



CITY COUNCIL AGENDA

AUGUST 18, 2015

SYNOPSIS

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

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

Welcome to the San José City Council meeting!

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

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

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

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

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

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

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

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Council Wing, 2nd Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 or (408) 294-9337 as soon as possible, but at least three business days before the meeting.

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

- **Call to Order and Roll Call**
 - 9:05 a.m.** - Closed Session, Call to Order in Council Chambers
Absent Council Members: All Present.
 - 1:31 p.m.** - Regular Session, Council Chambers, City Hall
Absent Council Members: All Present.
 - 7:00 p.m.** - Public Hearings, Council Chambers, City Hall
Absent Council Members: All Present.
- **Invocation (District 7)**
The Seven Trees Chinese Folk Dancers performed to "Singing in the Rain."
- **Pledge of Allegiance**
Mayor Sam Liccardo led the Pledge of Allegiance.
- **Orders of the Day**
Heard after Ceremonial Items.
The Orders of the Day and the Amended Agenda were approved with Items 3.4 and 3.5 deferred until August 25, 2015.

- **Closed Session Report**
Heard after Ceremonial Items.
No Report.

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation honoring Brocade for their 20th anniversary and their contributions to our City. (Mayor)
Mayor Sam Liccardo, Vice Mayor Rose Herrera, Council Member Donald Rocha and Council Member Manh Nguyen recognized and commended Brocade for their contributions to the City of San José and on their anniversary.
- 1.2 Presentation of a commendation to the Children’s Discovery Museum for engaging and being active in our communities for more than 25 years. (Perez)
Mayor Sam Liccardo, Council Members Perez, Rocha and Carrasco recognized and commended the Children’s Discovery Museum.
- 1.3 Presentation of a commendation to Velma Million, aka "the Lady of the Lake," for her long time advocacy of Lake Cunningham Regional Park and concern for preserving this open space recreation gem for the residents of San José. (Herrera)
(Rules Committee referral 8/12/15)
Mayor Sam Liccardo and Vice Mayor Rose Herrera recognized and commended Velma Million for her long time advocacy.
- 1.4 Presentation of commendations to exceptional Girl Scouts who received the Gold Award, the highest award a Girl Scout can earn. (Herrera)
(Rules Committee referral 8/12/15)
Heard in the Evening.
Mayor Sam Liccardo and Vice Mayor Rose Herrera recognized and commended the exceptional Girl Scouts who received the Gold Award.
- 1.5 Presentation of a commendation to Boy Scout Troop 221 for their exemplary work in servicing the community through a variety of projects benefitting the residents of San José. (Khamis)
(Rules Committee referral 8/12/15)
Heard in the Evening.
Mayor Sam Liccardo and Council Member Johnny Khamis recognized and commended Boy Scout Troop 221 for their excellent good work.

2. CONSENT CALENDAR

- 2.1 **Approval of Minutes.**
There were none.

2. CONSENT CALENDAR

2.2 Final Adoption of Ordinances.

Recommendation: Final adoption of ordinances.

- (a) ORD. NO. 29599 – Granting a Commercial Solid Waste and Recyclables Collection Franchise to Greenwaste Recovery Inc., dba GW Debris Services LLC. CEQA: Exempt, CEQA Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment, File No. PP08-228. (Environmental Services)

Ordinance No. 29599 adopted.

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.

- (a) Rules and Open Government Committee Report of July 29, 2015. (Mayor)
CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Clerk)
Approved.

2.4 Mayor and Council Excused Absence Requests.

There were none.

2.5 City Council Travel Reports.

There were none.

2.6 Report from the Council Liaison to the Retirement Boards.

There were none.

2.7 Board and Commission Appointments.

Recommendation: Approve the following appointments to Boards and Commissions:

- (a) Downtown Parking Board:
- (1) At-Large Representative: Appoint Ajay Singh to a term expiring 6/30/16;
 - (2) At-Large Representative: Appoint Daniel Salguero to a term expiring 6/30/19;
- (b) Housing and Community Development Commission:
- (1) District 10: Appoint Sherry Davis to an unexpired term ending June 30, 2019.

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

2. CONSENT CALENDAR

2.8 Appropriation Ordinance and Funding Sources Resolution Amendments in Various Funds to Rebudget Funds to 2015-2016 for Completion of Projects.

Recommendation:

(a) Adopt the following 2015-2016 Appropriation Ordinance and Funding Sources Resolution amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District #4:

- (1) Increase the Beginning Fund Balance by \$172,000.
- (2) Increase the Strategic Capital Replacement and Maintenance Needs appropriation to the Parks, Recreation and Neighborhood Services Department by \$172,000.

Ordinance No. 29602 adopted.

Resolution No. 77490 adopted.

(b) Adopt the following 2015-2016 Appropriation Ordinance and Funding Sources Resolution amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District #9:

- (1) Increase the Beginning Fund Balance by \$80,000.
- (2) Increase the Camden Pool Renovations appropriation to the Parks, Recreation and Neighborhood Services Department by \$80,000.

Ordinance No. 29603 adopted.

Resolution No. 77491 adopted.

(c) Adopt the following 2015-2016 Appropriation Ordinance and Funding Sources Resolution amendments in the Subdivision Park Trust Fund:

- (1) Increase the Beginning Fund Balance by \$21,000.
- (2) Increase the Alviso Area Minor Improvements appropriation to the Parks, Recreation and Neighborhood Services Department by \$21,000.

CEQA: Not a Project, File No. PP10-067(b), Appropriation Ordinance. (City Manager)

Ordinance No. 29604 adopted.

Resolution No. 77492 adopted.

2.9 Actions Related to the California Arts Council Grant Award for Building Public Will for Arts Program.

Recommendation: Adopt the following 2015-2016 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:

- (a) Increase the Building Public Will for the Arts City-Wide appropriation to the Office of Economic Development in the amount of \$20,000; and
- (b) Increase the estimate for Revenue from State of California in the amount of \$20,000.

CEQA: Not a Project, File No. PP10-067(b), Appropriation Ordinance. (Economic Development/City Manager)

Ordinance No. 29605 adopted.

Resolution No. 77493 adopted.

2. CONSENT CALENDAR

2.10 Report on Request for Proposal for Electrical Contracting Services.

Recommendation: Report on Request for Proposal for electrical services and adopt a resolution to authorize the City Manager to:

- (a) Execute Purchase Orders with Cupertino Electric (San José, CA), Ray Scheidts Electric (San José, CA) and Rosendin Electric (San José, CA) for Citywide electrical services for the initial term of September 1, 2015 through August 31, 2016, in the total aggregate not to exceed amount of \$2,475,000 for all three purchase orders; and
- (b) Exercise four one-year options to renew each purchase order subject to the annual appropriation of funds.

CEQA: Not a Project, File No. PP10-066(a), Professional services with no changes in the physical environment. (Finance)

Report on Request for Proposal was approved.

Resolution No. 77494 adopted.

2.11 Actions Related to the Funding Source for Property Located on 110 Roundtable Drive.

Recommendation: Approve a change in funding source from the Low and Moderate Income Housing Asset Fund to the Multi-Source Housing Fund for the restoration of fire damage at the City-owned restricted affordable apartment building located at 110 Roundtable Drive. CEQA: Exempt, Section 15301(a), Existing Facilities, File No. PP14-048. Council District 2. (Housing)

Approved.

2.12 Transaction Agreement with Transportation Security Administration for Law Enforcement Officers Reimbursement.

Recommendation: Adopt a resolution authorizing the City Manager to apply for federal funding, negotiate, and execute an Other Transaction Agreement with the Transportation Security Administration to fund eligible costs for deployment of law enforcement officers at each airport passenger-screening location at the Norman Y. Mineta San José International Airport in excess of the City Manager's contract authority and in the estimated amounts of approximately \$1,254,000 per year or approximately \$3,762,000 for the period January 1, 2016 to December 31, 2018. CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Airport) (Rules Committee referral 8/12/15)

Resolution No. 77495 adopted.

2. CONSENT CALENDAR

2.13 Internet Cat Video and Film Festival.

Recommendation: As recommended by the Rules and Open Government Committee on August 12, 2015:

- (a) Approve the Internet Cat Video and Film Festival scheduled for November 15, 2015 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Oliverio)
[Rules Committee referral 8/12/15 – Item G(1)(a)]

Approved.

2.14 District 6 City Council Candidates Forum.

Recommendation: As recommended by the Rules and Open Government Committee on August 12, 2015:

- (a) Approve the District 6 City Council Candidate Forum tentatively scheduled for March 21, April 18, and May 16, 2016 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Oliverio)
[Rules Committee referral 8/12/15 – Item G(1)(b)]

Approved.

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Norberto Dueñas (Verbal Report). No Report.

Council Member Pierluigi Oliverio requested an update on the unpermitted collection boxes.

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.

Heard at 9:05 a.m.

No Report.

3. STRATEGIC SUPPORT SERVICES

3.3 Actions Related to the Agreement with CalPine/Metcalf Energy for Air Monitoring Stations.

Recommendation: Approve one of the following alternatives related to the two required air monitoring stations in the 2001 Cooperation Agreement with CalPine/Metcalf Energy and delegate authority to the City Manager to execute the steps outlined in the memorandum to Council for the selected option:

- (a) Alternative 1: Calpine Reimburses City to Build and Operate Northern and Southern Station for A Term of 25 Years.
- (b) Alternative 2: Calpine Makes Payment In Lieu For Both Stations, City Builds And Operates Both Stations.
- (c) Alternative 3: Calpine Reimburses City To Build And Operate Northern Station Only For A Term Of 25 Years.
- (d) Alternative 4: Calpine Makes Payment In Lieu For Both Stations, City Earmarks Monies For Community Project.

CEQA: Exempt, CEQA Guidelines Section 15303(e), New Construction or Conversion of Small Structures, File No. PP15-056. (City Manager)
(Deferred from 6/23/15 – Item 3.18)

Heard in the Evening.

Deferred to October 6, 2015 per Administration.

3.4 Actions Related to the Settlement Agreement with the San José Police Officers' Association and the San José Fire Fighters, International Association of Fire Fighters, Local 230.

Recommendation:

- (a) Adopt a resolution to:
 - (1) Approve the terms of the Alternative Pension Reform Settlement Framework Agreement between the City and the San José Police Officers' Association (SJPOA) and San José Fire Fighters, International Association of Fire Fighters, Local 230 (IAFF, Local 230); and
 - (2) Authorize the City Manager to negotiate and execute a Tripartite Retirement Memorandum Agreement between the City, the SJPOA, and IAFF, Local 230.
- (b) Adopt the following 2015-2016 Appropriation Ordinance amendments in the General Fund:
 - (1) Establish a City-Wide Measure B Settlement appropriation to the City Manager's Office in the amount of \$1,500,000.
 - (2) Decrease the Fiscal Reform Plan Implementation Reserve in the amount of \$1,500,000.

CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager)

(Deferred from 8/11/15 – Item 3.4)

Deferred to August 25, 2015 per Mayor Sam Liccardo and Orders of the Day.

3. STRATEGIC SUPPORT SERVICES

3.5 Terms of an Agreement with the San José Police Officers' Association (POA).

Recommendation:

- (a) Adopt a resolution approving the terms of a collective bargaining agreement between the City and the San José Police Officers' Association and authorizing the City Manager to execute an agreement with a term effective upon execution of the agreement through December 31, 2016.
- (b) Adopt the following 2015-2016 Appropriation Ordinance amendments in the General Fund:
 - (1) Increase the Personal Services appropriation to the Police Department in the amount of \$9,545,000.
 - (2) Increase the Personal Services appropriation to the City Attorney's Office in the amount of \$20,000.
 - (3) Decrease the Police Department Staffing/Operations Reserve in the amount of \$9,100,000.
 - (4) Decrease the Salaries and Benefits Reserve in the amount of \$465,000.

CEQA: Not a Project, File No PP10-069(b), Personnel Related Decisions. (City Manager)
Deferred to August 25, 2015 per Mayor Sam Liccardo and Orders of the Day.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Actions Related to the Metropolitan Apartments North Phase.

Recommendation:

- (a) Adopt a resolution approving a change in funding source for \$7,915,000 of the City's total of up to \$15,145,000 loan commitment for the Metropolitan Apartments North Phase, affordable apartments to be constructed at 2112 Monterey Road, from the Multi-Source Housing Fund to the Home Investment Partnership Program Fund and authorizing the Interim Housing Director to negotiate and execute any documents necessary to implement such substitution, including but not limited to an Amendment to the existing Loan Agreement, HOME Affordability Restrictions, and a HOME Regulatory Agreement with 2112 Monterey Road LP.

Resolution No. 77496 adopted.

- (b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the HOME Investment Partnership Program Fund:
 - (1) Increase the estimate for Earned Revenue in the amount of \$7,915,000.
 - (2) Increase the appropriation to the Housing Department for Housing Loans and Grants in the amount of \$7,915,000.

CEQA: Mitigated Negative Declaration, File Nos. GP08-07-04 and PDC09-015. Council District 7. (Housing/City Manager)

Ordinance No. 29606 adopted.

Resolution No. 77497 adopted.

5. NEIGHBORHOOD SERVICES

5.1 Bringing Everyone's Strengths Together (BEST) Program and Mayor's Gang Prevention Task Force Annual Report.

Recommendation: As recommended by the Public Safety, Finance, and Strategic Support Committee on May 21, 2015, accept the 2013-2014 Annual Report on the San José Bringing Everyone's Strengths Together (BEST) and the Mayor's Gang Prevention Task Force (MGPTF) Programs. CEQA: Not a Project, File No. PP10-069(a), Staff Reports, Assessments and Annual Reports. (Parks, Recreation and Neighborhood Services) [Public Safety, Finance, and Strategic Support Committee referral 5/21/15 – Item D(3)] (Deferred from 6/23/15 – Item 5.1 and 8/11/15 – Item 5.1)
Accepted.

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Agreement with Black & Veatch Corporation for Technical Support Services for the 7418 – Cogeneration Facility Project at the San José-Santa Clara Regional Wastewater Facility.

Recommendation:

(a) Approve a Master Consultant Agreement with Black & Veatch Corporation for technical support services for the 7418 – Cogeneration Facility Project at the San José-Santa Clara Regional Wastewater Facility for a period beginning on the date of execution through June 30, 2019, with an optional one-year extension, in a total amount not to exceed \$2,000,000, subject to the appropriation of funds.

Approved.

(b) Adopt a resolution authorizing the City Manager to exercise an option to extend the term of the Master Consultant Agreement with Black & Veatch Corporation by one year.

CEQA: Mitigated Negative Declaration, File No. PP14-005. Council District 4.
(Environmental Services/Public Works)

Resolution No. 77498 adopted.

7. ENVIRONMENTAL & UTILITY SERVICES

7.2 Actions Related to the Ygrene Works Property Assessed Clean Energy Financing Program.

Recommendation:

- (a) Adopt a resolution to consent to the inclusion of certain properties within the City of San José in the California Home Finance Authority (“CHF”) Community Facilities District No. 2014-1 (Clean Energy), administered by Ygrene Energy Fund California, LLC (“Ygrene”), for the financing of renewable energy distributed generation sources and energy and water efficiency improvements and electric vehicle charging infrastructure;

Resolution No. 77499 adopted.

- (b) Adopt a resolution to consent to the inclusion of certain properties within the City of San José in the CHF Property Assessed Clean Energy Assessment District, administered by Ygrene, for the financing of renewable energy distributed generation sources and energy and water efficiency improvements and electric vehicle charging infrastructure; and

Resolution No. 77500 adopted.

- (c) Approve an agreement with Ygrene for the indemnification of the City. CEQA: Not a Project, File No. PP10-067(a), Increase or Adjustments to Fees, Rates, and Fares. (Finance/Environmental Services)

Approved.

8. PUBLIC SAFETY SERVICES

9. REDEVELOPMENT – SUCCESSOR AGENCY

- **Open Forum**
 - (1) **Tim Gildersleeve expressed concerns about the Police Department using body cameras.**
 - (2) **Jill Borders presented issues and concerns about Mobile Home Conversions**
 - (3) **David Wall voiced concerns about the water pollution control plant.**

- **Adjournment**

The Council of the City of San José adjourned the afternoon session at 3:51 p.m.

10. GENERAL PLAN PUBLIC HEARINGS

No General Plan Public Hearing at this time.

11. PUBLIC HEARINGS

11.1 Public Hearings on Consent Calendar.

- (a) **Rezoning the Real Property Located on the North Side of S. Almaden Avenue approximately 100 Feet West of Sutter Street.**

Recommendation: Consideration of an ordinance rezoning the real property located on the north side of S. Almaden Avenue approximately 100 feet west of Sutter Street (863 Almaden Avenue) from the CN Commercial Neighborhood Zoning District to the R-M Multiple Residence Zoning District on a 0.16 gross acre site with a General Plan designation of Mixed Use Neighborhood, (Henely Robert, Owner). CEQA: Exempt per Section 15332: Infill Development Project. Planning Commission recommends approval (7-0-0). (Planning, Building, and Code Enforcement)

C15-015 – District 3

Deferred to September 1, 2015 per Administration.

- (b) **Rezoning the Real Property Located at the Southeast Corner of Monterey Highway and East Alma Avenue.**

Recommendation: Consideration of an ordinance rezoning the real property located at the southeast corner of Monterey Highway and East Alma Avenue (1402 Monterey Road) from the LI Light Industrial and HI Heavy Industrial Zoning Districts to the CIC Combined Commercial/Industrial Zoning District on an approximately 3.69 gross acre site (Southern Lumber Company, Owner). CEQA: Section 15168, Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR, Resolution No. 76041. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required. (Planning, Building, and Code Enforcement)

C15-019 – District 7

Ordinance No. 29607 passed for publication.

11. PUBLIC HEARINGS

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

(c) **Rezoning the Real Property Located at 15350 Warwick Road.**

Recommendation: Consideration of an ordinance rezoning the real property located at 15350 Warwick Road from the R-1-2 to the R-1-5 Single-Family Residence Zoning District on a 0.3 gross acre site. CEQA: Section 15168, Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR, Resolution No. 76041. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required. (Planning, Building, and Code Enforcement)

C15-025 – District 9

Ordinance No. 29608 passed for publication.

11.2 **Administrative Hearing and Consideration of an Appeal of the Planning Commission's Decision to Approve a Conditional Use Permit to Allow Construction of a 760 Square Foot Fitness Center, New Pedestrian Access Paths, and Landscape Improvements.**

Recommendation: Conduct an Administrative Hearing and consider an Appeal of the Planning Commission's decision to approve a Conditional Use Permit to allow construction of a 760 square foot fitness center, new pedestrian access paths, and landscape improvements to an existing Swim and Racquet club on a 3.33 acre site in the R-1-8 Single-Family Residence Zoning District located on southeast corner of Northridge Drive and Bose Lane (Almaden Swim and Racquet Club, 6604 Northridge Drive). Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval. Adopt a resolution setting forth the City Council's findings and decision on the Conditional Use Permit. CEQA: Exempt, per Section 15301(e)(1), Existing Facilities. (Planning, Building, and Code Enforcement)

CP13-004 – District 10

(Deferred from 6/23/15 – Item 11.4 and 8/4/15 – Item 4.2)

Resolution No. 77501 adopted to deny the two appeals and approve the Conditional Use Permit, with the modification of locating the dumpster in the middle of the parking lot on the clubhouse side.

11.3 **Rezoning the Real Property Located on the East Side of S. Montgomery, between The Alameda and W. San Fernando Street.**

Recommendation: Consideration of an ordinance rezoning the real property located on the east side of S. Montgomery, between The Alameda and W. San Fernando Street (50 S. Montgomery St.) from the LI Light Industrial Zoning District to the DC Downtown Primary Commercial Zoning District to allow commercial use on a 0.166 gross acre site, (Ilya Neizvestny, Owner). CEQA: Addendum to the San José Downtown Strategy 2000 Final EIR, Resolution No. 77096, and the Diridon Station Area Plan Final EIR, Resolution No. 77096. (Planning, Building, and Code Enforcement)

C15-014 – District 6

Dropped; To Be Renoticed.

- **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>
10307	W. side of Monterey Road bounded by Esfahan Drive and Montecito Vista Drive	7	Taylor Morrison of California, a California limited liability company	9 / 22	MFA	Approve
10308	Bounded by Esfahan Drive, Montecito Vista Drive and Montecito Vista Way	7	Taylor Morrison of California, a California limited liability company	23 / 162	MFA	Approve

- **Open Forum**

Blair Beekman urged the Council to create a safe and cohesive plan for the UAS Drone Program.

- **Adjournment**

The Council of the City of San José was adjourned at 8:33 p.m.