



CITY COUNCIL AGENDA

OCTOBER 20, 2015

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**
 - 9:30 a.m.** - Closed Session, Call to Order in Council Chambers
Absent Councilmembers: All Present.
Mayor Liccardo participated via Telecon
 - 1:30 p.m.** - Regular Session, Council Chambers, City Hall
Absent Councilmembers: Liccardo (Excused)
 - 7:00 p.m.** - Public Hearings, Council Chambers, City Hall
Absent Councilmembers: Liccardo (Excused)

- **Invocation (District 9)**
San José State University Choraliers, directed by Dr. Jeffrey Benson, performed "Down by the Riverside" for the Invocation.

- **Pledge of Allegiance**
Vice Mayor Rose Herrera led the Pledge of Allegiance.

- **Orders of the Day** – *heard after the Ceremonial Items.*
The Orders of the Day and the Amended Agenda were approved, with Items 11.1 through 11.3 to be heard directly following the Ceremonial Items in the evening.

- Closed Session Report
None provided.

1. CEREMONIAL ITEMS

- 1.1 Presentation of proclamation to declare the first Larry Itliong Day in the City of San José, recognizing the significant contributions of Filipino Americans to the farm labor and social justice movements. (Kalra)
Vice Mayor Rose Herrera and Councilmember Ash Kalra offered a proclamation declaring the first Larry Itliong Day in the City of San José, recognizing the significant contributions of Filipino Americans to the farm labor and social justice movements.
- 1.2 Presentation of a proclamation to recognize October 17 – 23, 2015 as National Protect Your Identity Week in the City of San José. (Jones)
Vice Mayor Rose Herrera and Councilmember Chappie Jones presented a proclamation recognizing October 17 – 23, 2015 as National Protect Your Identity Week in the City of San José.
- 1.3 Presentation of a proclamation proclaiming the month of October as Domestic Violence Awareness Month in the City of San José. (Herrera)
Vice Mayor Rose Herrera proclaimed the month of October as Domestic Violence Awareness Month in the City of San José.
- 1.4 Presentation of a proclamation proclaiming October 7, 2015 as “International Walk to School Day” in the City of San José. (Herrera)
Vice Mayor Rose Herrera and Councilmembers Carrasco and Peralez recognized October 7, 2015 as “International Walk to School Day” in the City of San José.
Heard in the Evening
- 1.5 Presentation of a proclamation proclaiming October 24, 2015 as Polio Day in the City of San José in honor of Rotary International’s World Polio Day. (Khamis)
Vice Mayor Rose Herrera and Councilmembers Khamis, Kalra and Carrasco declared October 24, 2015 as Polio Day in the City of San Jose and presented a commendation to the Rotarians in honor of Rotary International’s World Polio Day.
Heard in the Evening
- 1.6 Presentation of a proclamation declaring the week of October 18 – 24, 2015 to be National Save for Retirement Week in the City of San José. (Khamis)
Vice Mayor Rose Herrera and Councilmember Khamis recognized the week of October 18 – 24, 2015 to be National Save for Retirement Week in the City of San José.
Heard in the Evening

2. CONSENT CALENDAR

2.1 Approval of Minutes.

2.2 Final Adoption of Ordinances.

Recommendation: Final adoption of ordinances.

- (a) ORD. NO. 29622 – Conforming the public right-of-way on the portions of Ocala Avenue, Adrian Way, Alfred Way and Berona Way that from Hillview Park to reflect the existing, as-built street widths. CEQA: Exempt, Guidelines Section 15301(c), Existing Facilities. File No. PP15-082

Ordinance No. 29622 adopted.

- (b) ORD. NO. 29631 – Amending Title 20 (Zoning) of the San José Municipal Code to add new sections 20.70.140 and 20.70.100 of Chapter 20.70; to add new sections 20.200.111.5, 20.200.625 and 20.200.835 and amend sections 20.200.070, 20.200.100, 20.200.700, 20.200.1090 and 20.200.1110 of Chapter 20.200 to add and regulate Art Display Structures and Lighting Displays as allowable uses and modify the permitting process for Amusement Game Arcades in the DC-Downtown Primary Commercial Zoning District, to add auction, second-hand stores, photography studios, weight loss centers, interior decorating, auditoriums and community centers as allowable uses in the DG-Downtown Ground-floor Overlay Area, to clarify that residential uses are only allowed in the Downtown Zoning District where the general plan designation for a site supports residential use, to add new definitions related to Art Display Structure and Lighting Displays and to clarify definitions related to Adult Entertainment Establishments, Amusement Game Arcades, Lot Line Setback Area and Side Setback Area. CEQA: Addendum, Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), Addendum, Downtown Strategy EIR (Resolution No. 76041), Downtown Strategy EIR (Resolution No. 72767), Diridon Station Area Plan EIR (Resolution No. 77096).

Ordinance No. 29631 adopted.

- (c) ORD. NO. 29633 – Granting a Commercial Solid Waste and Recyclables Collection Franchise to Bay Area Dumpsters. CEQA: Exempt Guidelines Section 15308. Actions by Regulatory Agencies for the Protection of the Environment. File No. PP08-228.

Ordinance No. 29633 adopted.

2. CONSENT CALENDAR

2.3 Approval of Council Committee Minutes.

Recommendation: Approval of Council Committee Minutes.

- (a) Rules and Open Government Committee Minutes of September 23, 2015. (Mayor)
- (b) Community and Economic Development Committee Minutes of September 28, 2015. (Khamis)
- (c) Rules and Open Government Committee Minutes of September 30, 2015. (Mayor)
CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.

Approved.

2.4 Mayor and Council Excused Absence Requests.

Recommendation:

- (a) Request for an excused absence for Council Member Peralez from the Regular Meeting of the Public Safety, Finance and Strategic Support Committee on October 15, 2015 due to serving as the City of San José representative on the Advisory Committee to conduct the search for a successor to President Mohammed H. Qayoumi at San José State University. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Peralez)

Approved.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Third Continuation Agreement with Berliner Cohen for Legal Services.

Recommendation: Adopt a resolution authorizing the City Attorney to negotiate and execute a Third Continuation Agreement with Berliner Cohen for legal services in connection with *California Building Industry Association v. City of San José, et al.*, to extend the term through December 31, 2016 and to increase compensation by \$75,000, to a total amount not to exceed \$365,000. CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (City Attorney)

Resolution No. 77552 adopted.

2. CONSENT CALENDAR

2.8 Actions Related to the Federal and State Workforce Development Fund for the Sector Partnership National Emergency Grant.

Recommendation: Adopt the following 2015-2016 Appropriation Ordinance and Funding Sources Resolution amendments to the Workforce Development Fund:

- (1) Increase the estimate for Earned Revenue by \$400,000; and
- (2) Establish an appropriation to the Office of Economic Development for the Sector Partnership National Emergency Grant in the amount of \$400,000.

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

Ordinance No. 29643 adopted.

Resolution No. 77553 adopted.

2.9 Amendment to the Agreement with Haley & Aldrich for Environmental Consulting Services.

Recommendation: Approve the First Amendment to the Master Agreement with Haley & Aldrich, for environmental consulting services, increasing the amount of compensation by \$200,000, for a total agreement not to exceed \$450,000, with no extension on the term of the agreement, which expires on March 1, 2017. CEQA: Not a Project, File No.

PP10-066(d), Consultant Services that involve no physical change to the environment. (Environmental Services)

Approved.

2.10 Memorandum of Understanding with the Santa Clara Valley Water District for the Pond A18 and Shoreline Levee.

Recommendation: Direct staff to enter into discussions with the Santa Clara Valley Water District on the terms of a memorandum of understanding related to Pond A18 and the Shoreline Levee to facilitate the implementation of the Shoreline Levee Study.

CEQA: Not a Project, File No. PP10-066(g), Memorandum of Understanding. (Environmental Services)

Approved.

2.11 Agreement with Carbon Credit Seller for the Purchase of California Carbon Allowances.

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute an agreement between the City of San José and a carbon credit seller approved by the California Air Resources Board for the purchase of California Carbon Allowances for the San José-Santa Clara Regional Wastewater Facility as part of the California Cap-and-Trade Program for an amount not to exceed \$320,000. CEQA: Not a Project, File No. PP10-066(d), Consultant Services. (Environmental Services)

Resolution No. 77554 adopted.

2. CONSENT CALENDAR

2.12 Actions Related to the Fiscal Year 2015-2016 Internet Crimes Against Children Task Force Invited Awards Grant Agreement.

Recommendation:

- (a) Adopt a resolution accepting the Fiscal Year 2015 Internet Crimes Against Children Task Force Invited Awards in the amount of \$392,843 and authorizing the City Manager to execute the Grant Agreement and all related documents and to execute additional amendments and related documents without further Council action.

Resolution No. 77555 adopted.

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

- (1) Increase the City-Wide appropriation to the Police Department for the Internet Crimes Against Children Federal Grant 2014-2015 in the amount of \$392,843; and
- (2) Increase the estimate for Revenue from Federal Government by \$392,843.

CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical change to the environment. (Police/City Manager)

Ordinance No. 29632 adopted.

Resolution No. 77556 adopted.

2.13 Designation of Public Right-of-Way for As-Built Roadway Widths Bordering the Market Street Garage.

Recommendation: Approve an ordinance that will designate the public right-of-way boundary in alignment with the existing, as-built roadway width on that part of St. John Street that borders the Market Street Garage, between San Pedro Street and Market Street. CEQA: Exempt, Guidelines Section 153019(c) Existing Facilities, File No. PP15-083 Council District 3. (Public Works)

Ordinance No. 29635 passed for publication.

2.14 Boards and Commission Appointment.

Recommendation: Approve the following Board and Commission appointments to the Library and Early Education Commission:

- (1) District 5 Seat: Appoint Daisy Barocio to a term expiring 6/30/17;
- (2) District 9 Seat: Appoint Terri Wallace-Bielecki to a term expiring 6/30/17.

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

[10/14/15 Rules Committee referral – Item A(1)]

Approved.

3. STRATEGIC SUPPORT SERVICES

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

City Manager, Norberto Dueñas welcomed the United States Patent & Trademark Office to San José, which will serve the Western Region of the United States, announced City Hall's 10th Anniversary at the East Santa Clara Street location, and thanked all who participated in Viva Calle San José, a successful and well-received community event.

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.
None provided.

3.3 2014-2015 City Manager's Annual Report.

Recommendation:

(a) Accept the 2014-2015 City Manager's Annual Report of the Finances of the City of San José in compliance with City Charter Section 701 (F).

Accepted.

(b) Adopt Appropriation Ordinance and Funding Sources Resolution amendments in various operating and capital funds to implement the 2014-2015 Annual Report recommendations, including appropriate technical adjustments, as detailed in Section IV. Recommended Budget Adjustments and Clean-Up/Rebudget Actions.

Ordinance No. 29636 adopted.

Resolution No. 77557 adopted.

(c) Adopt a resolution amending the Fiscal Year 2015-2016 Schedule of Fees and Charges (Resolution No. 72737, as amended) to decrease the Minor Development Signal Design: Traffic Controller Fee from \$6,041 to \$5,083 per controller.

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

Resolution No. 77559 adopted.

3.4 Proposed Revisions to Title 12 of the San José Municipal Code Relating to the City's Ethics Commission, Elections, and Municipal Campaign Officeholder Contributions.

Recommendation: As recommended by the Ethics Commission and Rules Committee, approve an ordinance amending Sections 12.02.040, 12.02.050, 12.02.070, and 12.02.090 of Chapter 12.02, Sections 12.04.025, 12.04.060, 12.04.100, and 12.04.120 of Chapter 12.04, Section 12.05.080 of Chapter 12.05, Sections 12.06.210, 12.06.290, 12.06.295,

(Item Continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.4 (Cont'd.)

12.06.600, 12.06.610, 12.06.710, 12.06.720, 12.06.910, 12.06.920, 12.06.930, 12.06.1000, 12.06.1010, and deleting Section 12.06.140 and Part 5 of Chapter 12.06 of Title 12 of the San Jose Municipal Code relating to municipal elections and campaign and officeholder contributions. CEQA: Not a Project, File No. PP10-068(c), Code or Policy change that involve no change in the physical environment. (City Attorney/City Clerk) *Approval of this item required 8 or more affirmative votes (2/3).*

Ordinance No. 29642 passed for publication, including a change to Councilmember Chappie Jones' recommendation (I) from his memorandum dated October 5, 2015, regarding submission of Form 460 from 2 days before the election to noon, one day before election day.

3.5 Actions Related to the Agreement with Calpine/Metcalf Energy for Air Monitoring Stations.

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the certain Cooperation Agreement between the City and CPN Delta Inc. and Metcalf Energy Center, LLC (collectively, "Calpine"), that eliminates the requirement that Calpine construct two air quality monitoring stations in exchange for payment to the City of no less than \$1,000,000 upon the terms and conditions outlined in the staff memorandum. CEQA: Exempt, 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, 8/18/15 – Item 3.3, and 10/6/15 – Item 3.3)

Heard in the Evening

Resolution No. 77559 adopted.

3.6 Resolution Against Torture and In Support of the Vietnam Human Rights Act of 2015 (H.R. 2140).

Recommendation: As recommended by the Rules and Open Government Committee on October 7, 2015:

- (a) That the City Council adopt a resolution in support of H.R. 2140 (Smith) – The Vietnam Human Rights Act of 2015 – to withhold non-humanitarian assistance to the Government of Vietnam, or to any organization working within Vietnam under an agreement signed with a Government of Vietnam entity, agency, or organization, due to their lack of progress in stopping human rights abuses committed against political and religious prisoners, journalists, bloggers, independent labor union members, democracy and free speech advocates and those detained for engaging in religious activity or peaceful protests against religious freedom restrictions;

Resolution No. 77560 adopted.

Noes: Oliverio

(Item Continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.6 Resolution Against Torture and In Support of the Vietnam Human Rights Act of 2015 (H.R. 2140) (Cont'd.)

- (b) To encourage Congress to pass legislation in the future that imposes sanctions on individuals who are complicit in human rights abuses and torture committed against nationals of Vietnam or their families; and
- (c) Direct the City Clerk to send a copy of the Resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the Honorable Members of the United States Congress representing the City of San José.

CEQA: Guidelines Section 15061(b)(3). No potential for causing a significant effect on the environment. (Mayor/M. Nguyen/T. Nguyen/Kalra)
[Rules Committee referral from 10/7/15 – Item G(5)]

Heard in the Evening

Accepted.

Noes: Oliverio

4. COMMUNITY & ECONOMIC DEVELOPMENT

5. NEIGHBORHOOD SERVICES

5.1 Audit of the Golf Course Fund of the Parks, Recreation and Neighborhood Services Department.

Recommendation: As recommended by the Neighborhood Services and Education Committee on September 10, 2015, accept the report with information on the causes of decline in net operating and maintenance income to the Golf Course Fund. CEQA: Not a Project, File No. PP10-069(a), Staff Reports, Assessments, and Annual Reports. (City Auditor)

[Neighborhood Services and Education Committee referral 9/10/15 – Item d(1)]
(Deferred from 10/6/15 – Item 5.1)

Deferred to 11/17/15 (Evening) per Administration

6. TRANSPORTATION & AVIATION SERVICES

6.1 Amendment to the Airport Rate Resolution to Update the Airport Rate Procedures and Methodologies.

Recommendation: Adopt a resolution:

- (a) Revising Aircraft Parking Fees for commercial and general aviation aircraft, Ground Transportations Definitions, Ground Transportation Fees and Charges, Non-Airline Terminal Space rates and Miscellaneous Accounting Fees effective November 1, 2015;
- (b) Re-adopting all other Airport Fees, Rates and Charges; and
- (c) Repealing Resolution No. 76937.

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

Resolution No. 77561 adopted.

6.2 Funding Agreement with Santa Clara Valley Transportation Authority for the US 101/Zanker Road Interchange Project.

Recommendation: Approve a funding agreement between the City of San José and the Santa Clara Valley Transportation Authority to initiate preliminary engineering and environmental clearance for the US 101/Zanker Road Interchange Project in the amount of \$1,500,000 and for a term beginning at the date of full execution to June 30, 2018.

CEQA: Exempt, Guidelines Section 15262, Feasibility and Planning Studies and Guidelines Section 15061(b)(3) No potential for causing a significant effect on the environment. File No. PP15-095. (Transportation)

Approved.

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. REDEVELOPMENT – SUCCESSOR AGENCY

- **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 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>
10329	955 Branham Ln	9	D R Horton	28/24	SFA

- **Open Forum**

- (1) **C.J. Walker complained that exorbitant rental prices in Silicon Valley are chasing out low-income residents that have contributed to this Valley throughout their lives.**
- (2) **David Wall offered his appreciation to the San José Police Department and Councilmember Raul Peralez for the safety they have provided to his community, although the vagrant issue remains a problem.**

- **Adjournment**

Vice Mayor Rose Herrera adjourned the afternoon Council session at 3:56 p.m.

10. GENERAL PLAN PUBLIC HEARINGS

No General Plan Public Hearing at this time.

11. PUBLIC HEARINGS ON CONSENT CALENDAR

11.1 Public Hearings on Consent Calendar.

Recommendation:

(a) **Rezoning the Real Property Located at 33 N 5th Street.**

Consideration of an ordinance rezoning the real property located at 33 N 5th Street from the CG Commercial General and R-M Multiple Residence Zoning Districts to the DC Downtown Primary Commercial Zoning District to allow greater mix of uses on a 1.4-gross acre site (SJSC Properties LLC, Owner). Planning Commission recommends approval (4-0-2) (Ballard and Bit-Badal absent). CEQA: Addendum, Envision San José 2040 General Plan Final EIR (Resolution No. 76041 adopted November 1, 2011). (Planning, Building and Code Enforcement)
C15-039 – District 3

Ordinance No. 29637 passed for publication.

(b) **Rezoning the Real Property Located on the East Side of Monterey Road and East Alma Avenue.**

Consideration of an ordinance rezoning the real property located on the east side of Monterey Road, approximately 300 feet of East Alma Avenue (1578 Monterey Road) from the CG(PD) Planned Development Zoning District to the CG(PD) Planned Development Zoning District to modify drive-through development standards within an existing shopping center on a 19.7-gross acre site (Sun Garden Packing Co. et-al, Owner). Planning Commission recommends approval (4-0-2) (Ballard and Bit-Badal absent). CEQA: Determination of Consistency with the Sun Garden Redevelopment Project Final EIR, (Resolution No. 75929 adopted June 21, 2011). (Planning, Building and Code Enforcement)
PDC15-037 – District 7

Ordinance No. 29638 passed for publication.

11. PUBLIC HEARINGS ON CONSENT CALENDAR

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

Recommendation:

- (c) **Rezoning the Real Property Located at the Northeast Corner of Roehampton Avenue and Story Road.**

Consideration of an ordinance rezoning the real property located at the northeast corner of Roehampton Avenue and Story Road (14335 Story Road) from unincorporated County to PQP Public/Quasi Public Zoning District on an approximately 0.77 gross acre site (Thien Nguyen, Owner). CEQA: Addendum, Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041 adopted November 1, 2011). (Planning, Building and Code Enforcement) C15-012 – District 5

Ordinance No. 29639 passed for publication.

11. PUBLIC HEARINGS

11.2 Consideration of Actions Related to the Property Located North of East Hamilton Avenue and East of South Bascom Avenue.

Recommendation:

- (a) Adopt a resolution adopting the Addendum to the PDC83-034 Greylands Business Park Final Environmental Impact Report (FEIR), Resolution No. 56883, and the related Mitigation Monitoring and Reporting Program; and

Resolution No. 77562 adopted.

- (b) Consideration of an ordinance rezoning the real property located on an approximately 24.6 gross acre site located north of East Hamilton Avenue and east of South Bascom Avenue (2055, 2085, 2105, 2125, and 2145 East Hamilton Avenue and 1550 South Bascom Avenue) from A(PD) Planned Development Zoning District to IP(PD) Planned Development Zoning District to allow the construction of an approximately 20,000-square foot assembly building for existing employees at an existing research and development campus (eBay, Inc., Owner).

Ordinance No. 29640 passed for publication.

(Item Continued on the next page)

11. PUBLIC HEARINGS

11.2 Consideration of Actions Related to the Property Located North of East Hamilton Avenue and East of South Bascom Avenue (Cont'd.)

- (c) Consideration of a Planned Development Permit to effectuate Planned Development Zoning PDC15-030 and allow the construction of an approximately 20,000-square foot assembly building, an approximately 3,555-square foot metal space frame with canopy, the removal of seven ordinance-sized trees, and Saturday construction hours. If Council approves the rezoning ordinance in subsection (b), continue the Planned Development Permit for approval on the same date as the final adoption of the rezoning ordinance in accordance with Title 20 of the Municipal Code.

CEQA: Addendum to the PDC83-034 Greylands Business Park EIR (Resolution No. 56883, adopted August 30, 1983). (Planning, Building and Code Enforcement)
PDC15-030 & PD15-026 – District 6

Approved, including the joint memorandum from Mayor Sam Liccardo, Vice Mayor Rose Herrera and Councilmembers Oliverio, Rocha and Khamis, dated October 16, 2015, including enforcement of a 10 a.m. construction start time on Saturdays and utilization of a web-based portal to update residents on construction status. Also, Council requested that the community be allowed use of this venue for gathering purposes at least once per year.

11. PUBLIC HEARINGS

11.3 Rezoning the Real Property Located at the Southeast Corner of Meridian Avenue and Fruitdale Avenue.

Recommendation: Consideration of an ordinance rezoning the real property located at the southeast corner of Meridian Avenue and Fruitdale Avenue (900 Meridian Avenue) from CP Commercial Pedestrian Zoning District to CN Commercial Neighborhood Zoning District to allow a drive-thru carwash and approximately 1,900 square foot convenience store for an existing gasoline service station on a 0.47 gross acre site.

CEQA: An Addendum to the Envision San José 2040 General Plan EIR (Resolution No. 7604, adopted November 1, 2011). (Planning, Building and Code Enforcement)
C15-034 – District 6

Ordinance No. 29641 passed for publication.

- **Open Forum**
 - (1) **Blair Beekman congratulated Alameda County for their recently enacted policies on national security and suggested that San José take a similar stand.**
- **Adjournment**

Vice Mayor Rose Herrera adjourned the evening Council session at 9:16 p.m.