



CITY COUNCIL AGENDA

OCTOBER 4, 2016

SYNOPSIS

CHAPPIE JONES
ASH KALRA
RAUL PERALEZ
MANH NGUYEN
MAGDALENA CARRASCO

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

SAM LICCARDO MAYOR

PIERLUIGI OLIVERIO
TAM NGUYEN
ROSE HERRERA VICE MAYOR
DONALD ROCHA
JOHNNY KHAMIS

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

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, Tower 14th 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**
9:04 a.m. - Closed Session, Call to Order in Council Chambers
Absent Council Members: All Present.

1:32 p.m. - Regular Session, Council Chambers, City Hall
Absent Council Members: All Present.

7:00 p.m. *Evening Session was canceled.*
- **Invocation (District 9)**
Esther Peralez-Dieckmann, Director of the Santa Clara County Office of Women's Policy offered the Invocation.
- **Pledge of Allegiance**
Mayor Sam Liccardo, accompanied by Third Grade Students, Lynhaven Elementary, led the Pledge of Allegiance.

- **Orders of the Day**
Heard following the Ceremonial items.
The Orders of the Day and the Amended Agenda were approved, with Item 4.1 heard after the Consent Calendar and Item 3.4 heard last, which included a four minute total time limit for each Council Member to speak. (10-1. Noes: Khamis.)

- **Closed Session Report**
Heard following the Ceremonial items.
No Report.

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to JEWL, an oral history and learning institution in collaboration with Evergreen Valley College, for their efforts in collecting and preserving African American social progress and history. (Herrera)
Mayor Sam Liccardo and Vice Mayor Rose Herrera recognized and commended JEWL for their efforts in collecting and preserving African American social progress and history.

- 1.2 Presentation of a proclamation recognizing the month of October as Urban Design Month in the City of San José. (Peralez)
Mayor Sam Liccardo and Council Member Raul Peralez recognized the month of October as “Urban Design Month” in the City of San José.

- 1.3 Presentation of a proclamation recognizing October 16-22, 2016 as National Retirement Security Week in the City of San José. (Khamis)
Mayor Sam Liccardo and Council Member Johnny Khamis recognized October 16 through October 22, 2016 as “National Retirement Security Week” in San José.

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. 29788 – An ordinance of the City of San José rezoning certain real property of approximately 5 acres, situated on the northeast side of San Felipe Road at the northeastern terminus of Silver Creek Road (7010 San Felipe Road), from the A Agricultural Zoning District to the R-1-1 Single-Family Residence Zoning. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041) and Supplemental EIR (Resolution No. 77617). (Planning, Building and Code Enforcement)
Ordinance No. 29788 adopted.
- (b) ORD. NO. 29789 – An ordinance of the City of San José adding Chapter 14.34 to Title 14 of the San José Municipal Code adopting a traffic impact fee on new development within the interstate 280/Winchester Boulevard Transportation Development Policy Area. CEQA: Environmental Impact Report for the Santana West Development Project and I-280-Winchester Transportation Development Policy. (Planning, Building and Code Enforcement)
Deferred to October 18, 2016.
- (c) ORD. NO. 29790 – An ordinance of the City of San José rezoning certain real property of approximately 12.99 gross acres situated on the northwesterly corner of Olsen Drive and Winchester Boulevard (3161, 6162, 6164 Olsen Drive and 449 South Winchester Boulevard) from the CG Commercial General Zoning District to the CP(PD) Planned Development Zoning District. CEQA: Environmental Impact Report for the Santana West Development Project and I-280-Winchester Transportation Development Policy. (Planning, Building and Code Enforcement)
Ordinance No. 29790 adopted.
- (d) ORD. NO. 29791 – An ordinance of the City of San José rezoning certain real property of approximately 0.63 gross acre situated on the northeasterly corner of East Santa Clara Street and North 11th Street (505, 509, 525 East Santa Clara Street) from the R-M Multi-Family Residence and CG Commercial General Zoning Districts to the CP(PD) Commercial Pedestrian Planned Development Zoning District. CEQA: North 11th Street and East Santa Clara Street Student Housing Project Mitigated Negative Declaration. (Planning, Building and Code Enforcement)
Ordinance No. 29791 adopted.
- (e) ORD. NO. 29792 – An ordinance of the City of San José amending Chapter 12.06 of Title 12 of the San José Municipal Code to amend Section 12.06.810 and to add a new Part 11 to limit contributions by individuals to a candidate legal defense fund. CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making Municipal Code or Policy, Title 12. (City Attorney)
Ordinance No. 29792 adopted.

2. CONSENT CALENDAR

2.2 Final Adoption of Ordinances. (Cont'd.)

Recommendation:

- (f) ORD. NO. 29793 – An ordinance of the City of San José amending Chapter 12.06 of Title 12 of the San José Municipal Code to add Section 12.06.175 and amend Sections 12.06.050, 12.06.210, 12.06.290, 12.06.610, 12.06.720, and 12.06.910 related to elections and municipal campaign and officeholder contributions. CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making Municipal Code or Policy, Title 12. (City Attorney)
Ordinance No. 29793 adopted.

2.3 Approval of Council Committee Minutes.

Recommendation: Approval of Council Committee Minutes.

- (a) Transportation and Environment Committee Minutes of September 12, 2016. (Kalra)
(b) Rules and Open Government Committee Minutes of September 14, 2016. (Mayor)
(c) Public Safety, Finance, and Strategic Support Committee Minutes of September 15, 2016. (Oliverio)

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

2.4 Mayor and Council Excused Absence Requests.

Recommendation: Request for an excused absence for Vice Mayor Herrera from the Rules and Open Government Committee meeting on October 5, 2016 due to Authorized City Business. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Herrera)
Excused.

2.5 City Council Travel Reports. No Report.

2.6 Report from the Council Liaison to the Retirement Boards. No Report.

2. CONSENT CALENDAR

2.7 Ratification of Final Expenditures for 2015-2016.

Recommendation:

- (a) Adopt an ordinance ratifying final 2015-2016 expenditures in various appropriations as detailed in this report.

Ordinance No. 29795 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 Central Fund:
- (1) Increase the Earned Revenue estimate by \$4,911,206;
 - (2) Increase the Needs-Based Allocation Transfer to District 1 by \$270,314;
 - (3) Increase the Needs-Based Allocation Transfer to District 2 by \$207,579;
 - (4) Increase the Needs-Based Allocation Transfer to District 3 by \$327,494;
 - (5) Increase the Needs-Based Allocation Transfer to District 4 by \$209,097;
 - (6) Increase the Needs-Based Allocation Transfer to District 5 by \$341,947;
 - (7) Increase the Needs-Based Allocation Transfer to District 6 by \$337,757;
 - (8) Increase the Needs-Based Allocation Transfer to District 7 by \$366,300;
 - (9) Increase the Needs-Based Allocation Transfer to District 8 by \$219,726;
 - (10) Increase the Needs-Based Allocation Transfer to District 9 by \$316,288;
 - (11) Increase the Needs-Based Allocation Transfer to District 10 by \$196,739;
 - (12) Increase the Transfer to the Parks City-Wide Construction and Conveyance Tax Fund by \$1,396,119; and
 - (13) Increase the Transfer to the General Fund – Parks Eligible Maintenance Costs by \$721,846.

Ordinance No. 29796 adopted.

Resolution No. 77945 adopted.

- (c) Adopt the following 2015-2016 Appropriation Ordinance and Funding Sources Resolution amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Maintenance Yards Purposes:
- (1) Increase the Earned Revenue estimate by \$10,742; and
 - (2) Increase the Transfer to the Park Yards Operating and Maintenance Expenses appropriation by \$10,742.

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

Ordinance No. 29797 adopted.

Resolution No. 77946 adopted.

2. CONSENT CALENDAR

2.8 Support of the Muwekma Ohlone Tribe.

Recommendation: As recommended by the Rules and Open Government Committee on September 21, 2016:

- (a) Adopt a resolution supporting the Muwekma Ohlone Tribe in their ongoing pursuit of status as a Federally Recognized Tribe and direct staff to provide support to our state legislators as they pursue the process to federally recognize the Muwekma Ohlone Tribe.
- (b) Direct the City Manager to draft and execute a letter transmitting the resolution to the appropriate party.

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

[Rules Committee referral 9/21/16 – Item G.3(a)(c)]

Deferred to October 18, 2016.

Staff directed to return with information pertaining to obtaining a potential petition for an Indian Casino in the City of San José.

2.9 Ethiopian Flag Raising Ceremony.

Recommendation: As recommended by the Rules and Open Government Committee on September 14, 2016:

- (a) Retroactively approve the Ethiopian Flag Raising Ceremony held on September 9, 2016 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Retroactively 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. (Mayor)

[Rules Committee referral 9/14/16 – Item G.1.b.]

Approved.

2.10 Master Agreement for Federal-Aid Transportation Projects.

Recommendation:

- (a) Approve an updated Master Agreement with the California Department of Transportation for federal-aid transportation projects.

Approved.

- (b) Adopt a resolution authorizing the City Manager to negotiate and execute any program supplements to the Master Agreement enabling the City to receive federal-aid funds for qualifying transportation projects.

CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. (Transportation)

Resolution No. 77947 adopted.

2. CONSENT CALENDAR

2.11 International Travel to Santiago, Chile for the Amcham Waste Management Seminar.

Recommendation: Authorize international travel to Santiago, Chile, for Jo Zientek, Deputy Director, Environmental Services Department, as the City Manager's designated representative to the AmCham Seminar on October 12, 2016. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities, Travel. (Environmental Services)
Approved.

2.12 Hungarian Flag Raising.

Recommendation: As recommended by the Rules and Open Government Committee on September 28, 2016:

- (a) Approve the Hungarian Flag Raising Ceremony on Friday, October 21, 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. (Khamis)
[Rules Committee referral 9/28/16 – Item G.1.a]

Approved.

3. STRATEGIC SUPPORT SERVICES

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

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.

Heard At 9:04 a.m.

No Report.

3.3 Terms of a Side Letter Agreement Regarding Retiree Healthcare Between the City of San José and its Bargaining Units on the Parameters of the Lowest Cost Plan Associated with the Defined Benefit Retiree Healthcare Benefit.

Recommendation: Adopt a resolution to approve the terms of a side letter agreement between the City and its bargaining units on retiree healthcare providing that the lowest cost plan for any current or future eligible retiree in the defined benefit retiree healthcare plan shall be permanently set such that it may not be lower or higher than the "Silver" level as specified by the current Affordable Healthcare Act (ACA) in effect in July 2015. CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager)
Resolution No. 77949 adopted.

3. STRATEGIC SUPPORT SERVICES

3.4 Accept Recommended City Positions on the November 8, 2016 California General Election Ballot – Proposition 51-67.

Recommendation: As recommended by the Rules and Open Government Committee on September 28, 2016, approve the recommended City positions for Propositions 51-67, on the November 8, 2016 California General Election ballot.

(a) **Propositions – Recommended City Position is to Oppose**

- (1) Proposition 53 – Revenue Bonds. Statewide Voter Approval Initiative Constitutional Amendment

Oppose Position Approved.

(6-2-3. Noes: M. Nguyen, T. Nguyen. Absent: Khamis, Oliverio. Rocha)

(b) **Propositions – Recommended City Position is to Support**

- (1) Proposition 54 – Legislature, Legislation and Proceedings Initiative Constitutional Amendment and Statute
- (2) Proposition 55 – Tax Extension to Fund Education and Healthcare Initiative Constitutional Amendment
- (3) Proposition 58 – English Proficiency. Multilingual Education (SB 1174, Chapter 753 Statutes of 2014)
- (4) Proposition 59 – Corporations. Political Spending. Federal Constitutional Protections (SB 254, Chapter 20, Statutes of 2016)
- (5) Proposition 63 – Firearms. Ammunition Sales Initiative Statute
- (6) Proposition 67 – Referendum to Overturn Ban on Single-Use Plastic Bags

Support Positions Approved.

(6-2-3. Noes: M. Nguyen, T. Nguyen. Absent: Khamis, Oliverio. Rocha)

(c) **Propositions – Recommend City Position is to Take no Position**

- (1) Proposition 51 – School Bonds. Funding for K-12 School and Community College Facilities Initiative Statutory Amendment

No Position.

- (2) Proposition 52 – Medi-Cal Hospital Fee Program Initiative Statutory and Constitutional Amendment

No Position.

- (3) Proposition 56 – Cigarette Tax to Fund Healthcare. Tobacco Use Prevention, Research, and Law Enforcement Initiative Constitutional Amendment and Statute

Support Position Approved.

(7-0-4. Absent: Herrera, Khamis, Oliverio, Rocha.)

3. STRATEGIC SUPPORT SERVICES

3.5 Accept Recommended City Positions on the November 8, 2016 California General Election Ballot – Proposition 51-67. (Cont'd.)

Recommendation:

(c) (4) Proposition 57 – Criminal Sentences. Parole, Juvenile Criminal Proceedings and Sentencing Initiative Constitutional Amendment and Statute

No Position.

(5) Proposition 60 – Adult Films. Condoms. Health Requirements Initiative Statute

No Position.

(6) Proposition 61 – State Prescription Drug Purchases. Pricing Standards. Initiative Statute

No Position.

(7) Proposition 62 – Death Penalty Initiative Statute

Support Position Approved.

(7-0-4. Absent: Herrera, Khamis, Oliverio, Rocha.)

(8) Proposition 64 – Marijuana Legalization Initiative Statute

No Position.

(9) Proposition 65 – Carryout Bags. Charges Initiative Statute

Oppose Position Approved.

(7-0-4. Absent: Herrera, Khamis, Oliverio, Rocha.)

(10) Proposition 66 – Death Penalty. Procedures. Initiative Statute

Oppose Position Approved.

(7-0-4. Absent: Herrera, Khamis, Oliverio, Rocha.)

CEQA: Not a Project, File NO. PP10-069(d), City Administrative Activities, Legislative Position. (City Manager)

[Rules Committee referral 9/28/16 – Item G.2.]

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Amendment to Title 4 – Construction Excise Tax – Downtown Incentive.

Recommendation:

- (a) Approve an ordinance amending Chapter 4.46 of Title 4 of the San José Municipal Code and Chapter 4.47 of Title 4 of the San José Municipal Code to add sections to suspend the collection of the Building and Structure Construction Tax and the Commercial Residential Mobile Home Park Construction Tax (also referred to as the Construction Excise Tax) for the first commercial, non-hotel, high rise development project that secures its first building permit prior to May 31, 2017 in Downtown.

The memorandum from Mayor Sam Liccardo, Vice Mayor Rose Herrera, Council Member Raul Peralez, Council Member Pierluigi Oliverio and Council Member Johnny Khamis, dated September 30, 2016, was approved, approving the recommendations outlined in the September 22, 2016 Staff Report, and in particular, Item (b)(1) and (b)(2) as it pertains to a Project Completion Agreement with Trammell Crow Company.

Ordinance No. 29798 passed for publication.

- (b) (1) Adopt a resolution authorizing the City Manager or designee to negotiate and execute a Project Completion Agreement with Trammell Crow Company in which the City will suspend the collection of the Building and Structure Construction Tax and the Commercial Residential Mobile Home Park Construction Tax (also referred to as the Construction Excise Tax) for the construction of 1 million square feet of office/retail development in Downtown San José subject to Trammell Crow Company being eligible for the tax suspension.

Resolution No. 77948 adopted.

- (2) Conduct a Public Hearing regarding an economic subsidy estimated value not to exceed \$4 million in connection with a Project Completion Agreement with Trammell Crow Company if all conditions of receiving the tax suspension are satisfied, pursuant to California Government Code Section 53083.

The Public Hearing was Held.

CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making that involve no changes in the physical environment; File No. PDC15-051, Delmas Avenue Mixed-Use Development, Addendum to the Final EIR for the San José Water Land Company Planned Development Rezoning, Downtown Strategy 2000 FPEIR, Envision 2040 General Plan FPEDIR and SEIR. (Economic Development)
[Deferred from 9/27/16 – Item 4.2]

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Actions Related to the Refund for OPI Commercial Builders.

Recommendation:

- (a) Approve a refund of construction taxes in the amount of \$67,838.89 to OPI Commercial Builders for a project located at 3901 N. 1st Street.

The memorandum from Mayor Sam Liccardo, Vice Mayor Rose Herrera, Council Member Manh Nguyen, Council Member Raul Peralez and Council Member Johnny Khamis, dated September 30, 2016, was approved, approving the recommendations outlined in the Staff Reports for Item 4.2 and Item 4.3 on the October 4, 2016 Agenda, regarding refunds of construction taxes to OPI Commercial Builders and Skyline Construction, with the following direction: Staff was directed to return to Council with an ordinance granting the City Manager authority to approve all refunds, with the written approval of the City Attorney, where the calculation of the refund amount is addressed by the application of the Municipal Code.

- (b) Adopt the following 2016-2017 Appropriation Ordinance Amendments in the Building and Structure Construction Tax Fund:
- (1) Establish a Developer Refunds appropriation to the Planning, Building and Code Enforcement Department in the amount of \$9,692; and
 - (2) Decrease the Ending Fund Balance by \$9,692.

Ordinance No. 29799 adopted.

- (c) Adopt the following 2016-2017 Appropriation Ordinance Amendments in the Construction Excise Tax Fund:
- (1) Establish a Developer Refunds appropriation to the Planning, Building and Code Enforcement Department in the amount of \$58,148; and
 - (2) Decrease the Ending Fund Balance by \$58,148.

CEQA: Not a Project, File No. PP10-067(b), Appropriation Ordinance. (Planning, Building and Code Enforcement/City Manager)

Ordinance No. 29800 adopted.

4.3 Actions Related to the Refund for Skyline Construction, Inc.

Recommendation:

- (a) Approve a refund of construction taxes in the amount of \$84,616.79 paid based on an incorrect data entry to Skyline Construction, Inc. for a project located at 441 W. Trimble Road.

Approved.

- (b) Adopt the following 2016-2017 Appropriation Ordinance Amendments in the Building and Structure Construction Tax Fund:
- (1) Increase the Developer Refunds appropriation to the Planning, Building and Code Enforcement Department in the amount of \$28,007.
 - (2) Decrease the Ending Fund Balance by \$28,007.

Ordinance No. 29801 adopted.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.3 Actions Related to the Refund for Skyline Construction, Inc. (Cont'd.)

Recommendation:

- (c) Adopt the following 2016-2017 Appropriation Ordinance Amendments in the Construction Excise Tax Fund:
- (1) Increase the Developer Refunds appropriation to the Planning, Building and Code Enforcement Department in the amount of \$56,013; and
 - (2) Decrease the Ending Fund Balance by \$56,013.

CEQA: Not a Project, File No. PP10-067(b), Appropriation Ordinance. (Planning, Building and Code Enforcement/City Manager)

Ordinance No. 29802 adopted.

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

8.1 Police Department Staffing and Discussion of Options to Address the Unprecedented Low Staffing Levels in the Patrol Division.

Recommendation:

- (a) Review and discuss San José Police Department overall sworn staffing levels and discussion of options to address the unprecedented low sworn staffing levels in the Patrol Division. (Police)
- (b) Accept the report on the results of exploring the use of the California Highway Patrol and/or Santa Clara County Sheriff's Office to augment the San José Police Department. (Police)
- (c) Accept the audit on Police Overtime. (Auditor)

CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Reports that involve no approval of City Actions and Personnel Related Decisions.

Accepted.

Noes: Oliverio.

9. REDEVELOPMENT – SUCCESSOR AGENCY

No Items.

- **Open Forum**

- (1) **Judy Bender informed the Council about issues at the Southside Senior Center and complained that there was no money available for coffee for the Seniors at the Willows Senior Center.**

Mayor Sam Liccardo explained to Ms. Bender that the City Manager was aware of the current issues at the Senior Centers.

- (2) **Blair Beekman opined about the League of California Cities, the Resolution Process, transparency and openness.**

- **Adjournment**

The Council of the City of San José was adjourned at 5:52 p.m.