government Committee – [May 21, 2008](#)

Mayor Reed, Chair

- (a) City Council (City Clerk)
 - (1) Review May 27, 2008 Final Agenda
 - (2) Review June 3, 2008 Special Meeting Draft Agenda
 - (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
 - (c) Legislative Update
 - (1) State
 - (a) AB 2058 (Levine) – Recycling Plastic Carryout Bags: Paper Carryout Bags. (Environmental Services)
HEARD BY COUNCIL 6/3/08 – ITEM 3.5
 - (b) AB 2437 (Ruskin) – Regional Water Systems. (Environmental Services)
HEARD BY COUNCIL 6/3/08 – ITEM 3.6
 - (c) Follow-Up to Questions Regarding State Foreclosure Legislation. (Housing)
HEARD BY COUNCIL 6/10/08 – ITEM 3.4
 - (2) Federal
 - (d) Meeting Schedule
 - (1) Set Special Council Meeting for June 19, 2008 to discuss potential Ballot Measures. (City Manager's Office)
 - (e) The Public Record
 - (f) Appointments to Boards, Commissions and Committee
 - (1) Appointment of Mayor's designee to the Dublin Delegation. (Mayor)
 - (g) Rules Committee Reviews, Recommendations and Approvals
 - (1) Proposed Ballot Measures. (City Attorney's Office)
 - (h) Review of additions to Council Committee Agendas
 - (i) Open Government Initiatives
 - (j) Open Forum
 - (k) Adjournment
- * (Deferred from 6/10/08 – Item 3.2)

3. STRATEGIC SUPPORT SERVICES

3.9 Report of the Rules and Open Government Committee – [May 28, 2008](#)

Mayor Reed, Chair

- (a) City Council (City Clerk)
 - (1) Review June 3, 2008 Final Agenda
 - (2) Review June 10, 2008 Draft Agenda
 - (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
 - (c) Legislative Update
 - (1) State
 - (a) AB 2640 (Huffman) – Solid Waste: Compostable Organics Management. (Environmental Services)
 - (b) SB 1321 (Correa) – School Recycling Programs. (Environmental Services)
 - (2) Federal
 - (d) Meeting Schedule
 - (1) Rules and Open Government Summer Meeting Schedule. (City Clerk)
 - (e) The Public Record
 - (f) Appointments to Boards, Commissions and Committee
 - (1) Appointment and Re-appointment to the following Boards and Commissions:
 - (a) 2 new appointments to the Airport Commission.
 - (b) 1 re-appointment and 4 new appointments to the Arts Commission.
 - (c) 2 re-appointments and 1 new appointment to the Disability Advisory Commission.
 - (d) 1 new appointment to the Early Care and Education Commission.
 - (e) 2 new appointments to the Historic Landmarks Commission.
 - (f) 2 new appointments to the Library Commission.
 - (g) 2 re-appointments and 2 new appointments to the Parks and Recreation Commission.
 - (h) 1 re-appointment and 2 new appointments to the Senior Citizens Commission.
 - (i) 1 new appointment to the Traffic Appeals Commission.
 - (g) Rules Committee Reviews, Recommendations and Approvals
 - (h) Review of additions to Council Committee Agendas
 - (i) Open Government Initiatives
 - (j) Open Forum
 - (k) Adjournment
- * (Deferred from 6/10/08 – Item 3.3)

3. STRATEGIC SUPPORT SERVICES

3.10 Agreement to Purchase Office Supplies.

Recommendation: Adoption of a resolution authorizing the Director of Finance to execute:

- (a) An agreement and purchase order for the cooperative purchase of office supplies with Corporate Express through the cooperative contract offered by the National Intergovernmental Purchasing Alliance starting July 1, 2008 until June 30, 2012 in an amount not-to-exceed \$1,200,000 for the initial year of the agreement.
- (b) Amendments to the initial purchase order to adjust the not-to-exceed compensation subject to annual appropriation of funding.
- (c) Execute subsequent annual Purchase Orders subject to annual appropriation of funding.

CEQA: Not a Project. (Finance)

* (Deferred from 5/20/08 – Item 3.5, 6/3/08 – Item 3.4 and 6/10/08 – Item 3.8)

DROP

3.11 [AB 1195 \(Torrico\), Recycling: Used Oil: Incentive Payments.](#)

Recommendation: As recommended by the Rules and Open Government Committee, adopt of position of support for AB 1195 (Torrico), Recycling: Used Oil: Incentive Payments. (City Clerk)

* [Rules Committee referral 6/11/08 – Item C(1)(a)]

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Report of the Community & Economic Development Committee – [May 27, 2008](#) Councilmember Pyle, Chair

- (a) Review of the Committee Workplan.
- (b) Review of Performance Measuring Reporting. (Economic Development/Housing/ Planning, Building and Code Enforcement/Public Works/Fire)
- (c) Citywide Inclusionary Zoning Program. (Housing)
- (d) First Act Big Deals – BART Downtown Station and Diridon Station. (Economic Development/Redevelopment Agency/Transportation/Planning, Building and Code Enforcement)
- (e) Updates:
 - (1) Edenvale Emerging Technologies Fund. (Redevelopment Agency)
 - (2) Edenvale BioCenter Expansion. (Redevelopment Agency)
 - (3) Sign Ordinance. (Planning, Building and Code Enforcement)
 - (4) Mexican Heritage Center Transition Plan.
- (f) Auto Row Strategy Plan.
- (g) Public Safety Memorial at City Hall.
- (h) Oral Petitions
- (i) Adjournment

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 [Discussion and Overview of the Economic Feasibility Analysis Completed as a Part of the City's Inclusionary Housing Study.](#)

[Attachment – Memo from Councilmember Liccardo](#)

Recommendation:

- (a) Provide guidance and feedback to staff at this mid-way point in the review of a potential Citywide Inclusionary Housing Ordinance; and
- (b) Accept the Economic Feasibility Analysis Study completed by David Paul Rosen and Associates related to Citywide Inclusionary Housing in the City of San José.

CEQA: Not a Project. (Housing)

(Deferred from 5/20/08 – Item 4.4 and 6/3/08 – Item 4.5)

TO BE HEARD NO EARLIER THAN 4:00 P.M.

4.3 [Actions Related to the Special Tenant Improvement and Industrial Tool Installation Programs.](#)

Recommendation: Acceptance of Report on making the Special Tenant Improvement Industrial Tool Installation programs permanent with certain modifications. CEQA: Not a Project. (Planning, Building and Code Enforcement/Economic Development)
(Deferred from 6/10/08 – Item 4.3)

4.4 [Public Hearing on the Reorganization/Annexation of Territory Designated as Burbank No. 40.](#)

- * **Recommendation:** Conduct a public hearing and adoption of a resolution ordering the reorganization of territory designated as Burbank No. 40, which involves the annexation to the City of San José of approximately 2.78 acres of land located at the northwest corner of West San Carlos Street and Brooklyn Avenue and public right-of-way along West San Carlos Street, Brooklyn Avenue, and Topeka Avenue, and the detachment of the same from the appropriate special districts, including Central Fire Protection, Area No. 01 (Library Services) County Service, Burbank Sanitary and County Lighting County Services. CEQA: EIR Resolution No. 65459. Council District 6. (Planning, Building and Code Enforcement)

- * **RECOMMEND DEFERRAL TO 6/24/08 PER ADMINISTRATION**

4.5 [Actions related to the design and installation of Public Artwork at Happy Hollow Park and Zoo.](#)

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Tom Otterness to design, fabricate and install public artwork for the Happy Hollow Park and Zoo in a total amount not-to-exceed \$932,500. CEQA: Exempt, File No. PP05-184. (Economic Development)

- * (Deferred from 6/3/08 – Item 2.8 and 6/10/08 – Item 4.4)

- * **RECOMMEND DEFERRAL TO 6/24/08 PER ADMINISTRATION**

5. NEIGHBORHOOD SERVICES

5.1 Report of the Neighborhood Services and Education Committee Councilmember Chirco, Chair – *No Report.*

5.2 [Actions related to Library Internet Access and Computer Use Policy.](#)

[Attachment – Background Information](#)

Recommendation:

- (a) Consideration of the proposal by Councilmember Pete Constant to change the current Library Internet Access and Computer Use Policy, which now provides open access to the Internet, to one that filters Internet access to reduce the viewing of pornography on library computers.
- (b) If City Council decides to change the current policy, that Council provides specific direction to staff to develop and bring to Council for approval a new policy, based on the policy options or variations thereof as outlined in the report.

CEQA: Not a Project. (Library)

* **DROP TO BE RENOTICED**

5.3 [Report on Bids and Action Related to Bascom Library and Community Center Project.](#)

Recommendation: Report on bids and take appropriate action based on the evaluation of bids for the Bascom Library and Community Center Project. CEQA: Exempt, File No. PP07-081. Council District 6. SNI: Burbank/Del Monte. (Parks, Recreation and Neighborhood Services/Library/Public Works)

* (Deferred from 6/10/08 – Item 5.3)

* **RECOMMEND DEFERRAL TO 6/24/08 PER ADMINISTRATION**

6. TRANSPORTATION & AVIATION SERVICES

6.1 Report of the Transportation and Environment Committee – [June 2, 2008](#) Councilmember Williams, Chair

- (a) Action on Items Recommended for Deferral.
 - (1) Benchmarking with Public Works Agencies. (Public Works)
 - (2) Communication Strategy for Plant Master Plan. (Environmental Services)
 - (3) Report on Recycled Water Master Plan. (Environmental Services)
 - (4) City Water Conservation Plan. (Environmental Services)
 - (5) Commercial Solid Waste Redesign. (Environmental Services)
- (b) Recommend Council Adoption of Policy for City Funded Purchase of Single-serve Bottled Water. (Environmental Services/Finance)
SEE ITEM 7.4 FOR COUNCIL ACTION TO BE TAKEN
- (c) Recommend Council Adoption of Resolution for Green Cities California Sustainability. (General Services/Finance/Airport/Environmental Services)
SEE ITEM 7.5 FOR COUNCIL ACTION TO BE TAKEN
- (d) Status Report on the Terminal Area Improvement Program (TAIP). (Airport)
(Item continued on the next page)

6. TRANSPORTATION & AVIATION SERVICES

6.1 Report of the Transportation and Environment Committee – June 2, 2008 (Cont'd.) Councilmember Williams, Chair

- (e) Discussion on Workload Assessment for Analysis of Extending the Living Wage Policy at Mineta San José International Airport. (Airport)
- (f) BART/Santa Clara Valley Transportation Agency Issues Report. (Transportation)
- (g) Recommended Revisions to Traffic Calming Policy 5-6. (Transportation)
SEE ITEM 6.2 FOR COUNCIL ACTION TO BE TAKEN
- (h) Report on Red Light Running Camera Systems. (Police)
- (i) Update on Various Traffic Safety Items. (Transportation/IGR)
- (j) Oral Petitions
- (k) Adjournment

6.2 [Proposed Revisions to Council Policy 5-6, Traffic Calming for Residential Neighborhoods.](#)

* **Recommendation:**

- (a) Adoption of a resolution approving the revised Council Policy 5-6, Traffic Calming Policy for Residential Neighborhoods, and;
- (b) Direction to staff to report back to Transportation and Environment Committee in the Fall of 2009 with a status report on the effectiveness of implementing the updated policy.

[Transportation and Environment Committee 6/2/08 – Item (g)]

6.3 [Amendment to an agreement with Hensel Phelps for the Airport Terminal Improvement Program.](#)

Recommendation:

- (a) Approval of the third amendment to the contract with Hensel Phelps Construction Company (Hensel Phelps) for design and construction of the Airport Terminal Area Improvement Program to increase the maximum not-to-exceed contract compensation by \$27,933,000, from \$664,177,382 to \$692,110,382;
- (b) Allow for the release of retention for structural steel for Terminal B prior to 50% completion of the project element; and
- (c) Authorize the City Manager to increase the estimated premium and estimated loss reserves in the City's current Owner Controlled Insurance Program for the Airport's Master Plan projects with American International Group from \$25,000,000 to a total amount not-to-exceed \$26,000,000.

CEQA: Resolution Nos. 67380 and 71451, File No. PP08-099. (Airport/Public Works)

6. TRANSPORTATION & AVIATION SERVICES

6.4 Report on Bids and Award of Contract for the Street Resurfacing 2008 Backlog Reduction Project.

Recommendation:

- (a) Approval to reject all bids received on April 17, 2008 for the Street Resurfacing 2008 Backlog Reduction Project.
 - (b) Accept the report on bids received on May 27, 2008 for the Street Resurfacing 2008 Backlog Reduction Project and award of contract to the low bidder, Top Grade Construction, Inc. in the amount of \$7,985,708 and approval of a five percent (5%) contingency in the amount of \$400,000.
- CEQA: Exempt, File No. PP06-066. (Transportation)

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Sewer Service and Use Charge Rates and Storm Sewer Service Charge Rates for FY2008-09.

Recommendation:

- (1) Adoption of a resolution setting the following Sewer Service and Use Charge rates for FY 2008-09:

(1) Single-Family Residential	\$27.09/Month
(2) Multi-Family Residential	\$15.42 Per Unit/Month
(3) Mobile Home	\$15.47 Per Unit/Month
(4) Non-monitored commercial and industrial	See Attachment A
(5) Monitored industrial	See Attachment A
- (b) Adoption of a resolution setting the following Storm Sewer Service Charge rates for FY 2008-09:

(1) Single-Family Residential and Duplex	\$5.88/Month
(2) Mobile Home	\$2.95 Per Unit/Month
(3) Large Multi-Family Residential (5 or more units)	\$3.22/Month
(4) Residential Condominium	\$3.22 Per Unit/Month
(5) Small Multi-Family Residential (3-4 units)	\$11.17/Month
(6) Commercial, institutional and industrial	See Attachment B

CEQA: Not a Project. (Environmental Services)

* **TO BE HEARD AFTER ITEM 9.1**

7.2 Municipal Water System Water Rate Increases for FY 2008-2009.

Recommendation: Adoption of a resolution increasing the San José Municipal Water System potable water rates and charges by 8.8% effective July 1, 2008. CEQA: Not a Project. Council Districts 2, 4, 7 and 8. (Environmental Services)

* **TO BE HEARD AFTER ITEM 9.1**

7. ENVIRONMENTAL & UTILITY SERVICES

7.3 Wholesale Recycled Water Rate Discount Reductions.

Supplemental – Letter from the Water Pollution Control Plant

Recommendation: Adoption of a resolution setting wholesale recycled water rate discounts over a three year period for landscape irrigation of \$145 per acre-foot (2008-09), \$125 per acre-foot (2009-10), and to \$105 per acre-foot (2010-11) and setting a discount over a one year period of \$345 per acre-foot (2008-09) for recycled water used for industrial and agricultural use. CEQA: Not a Project. (Environmental Services)

* **TO BE HEARD AFTER ITEM 9.1**

7.4 Approval of a Council Policy titled, “Prohibition of City Funding for Purchase of Single-serving Bottled Water.”

Recommendation: Adoption of a resolution adopting a Council Policy titled "Prohibition of City Funding for Purchase of Single-serving Bottled Water."
[Transportation and Environment Committee 6/2/08 – Item (b)]

7.5 Green Cities California Sustainability Resolution.

Recommendation: Approval of a "Green Cities California Sustainability Resolution" expressing San José’s commitment to work cooperatively with other California local governments to accelerate local, regional, national, and international efforts to achieve sustainability by:

- (a) Combining forces with other Green Cities California members to influence State and National sustainability policies and legislation.
- (b) Collaborating with other local governments throughout the state and the nation to adopt and implement sustainable policies and practices.
- (c) Working to achieve the following objectives for municipal operations:
 - (1) In 2007-08:
 - (a) Purchase of "100% post-consumer recycled" paper for all City operations.
 - (b) Limit the use of City funds for purchase of single serving bottled water.
 - (2) In 2008-2010:
 - (a) A campaign for municipal purchase of local California foods
 - (b) A carbon offset plan for City employee air travel
 - (c) Emission reduction standards for City vehicle fleets

[Transportation and Environment Committee 6/2/08 – Item (c)]

7.6 Approval of the Design and Installation of Airport Recycled Water Infrastructure.

* **Recommendation:** Adoption of a resolution approving the design and installation of recycled water infrastructure at Mineta San José International Airport (SJC) as the near-term preferred alternative rather than using an equal dollar amount to enhance a future solar photovoltaic project. CEQA: Resolution Nos. 67380 and 71451, File No. PP08-071. (Airport)

7. ENVIRONMENTAL & UTILITY SERVICES

7.7 [Consultant Master Agreements for Various Electrical Capital Improvement Projects at the Water Pollution Control Plant.](#)

[Supplemental – Letter from the Water Pollution Control Plant](#)

Recommendation: Approval of consultant master agreements with the following firms for various electrical capital improvement projects at the San José/Santa Clara Water Pollution Control Plant for a term commencing upon approval of the agreement and continuing through June 30, 2013, for the amounts stated below, and provisions in the agreements to allow the City to increase the amounts payable in such amounts as may be approved by Council:

- (a) Winzler & Kelly in an amount not-to-exceed \$1.5 million.
- (b) Camp Dresser & McKee in an amount not-to-exceed \$1.5 million.
- (c) Black & Veatch in an amount not-to-exceed \$1.5 million.

CEQA: Not a Project. (Environmental Services)

8. PUBLIC SAFETY SERVICES

8.1 [Report on the Impact of Cardroom Gambling on Crime in San José.](#)

Recommendation: Acceptance of the report related to the Impact of Cardroom Gambling on Crime in the City of San José for the period of July 1, 2006 to June 30, 2007. CEQA: Not a Project. (Police)

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

See Item 8.1 “Approval of a Reimbursement Agreement with CTS Electronic Manufacturing Solutions” on the Redevelopment Agency Agenda, which will be heard and action taken only during the Redevelopment Agency Meeting that follows the Council Meeting today.

CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEMS 9.1, 9.2 AND 9.3 IN A JOINT SESSION

9.1 [Mayor’s 2008 June Budget Message.](#)

[Attachment – Memo from Councilmember Campos](#)

[Attachment – Memo from Councilmember Oliverio](#)

[Attachment – Memo from Councilmembers Campos and Williams](#)

Recommendation:

- (a) Review, Discussion and Approval of the Mayor’s 2008 June Budget Message
- (b) Adoption of a resolution by the City Council authorizing the City Manager to negotiate and execute grant agreements addressed in the Mayor’s Budget Message which are for amounts that exceed the City Manager’s contract authority.

(Mayor)

* **TO BE HEARD NO EARLIER THAN 2:00 P.M.**

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

9.2 FY 2008-2009 Operating and Capital Budgets for the City of San José and Redevelopment Agency and Schedule of Fees and Charges.

Recommendation:

- (a) Adoption of a resolution by the City Council approving the Operating Budget for Fiscal Year 2008-2009 for the City of San José, the Capital Budget for Fiscal Year 2008-2009 for the City of San José, and the Five Year Capital Improvement Program for Fiscal Year 2009-2013 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.
- (b) Adoption of a resolution by the City Council establishing the Schedule of Fees and Charges for Fiscal Year 2008-2009.
- (c) Adoption of a resolution by the City Council establishing fees and charges for recreational and park activities.
- (d) Adoption of a resolution by the City Council establishing fees and charges for use of City Hall.

CEQA: Not a Project. (City Manager's Office)

(e) [Adoption of resolutions by the Agency Board approving:](#)

- (1) Operating Budget for Fiscal Year 2008-2009 for the Redevelopment Agency of the City of San José; and,
- (2) Capital Budget for Fiscal Year 2008-2009 for the Redevelopment Agency of the City of San José.

CEQA: Not a Project. (Redevelopment Agency)

9.3 [Ordinance and Other Actions Related to Freestanding News Racks within the Downtown Core and Civic Plaza.](#)

* **Recommendation:** Adoption of an urgency ordinance:

- (a) Placing a moratorium of the installation and relocation of freestanding news racks within the Downtown Core and the Civic Plaza Redevelopment Project Area; and,
- (b) Establishing a consolidated pedestal mounted news rack pilot program within the Downtown Core and the Civic Plaza Redevelopment Project Area for a period of July 1, 2008 to June 30, 2010.

CEQA: Resolution No. 72767. Council District 3. (City Manager's Office/ Redevelopment Agency)

* **RECOMMEND DEFERRAL TO 8/12/08 PER REDEVELOPMENT AGENCY**

- Open Forum (To be heard no earlier than 3:30 p.m.)
- Continue RDA Board Meeting
- Council will recess until 7:00 p.m.

10. GENERAL PLAN PUBLIC HEARINGS

No General Plan Public Hearing at this time.

11. PUBLIC HEARINGS ON CONSENT CALENDAR

(To be heard by the City Council at 7:00 p.m.)

Notice to the public: There will be no separate discussion of Public Hearings Consent Calendar (Item 11.1) 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 Public Hearings Consent Calendar (Item 11.1) and considered separately.

11.1 Public Hearings on Consent Calendar.

Recommendation:

- * (a) [Conduct a public hearing](#) and consider a resolution approving a Conservation Area Amendment to allow a seven-parcel expansion of the current boundaries of the Hanchett and Hester Park Conservation Area to include the following single-family detached residences: 23, 26, 27, 28, 31, 34 and 36 Tillman Avenue Cassandra Ravenscroft, project proponent. CEQA: Exempt. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1). Council District 6. (Planning, Building and Code Enforcement) [CA08-001](#) – District 6
(Continued from 6/3/08 – Item 4.9)
[Attachment – Memo from the Director of Planning](#)
[Attachment – Staff Report](#)
[Attachment – DPR Forms and Tally Sheets](#)
[Attachment – Location Map](#)
[Attachment – Map and Description](#)
[Attachment – Historic Tract Map](#)
[Attachment – John McLaren Documentation](#)
- * **RECOMMEND DEFERRAL TO 6/24/08 PER ADMINISTRATION**
(Item continued on the next page)

- (b) Consideration of an ordinance rezoning the real property located at the northwest corner of Coleman Avenue and Newhall Street (former FMC site) to modify the development standards of the existing Planned Development Zoning District (File No. PDC98-104) to allow 24-hour drive-through uses by right, minor modifications to building setback and height requirements, minor technical or clarifying revisions, and other revisions to address traffic capacity on the southeasterly portion of an approximately 94.8 gross-acre site. The current zoning allows up to 3 million square feet of office/research & development and commercial retail uses (City of San José, Arcadia Development Company, Owner/Applicant). CEQA: EIR Resolution No. 71716 and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.
PDC08-017 – District 3

[Attachment - Memo from Planning Director](#)

[Attachment – Staff Report](#)

[Attachment – Location Map](#)

[Attachment – General Development Plan](#)

[Attachment – Memorandum of Allocation of Traffic Capacity](#)

[Attachment – Addendum to 2003 FMC EIR](#)

[Attachment – Correspondence](#)

[Attachment – Existing Zoning GDP](#)

[Attachment – Title Sheet](#)

[Supplemental – Memo from the Director of Planning](#)

(Item continued on the next page)

11. PUBLIC HEARINGS ON CONSENT CALENDAR

11.1 Public Hearings on Consent Calendar. (Cont'd.)

Recommendation:

- * (c) [Consideration of an ordinance rezoning](#) the real property located at the southeast corner of Vine Street and Floyd Street (1312 Vine Street) from R-2 Residence Zoning District to A(PD) Planned Development Zoning District to allow three new single family residences and one existing single-family residence on a 0.34 gross acre site (Keys Melvin L and Margaret G, Owner). CEQA: Exempt. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).
[PDC07-068](#) – District 3
[Attachment – GDP Vine Street](#)
[Attachment – Staff Report and Attachments](#)
[Attachment – Proposed Development Vine Street](#)
- (d) [Consideration of an ordinance rezoning the real property](#) located on the west side of North 4th Street, approximately 230 feet north of East St. James Street (237 North 4th Street) from CG Commercial General Zoning District to A(PD) Planned Development Zoning District for construction of two live/work units on a 0.08 gross acre site (Zajonc Larry W and Smith-Zajonc Janice A Tr, Owner). CEQA: Exempt. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).
[PDC08-018](#) – District 3
[Attachment – Staff Report and Attachments](#)
[Attachment – General Development Plan](#)
- (e) [Consideration of a Planned Development Rezoning and Billboard Height Alteration Agreement](#) for the properties located at the northerly terminus of Industrial Avenue (1605 Industrial Avenue), the east side of Bascom Avenue approximately 180 feet south of Lindaire Avenue (1000 S. Bascom Avenue), the southerly terminus of Junction Court (1750 Junction Court), and the south west corner of Park Avenue and Sonoma Street. (Alvin B. Davidson Trustee & Et Al, Owner/Clear Channel Outdoor, Applicant). CEQA: Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.
- (1) Consideration of an ordinance rezoning from HI Heavy Industrial Zoning District to HI(PD) Planned Development Zoning District to allow relocation of a billboard face from 1000 Bascom Avenue to an existing trucking operation site at 1605 Industrial Avenue.
[PDC08-002](#) – District 4
- (2) Approve a Billboard Height Alteration agreement to require the removal of two existing billboards, located at the south west corner of Park Avenue and Sonoma Street and 1750 Junction Court to allow a dual-faced billboard at 1605 Industrial Avenue to extend up to 50' in height. SNI: Delmas Park. Council District 4 and 6.

11. PUBLIC HEARINGS ON CONSENT CALENDAR

11.1 Public Hearings on Consent Calendar. (Cont'd.)

Recommendation:

- (f) [Consideration of an ordinance rezoning the real property](#) located on the southwest corner of San Felipe Road and Aborn Road (3303 San Felipe Road) from CP commercial Pedestrian Zoning District to CN Commercial Neighborhood zoning district to allow commercial uses on a 0.75 gross acre site. CEQA: EIR Resolution No. 65459. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required. C08-026 – District 8

END OF PUBLIC HEARINGS ON CONSENT CALENDAR

11. PUBLIC HEARINGS

11.2 [Planned Development Rezoning for a Master Plan for the Bellarmine College Preparatory Campus.](#)

- * **Recommendation:** Consideration of a Planned Development Rezoning for a Master Plan for the Bellarmine College Preparatory Campus. The Project includes demolition of about 47,000 square feet of existing buildings and the new construction of 135,884 square feet resulting in 272,578 square feet (total) on an existing private high school on an approximately 30.05 gross acre site located in the area generally bounded by W. Hedding Street, Caltrain right-of-way, Stockton Avenue, Emory Street and Elm Street (960 W. Hedding Street) (Bellarmine College Preparatory, Owner). CEQA: Mitigated Negative Declaration and Addendum thereto. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval with additional conditions for drop-off areas (6-0-1).

[PDC07-072](#) – District 6

(Continued from 06/03/08– Item 11.6)

[Attachment – Draft GDP Notes](#)

[Attachment – Planned Development Zoning Application](#)

[Supplemental – Memo from the Director of Planning](#)

11.3 **Rezoning real property located on the west side of Lincoln Avenue.**

Recommendation: Consideration of an ordinance rezoning the real property located on the west side of Lincoln Avenue extending from West San Carlos Street to the south and Pacific Avenue to the north, excluding the northwest corner of West San Carlos and Lincoln Avenue to allow the demolition of existing structures and the construction of 39 single-family attached residential and 2 live/work lofts on a 0.91 gross acre site (James & Tina Jean, Owners). SNI: Burbank/Del Monte. CEQA: Mitigated Negative Declaration.

[PDC07-017](#) – District 6

- * (Deferred from 4/8/08 – Item 11.7, et al and 5/20/08 – Item 11.3)

DROP PER APPLICANT

11.4 [Ordinance amending Chapter 20.70, Section 20.70.010, of Title 20 of the San José Municipal Code.](#)

[Attachment – Memo from the Director of Planning](#)

Recommendation: Consideration of [an ordinance](#) amending Section 20.70.010 of Chapter 20.70 of Title 20 of the San José Municipal Code to expand the area to which the Downtown Zoning Regulations apply to include the area bounded by Fourth Street, St. John Street, Seventh Street, and San Fernando Street, and to make other related technical or clarifying changes. CEQA: EIR Resolution No. 72767. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1). Citywide

(Continued from 05/20/08 – Item 11.5)

11. PUBLIC HEARINGS

11.5 [Ordinance approving a Development Agreement Amendment #1 to the Cisco Alviso Development Agreement for the area generally bounded by Highway 237, N. First Street, Grand Boulevard and Disk Drive.](#)

- * **Recommendation:** Consideration of an ordinance approving a Development Agreement Amendment to the Cisco Alviso Development Agreement for the area generally bounded by Highway 237, N. First Street, Grand Boulevard, and Disk Drive to amend Ordinance 26136, adopted on June 20, 2000, to extend by six months a certain project occupancy date set forth in a Development Agreement between the City and Cisco Technology, Inc. relative to the development of property in North San José and to ratify and restate the effectiveness of the Development Agreement and authorizing the City Clerk to execute the Amended Development Agreement (Cisco Technologies, Owner/Applicant). CEQA: EIR Resolution No. 69636. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0). Development Agreement Amendment #1 to the Cisco Alviso Development Agreement.

District 4

[Attachment – Staff Report](#)

[Attachment – Development Agreement](#)

[Attachment – Site Map](#)

11.6 [Rezoning real property located on the southeast corner of River Oaks Parkway and Seeley Avenue.](#)

Recommendation: Consideration of an ordinance rezoning the real property located on the southeast corner of River Oaks Parkway and Seeley Avenue from IP Industrial Park Zoning District to the A(PD) Planned Development Zoning District to allow up to 777 multi-family attached residences and a 2.58 acre public park on a 14.3 gross acre site (Essex Portfolio, LP, Owner / Essex Property Trust, Inc., Developer). CEQA: EIR Resolution No. 72768 and Addendum thereto. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

[PDC06-067](#) – District 4

[Attachment – Staff Report and Attachments](#)

[Attachment - Planned Development for Cadence Campus](#)

[PDC07-042](#) – District 4

11. PUBLIC HEARINGS

11.7 [Rezoning real property located on the south side of Murphy Avenue.](#)

[Attachment – Memo from Councilmember Chu](#)

[Supplemental – Memo from the Director of Planning](#)

Recommendation: Consideration of an ordinance rezoning the real property located on the south side of Murphy Avenue approximately 400 feet easterly of Oakland Road (1180 Murphy Avenue) from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow the addition of commercial uses including office, retail, restaurant and warehouse uses within an existing industrial building on a 4.01 gross acre site (Bhupindar S. Dhillon Trustee & Et Al and Satindar Dhillon, Owner). CEQA: Exempt. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval with conditions for maximum of 100 seats for restaurants, 10:00 p.m. closing time for non-industrial uses, and remove outdoor patio area so no outside dining or use (6-0-1).

[Attachment – Staff Report and Attachments](#)

[Attachment – GDP Douglas Place](#)

11.8 [Zoning real property located on the south side of Douglas Street.](#)

Recommendation: Consideration of an ordinance zoning the real property located on the south side of Douglas Street approximately 200 feet easterly of S. Willard Avenue (1480 Douglas Street) from Unincorporated County to A(PD) Planned Development Zoning District to allow up to 6 attached single-family residences on a 0.43 gross acre site (Basheer Salameh, Owner). SNI: Burbank/ Del Monte. CEQA: Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

[PDC07-089 – District 6](#)

[Attachment – Staff Report and Attachments](#)

11.9 [Rezoning real property located on the west side of Lucretia Avenue.](#)

Recommendation: Consideration of an ordinance rezoning the real property located on the west side of Lucretia Avenue approximately 250 feet south of Bellhurst Avenue from the R-1-8 Residential Zoning District to A(PD) Planned Development Zoning District to allow 10 Single-family attached and detached residences on a 1.0 gross acre site (Faucher Fred L and Constance M, Owner). SNI: Tully/Senter. CEQA: Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (4-3-0).

[PDC06-131 – District 7](#)

[Attachment – Memo from Councilmember Nguyen](#)

[Attachment – Staff Report and Attachments](#)

[Attachment – PD Zoning Faucher Homes](#)

11.10 [Rezoning real property located at/on the east side of Monterey Road.](#)

Recommendation: Consideration of an ordinance rezoning the real property located at/on the east side of Monterey Road approximately 700 feet northerly of Tully Road (2112 Monterey Road) from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to subdivide one parcel into two lots for an existing eating establishment and an existing single-room occupancy (SRO) living unit facility and to add new vehicular parking areas on a 2.88 gross acres site (Emergency Housing Consortium, Owner). CEQA: Exempt. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (5-0-1-1).

PDC08-012 – District 7

[Attachment – Staff Report and Attachments](#)

[Attachment – GDP Monterey Road](#)

- Notice of City Engineer’s Pending Decision on Final Maps

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

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9935	East side of DeAnza Blvd, 350 feet North of Sharon Drive	1	Yu Sheng Kao, David Perng, Marvin Liu	5 Lots / 4 Units	SFA, SFD	Approve

* In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
10003	NW/C of Hwy. 237 and Gold Street. I, LLC	4	Legacy III SJ America Center	2 Lots / 6 Lots	Mixed Use

- Notice of City Engineer’s Award of Construction Projects

- Notice of Contracts Executed by Council Appointees

In accordance with Municipal Code Section 4.04.080, titled “Quarterly Reports”, the following is submitted as a report on contracts executed by Council Appointees or designee during the second quarter of Fiscal Year 2007-2008 (January 1, 2008 – March 31, 2008). The list includes contracts or amendments to contracts for services with a value greater than \$100,000 and up to \$250,000 and contracts or amendments to contracts for equipment, supplies, and material with a value greater than \$100,000 and up to \$1 million. Contract amounts are rounded to the nearest dollar. No Council action is being requested with respect to this report.

City Attorney’s Contract Activity

The City Attorney’s Office has no contract activity to report.

City Auditor’s Contract Activity

The City Auditor’s Office has no contract activity to report.

City Clerk’s Contract Activity

The City Clerk’s Office has no contract activity to report.

- Notice of Contracts Executed by Council Appointees (Cont'd.)

City Manager's (or designee) Contract Activity

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Dance Force	Classes/camps in basic dance, movement, cheerleading, and fitness skills designed for beginner and intermediate levels for residents as offered by the Parks, Recreation, and Neighborhood Services Department.	\$180,000
Fairbanks, Maslin, Maulin & Associates Inc. (FMMA)	Budget Prioritization survey for the City of San José for the City Manager's Office. Second Amendment to the contract to increase contract amount by \$52,500 and modify scope of services and schedule of performance.	\$177,500
ISG Global	Documentation of business processes and implementation of Computerized Maintenance Management System for the Department of Aviation.	\$158,010
James Carter dba Camp Carter International	Classes for sports/fitness, aerobic kickboxing, karate, computer skills, keyboarding, photography, dance, mathematics, language and music classes for residents as offered by the Parks, Recreation, and Neighborhood Services Department.	\$180,000
Mad Doug, Inc. dba Mad Science of the Bay Area Recreation USA	Science camps and classes for children ages 3-12 years of age as offered by the Parks, Recreation, and Neighborhood Services Department.	\$150,000
Renee Ramsey dba My First Art Class	Classes for dance, theater, music, sports, language, manner, and financial skills for youth as offered by the Parks, Recreation, and Neighborhood Services Department.	\$180,000
Sanli Pastore & Hill, Inc.	Art lessons for parents and their toddlers ranging in age from 10 months to 5 years as offered by the Parks, Recreation, and Neighborhood Services Department.	\$120,000
Volunteer Center of Silicon Valley	Appraisal services for the Public Works Department.	\$250,000
	Development and delivery of a disaster sheltering plan and assistance with coordination of disaster preparedness and response efforts for the Office of Emergency Services.	\$192,000

Director of Finance Contract Activity – Services

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Bt Mancini Co., Inc.	Carpeting for Terminal C, Baggage Claim Area for the Aviation Department.	\$108,995
Cuevas Landscaping	Weed Abatement Services for the Department of Transportation.	\$452,000
First Alarm Security & Patrol	Private Security Services for the Aviation Department.	\$340,000

- Notice of Contracts Executed by Council Appointees (Cont'd.)

Director of Finance Contract Activity – Services (Cont'd.)

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Fleet Bodyworks	Body and Paint Repairs for Vehicles for the General Services Department. First amendment of the contract to increase the contract amount by \$30,000.	\$128,000
Flora Terra Landscape Green Team	Landscape Management Services for Maintenance Districts 2 & 3 for the Department of Transportation.	\$370,000
Green Team	Refuse Collection for Airport Facilities.	\$170,000
Green Team	Refuse Collection for Park, Recreation, and Neighborhood Services Department Facilities.	\$246,000
Jack Doheny Rentals, Inc.	Rental of Large Sewer Cleaning Equipment for the Department of Transportation. First Amendment to increase contract amount by \$65,000.	\$215,000
Scheidt & Bachmann, Inc.	Maintenance and Repair of Parking Equipment for the Department of Transportation. First Amendment to the contract to increase the contract amount by \$50,360.	\$150,000
Sheldrake & Mumford	Resurfacing For Basketball and Tennis Courts for the Parks, Recreation, and Neighborhood Services Department.	\$230,000
Testamerica Laboratories, Inc.	Laboratory Services for the Environmental Services Department.	\$150,000

* Director of Finance Contract Activity – Equipment, Materials, and Supplies

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Azco	Traffic Signals and Lightpoles for the Department of Transportation. First Amendment to increase contract amount by \$55,000.	\$285,000
Cascade Pump Co.	High Volume Water and Refuse Pumps for the Environmental Services Department.	\$165,081
Hoblit Motors	Marked Police Patrol Vehicles.	\$329,226
Hollister Honda, Inc.	Police Motorcycles.	\$271,143
Lucid Star, Inc.	Chinese Language Books and Media. First Amendment to increase contract amount by \$20,000.	\$120,000
Maita Chevrolet, Geo & Gmac	Unmarked Police Vehicles.	\$199,819
Netxperts, Inc.	Network and Telecommunications Equipment for the Terminal Area Improvement Project for the Aviation Department.	\$250,000
Netxperts, Inc.	Network Equipment to replace existing legacy equipment for the Aviation Department.	\$434,844

- Notice of Contracts Executed by Council Appointees (Cont'd.)

Director of Finance Contract Activity – Equipment, Materials, and Supplies (Cont'd.)

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Pac Machine Co.	4" Trailer Mounted Pump and Accessories for the Department of Transportation.	\$163,752
Playground Unlimited	Rubber Resilient Surfacing for Playgrounds for the Parks, Recreation, and Neighborhood Services Department.	\$216,000
Sig Sauer Corporation	Pistols for the Police Department.	\$168,203
Teck Cominco American, Inc.	1500 Tons Sulfur Dioxide for the Environmental Services Department.	\$220,000
Toyota Material Handling	39 Passenger Electric Vehicles for General Services.	\$666,072
Toyota Sunnyvale	Five Toyota Prius for General Services.	\$116,694

- Open Forum
- Adjournment

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
 - b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
 - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
 - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
 - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
 - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.