

# CITY COUNCIL AGENDA

**NOVEMBER 10, 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 14<sup>th</sup> 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](mailto: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**  
9:33 a.m. - Closed Session, Call to Order in Council Chambers  
**Absent Councilmembers: All Present.**  
1:32 p.m. - Regular Session, Council Chambers, City Hall  
**Absent Councilmembers: All Present.**
- **Invocation (District 10)**  
Pastor Jordan Wong, Almaden Neighborhood Church, presented the Invocation.
- **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.
- **Closed Session Report – *Heard after Ceremonial Items***  
None provided.

# 1. CEREMONIAL ITEMS

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- 1.1 Presentation of a proclamation recognizing November 11, 2015 as Veterans' Day in the City of San José. (Herrera)  
**Mayor Sam Liccardo and Vice Mayor Rose Herrera recognized November 11, 2015 as Veterans' Day in the City of San José.**
- 1.2 Presentation of a commendation to the Veterans Supportive Services Agency for their commitment to serve the Veteran Community in the City of San José. (Herrera)  
**Mayor Sam Liccardo, Vice Mayor Rose Herrera and Councilmember Manh Nguyen commended the Veterans Supportive Services Agency for their remarkable commitment to serve the Veteran Community in the City of San José.**
- 1.3 Presentation of a commendation to The First Tee of Silicon Valley for positively impacting the youth of San José for ten years. (Carrasco)  
**Mayor Sam Liccardo and Councilmember Magdalena Carrasco commended the First Tee of Silicon Valley for positively impacting the youth of San José for ten years.**

# 2. CONSENT CALENDAR

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- 2.1 **Approval of Minutes.**  
**None provided.**
- 2.2 **Final Adoption of Ordinances.**

**Recommendation:** Final adoption of ordinances.

- (a) ORD. NO. 29644 – An ordinance rezoning the real property located on an approximately 2.6 gross acre site situated on the east side of Edenvale Avenue approximately 1,000 feet north of Chynoweth Avenue (APN 685-03-002) from the LI Light Industrial Zoning District to the A(PD) Planned Development Zoning District. CEQA: Mitigated Negative Declaration, File No. PDC14-060/PD15-019/PT15-023. (Planning, Building and Code Enforcement). District 2. File No. PDC14-060/PD15-019/PT15-023.  
**Ordinance No. 29644 adopted.**
- (b) ORD. NO. 29645 – An ordinance amending Chapter 9.10 of Title 9 of the San José Municipal Code to add new sections 9.10.151 and 9.10.545 to add the definition of illegal dumping and language prohibiting illegal dumping. CEQA: Not a Project, File No. PP10-068, General procedure and policy making that involve no change in the environment. (Environmental Services/Planning, Building and Code Enforcement)  
**Ordinance No. 29645 adopted.**

## 2. CONSENT CALENDAR

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### 2.3 Approval of Council Committee Minutes.

**Recommendation:** Approval of Council Committee Minutes.

- (a) Rules and Open Government Committee Minutes of October 21, 2015. (Mayor)
- (b) Community and Economic Development Committee Minutes of October 26, 2015. (Khamis)

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 Councilmember Carrasco from the October 7, 2015 Rules and Open Government Committee Meeting. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Carrasco)

**Approved.**

### 2.5 City Council Travel Reports.

**Recommendation:**

- (a) Hear the travel report on Councilmember Peralez's park tours in Los Angeles, New York, and Philadelphia. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Peralez)

**Councilmember Raul Peralez provided observations from his park tours of Los Angeles, New York and Philadelphia and referred to his information memorandum dated November 3, 2015.**

### 2.6 Report from the Council Liaison to the Retirement Boards.

**None provided.**

### 2.7 Actions Related to the Agreement with Silicon Valley Creates for Public Art Management Services.

**Recommendation:**

- (a) Adopt a resolution authorizing the City Manager or his designee to negotiate and execute the Agreement for Public Art Management Services between the City of San José and Silicon Valley Creates in an amount not to exceed \$50,000, subject to the appropriation of funds.

**Resolution No. 77573 adopted.**

*(Item Continued on the next page)*

## 2. CONSENT CALENDAR

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### 2.7 Actions Related to the Agreement with Silicon Valley Creates for Public Art Management Services (Cont'd.)

- (b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
- (1) Increase the Appropriation to the Office of Economic Development for Cultural Affairs Special Projects in the amount of \$20,000; and
  - (2) Increase the estimate for Other Revenue by \$20,000.

CEQA: Not a Project, File No. PP10-066(a), Agreements and Contracts that involve no change in the physical environment. (Economic Development/City Manager)  
Resolution No. adopted.

**Resolution No. 77574 adopted.**

**Ordinance No. 29646 adopted.**

### 2.8 Application for Clean Water State Revolving Fund Loan for the Digester and Thickener Facilities Upgrade Project.

**Recommendation:** Adopt resolutions to:

- (a) Authorize the City Manager to execute and deliver documents to the State Water Resources Control Board to complete the financial assistance application for a Clean Water State Revolving Fund Loan to finance the Digester and Thickener Facilities Upgrade Project at the San Jose-Santa Clara Water Pollution Control Plant;

**Resolution No. 77575 adopted.**

- (b) Declare the official intent of the City of San José to reimburse itself for certain capital expenditures related to the Digester and Thickener Facilities Upgrade Project from the proceeds of the Clean Water State Revolving Fund Financing Agreement Project Funds; and

**Resolution No. 77576 adopted.**

- (c) Pledge revenues received from the San José Sewer Service and Use Charge, the City of Santa Clara, and from Outside Users that are deposited into the San José-Santa Clara Treatment Plant Fund pursuant to San José Municipal Code Chapter 4.80 and written agreements with these agencies for each agency's share of the capital cost including repayment of any and all Clean Water State Revolving Fund financings for the Digester and Thickener Facilities Upgrade Project.

CEQA: Mitigated Negative Declaration, File No. PP15-055. (Environmental Services/Finance)

**Resolution No. 77577 adopted.**

## 2. CONSENT CALENDAR

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### 2.9 Amendment to the Agreement with AN West, Inc. and MTH Engineers, Inc. for Various City Projects. (*DEFERRED*)

**Recommendation:** Approve the First Amendment to the Master Agreement with AN West, Inc. and MTH Engineers, Inc., a Joint Venture for various City projects to: (1) increase the total compensation by \$600,000 for a total agreement amount not to exceed \$1,100,000, and (2) extend the term of the agreement from December 31, 2015 to December 31, 2018. CEQA: Statutorily Exempt, File No. PP10-066(d), CEQA Guidelines Section 15262, Feasibility and Planning Studies. (Public Works)

**Deferred to 11/17/15 per Administration**

### 2.10 Community Health Resource Fair.

**Recommendation:** As recommended by the Rules and Open Government Committee on October 28, 2015:

- (a) Approve the District 5 Community Health Resource Fair scheduled on November 14, 2015 as a City Council sponsored Event and approve the expenditure of funds; and
- (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. (Carrasco)  
[Rules Committee referral from 10/28/15 – Item G(1)(a)]

**Approved.**

### 2.11 East San José Infant Clothing Drive.

**Recommendation:** As recommended by the Rules and Open Government Committee on October 28, 2015:

- (a) Approve the East San José Infant Clothing Drive scheduled on November 16, 2015 until November 27, 2015 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (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. (Carrasco)  
[Rules Committee referral from 10/28/15 – Item G(1)(b)]

**Approved.**

## 2. CONSENT CALENDAR

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### 2.12 Code for San José – Civic Hack Night.

**Recommendation:** As recommended by the Rules and Open Government Committee on October 28, 2015:

- (a) Approve the Code for San José – Civic Hack Night scheduled on November 12, 2015 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (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. (Mayor)  
[Rules Committee referral from 10/28/15 – Item G(1)(c)]

**Approved.**

### 2.13 Community Events Sponsored by Council District 7.

**Recommendation:** As recommended by the Rules and Open Government Committee on October 14, 2015:

- (a) Retroactively approve the Seven Trees Litter Clean Up scheduled on October 10, 2015; Crime Prevention Seminar on October 14, 2015; Coyote Creek Clean Up at Yerba Buena Road on October 17, 2015; Halloween Family Fun Night at Alma on October 31, 2015; and Halloween Family Fun Night at Santee on October 31, 2015 as City Council sponsored Special Events and approve the expenditure of funds;
- (b) Approve the Bay Area Hmong New Year Celebration and Resource Fair on November 14, 2015; Iola Williams Senior Advisory Board Holiday Event on December 5, 2015; District 7 Townhall Meeting on December 9, 2015; District 7 Community Volunteer Appreciation on December 12, 2015; District 7 Youth Commission Holiday Appreciation on December 19, 2015; Litter and Graffiti Clean Up on January 30, 2015; Women and Girls Empowerment Seminar on March 12, 2016; and District 7 Community Day on March 19, 2016 as City Council sponsored Special Events and approve the expenditure of funds;
- (c) Approve and accept donations from various individuals, businesses or community groups to support the events.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events; Exempt, File No. PP13-056. (T. Nguyen)

[Rules Committee referral from October 14, 2015 – Item G(1)(a)]

**Approved.**



## 2. CONSENT CALENDAR

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### 2.14 Appointment of Independent Police Auditor and Compensation Package.

**Recommendation:** Adopt a resolution appointing Walter W. Katz for services as Independent Police Auditor for a term beginning December 28, 2015 and ending December 31, 2016 and approving terms of compensation. (Mayor)

**Resolution No. 77578 adopted.**

### 2.15 General Plan 2040 Four-Year Major Review Task Force.

**Recommendation:** As recommended by the Rules and Open Government Committee on November 4, 2015, approve the General Plan 2040 Four-Year Major Review Task Force membership. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities that involve no approval of City actions with a potential change in the environment.

(Mayor)

(Rules Committee referral from 11/4/15 – Item G.5.)

**Approved.**

## 3. STRATEGIC SUPPORT SERVICES

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

### 3.2 Labor Negotiations Update.

**Recommendation:** Accept Labor Negotiations Update.

**None provided.**

### 3.3 Urban Agriculture Incentive Zone Ordinance. (*DEFERRED*)

**Recommendation:** As recommended by the Rules and Open Government Committee on October 7, 2015, adopt a resolution authorizing parcels that are located in both an unincorporated Santa Clara County and within the sphere of influence of the City of San José to be eligible for incentives under the County’s Urban Agriculture Incentive Zone Ordinance. CEQA: Exempt, Guideline Section 15304 Minor Alterations to Land File No. PP15-108. (City Attorney)

[Rules and Open Government Committee referral 10/07/15 - Item g(4)]

(Deferred from 10/27/15 – Item 3.3)

**Deferred to 11/17/15 per Administration**

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.4 Police Department Hiring Audit. (*DEFERRED*)

**Recommendation:** As recommended by the Public Safety, Finance, and Strategic Support Committee on September 17, 2015, accept the audit report on Police Hiring: Additional Efforts to Recruit Qualified Candidates Urgently Needed to Fill Vacancies. CEQA: Not a Project, File No. PP10-069(a), Staff Reports, Assessments and Annual Reports that involve no approval of City actions with a potential change in the environment. (City Auditor)

[Public Safety, Finance, and Strategic Support Committee referral 9/17/15 – Item d(4)]  
(Deferred from 10/6/15 – Item 3.5 and 10/27/15 – Item 3.5)

**Deferred to 12/1/15 per Administration**

### 4. COMMUNITY & ECONOMIC DEVELOPMENT

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#### 4.1 Actions Related to the Conditional Grant Commitment and Site Lease for Rehabilitation of the Vermont House.

**Recommendation:** Conduct a Public Hearing and adopt a resolution:

- (a) Approving a conditional grant commitment (“Grant”) to Housing for Independent People (“Developer”), a nonprofit public benefit corporation merged with Abode Services, Inc., of up to \$3,017,000 to rehabilitate the City-owned Vermont House, located at 1072 and 1082 Vermont Street (“Property”) to provide 16 rooms in two residential houses for homeless individuals or couples (“Project”);
- (b) Accepting the summary of costs and findings of the Summary Report pursuant to Section 33433 of the California Health and Safety Code for the disposition of the Property to Developer under the terms and conditions of the proposed Ground Lease, and approving the Ground Lease;
- (c) Authorizing the Interim Director of Housing to enter into the Ground Lease with Developer for a term of not more than thirty (30) years at a nominal rent; and
- (d) Authorizing the Interim Director of Housing, or her designee, to set the specific business terms and to negotiate and execute any and all documents necessary to implement the Project, including, but not limited to, the Grant Agreement, applications, agreements, amendments, and payment requests which may be necessary in connection with the Grant.

CEQA: Exempt, Guidelines Section 15302, Replacement or Reconstruction and 15330 Minor Action to Mitigate/Eliminate Hazardous Wastes or Substances. File No. PP15-109. Council District 6. (Housing)

**Public hearing held.**

**Resolution No. 77579 adopted.**

## 4. COMMUNITY & ECONOMIC DEVELOPMENT

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### 4.2 Update on the Affordable Housing Impact Fee on Residential Development.

**Recommendation:**

- (a) Accept an update on the status of the Affordable Housing Impact Fee (AHIF), approved by City Council on November 18, 2014;
- (b) Discuss and provide direction on staff responses to questions posed by the City Council at the November 18, 2014, meeting about the AHIF; and
- (c) Direct staff to return with a resolution modifying the AHIF to exempt rental developments with fewer than 20 units.

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities that involve no approval of City actions with a potential change in the environment. (Housing)

**Accepted, including Councilmember Donald Rocha’s memorandum dated November 9, 2015; Mayor Sam Liccardo’s recommendation to accelerate analysis of mixed use development, and with an additional exemption included for assisted living/memory care facilities.**

**Noes: Khamis.**

### 4.3 Actions Related to the Urban Village Master Plan Consulting Services. (*DEFERRED*)

**Recommendation:** Accept the report on the Request for Proposal (“RFP”) for consultants to assist with the development of the City’s Urban Village Master Plans and adoption of a resolution authorizing the City Manager to:

- (a) Execute Master Agreements for consultants to provide Urban Village Master Plan Consulting Services in seven technical areas: 1) Urban Design, 2) Circulation Improvements, 3) Environmental Review Analysis, 4) Online Engagement, 5) Public Finance, 6) Public Art, and 7) Traffic Impact Analysis, for an initial five-year term ending November 2020, with the various consultants and respective amounts listed below, and a maximum aggregate compensation not to exceed \$12,580,000 for all the Agreements, subject to the appropriation of funds.

<b>Vendor Name</b>	<b>Maximum Compensation</b>
(1) AECOM, Inc. (San Diego, CA)	\$1,000,000
(2) Alta Planning & Design (San José, CA)	\$500,000
(3) Bottomley (Oakland, CA)	\$500,000
(4) Circlepoint (San José, CA)	\$270,000
(5) David J. Powers (San José, CA)	\$1,000,000
(6) Dyett & Bhatia (San Francisco, CA)	\$500,000
(7) Economic & Planning (Oakland, CA)	\$500,000
(8) ESA Associates (San Francisco, CA)	\$1,000,000
(9) Fehr & Peers (San José, CA)	\$500,000
(10) Gehl Studio (San Francisco, CA)	\$270,000
(11) Hexagon (San José, CA)	\$270,000
(12) HKS Architects (Dallas, TX)	\$500,000

*(Item Continued on the next page)*

## 4. COMMUNITY & ECONOMIC DEVELOPMENT

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### 4.3 Actions Related to the Urban Village Master Plan Consulting Services. (DEFERRED) (Cont'd.)

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|-----|------|---|-------------|
| (a) | (13) | Keyser Marston (San Francisco, CA)          | \$500,000   |
|     | (14) | Kimley & Horn (San José, CA)                | \$500,000   |
|     | (15) | Metropolitan Planning (Mountain View, CA)   | \$270,000   |
|     | (16) | Moore Iacofano Goltsman (Berkeley, CA)      | \$1,000,000 |
|     | (17) | Nelson\Nygaard (San Francisco, CA)          | \$500,000   |
|     | (18) | Opticos Design (Berkeley, CA)               | \$500,000   |
|     | (19) | Placeworks (Berkeley, CA)                   | \$500,000   |
|     | (20) | Skidmore, Owings & Merrill New York, NY)    | \$500,000   |
|     | (21) | Strategic Economics (Berkeley, CA)          | \$500,000   |
|     | (22) | Wallace, Roberts & Todd (San Francisco, CA) | \$500,000   |
|     | (23) | ZGF (Portland, OR)                          | \$500,000   |
- (b) Execute amendments to the Master Agreements to increase or decrease the maximum compensation of each agreement, not to exceed the aggregate compensation amount of \$12,580,000 for all of the agreements.
- (c) Execute three one-year options to extend the term of the Agreements, after the initial five-year term, subject to the appropriation of funds.

CEQA: Exempt, CEQA Guidelines Section 15262. Feasibility and Planning Studies.  
(Planning, Building and Code Enforcement/Finance)

**Deferred to 11/17/15 per Administration**

### 4.4 Issuance of Tax-Exempt Multifamily Housing Revenue Bonds and Loan of Bond Proceeds for Casa Del Pueblo Apartments Development.

**Recommendation:** Adopt a resolution:

- (a) Authorizing the issuance of tax-exempt multifamily housing revenue bonds designated as “City of San José Multifamily Housing Revenue Bonds (Casa Del Pueblo Apartments), Series 2015D” in a principal amount not to exceed \$30,000,000 (“Series 2015D Bonds”);
- (b) Approving a loan of Series 2015D Bond proceeds to Casa Del Pueblo Preservation Limited Partnership, a California limited partnership created by Preservation Partners Development III, L.P, to finance the acquisition and rehabilitation of the Casa Del Pueblo Apartments located at 200 South Market Street in San José;
- (c) Approving in substantially final form the Trust Indenture, Loan Agreement, Regulatory Agreement and Declaration of Restrictive Covenants, Bond Purchase Agreement, and Official Statement (collectively, the “Series 2015D Bond Documents”); and

*(Item Continued on the next page)*

## 4. COMMUNITY & ECONOMIC DEVELOPMENT

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### 4.4 Issuance of Tax-Exempt Multifamily Housing Revenue Bonds and Loan of Bond Proceeds for Casa Del Pueblo Apartments Development (Cont'd.)

- (d) Authorizing and directing the City Manager, Director of Finance, Assistant Director of Finance, and Interim Director of Housing, or their designees, to execute and deliver the Series 2015D Bond Documents and related Series 2015D Bond documents as necessary.

CEQA: Exempt, Guidelines Section 15061(b)(3), File No. PP15-105. Council District 3. (Housing/Finance) (Deferred from 11/3/15 – Item 4.1)

**Resolution No. 77580 adopted.**

## 5. NEIGHBORHOOD SERVICES

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### 5.1 Report on Age-Friendly City Initiative. *Heard immediately following Consent.*

**Recommendation:** As recommended by the Neighborhood Services and Education Committee on September 10, 2015, accept the report on Age-Friendly City Initiative as supported by the World Health Organization. CEQA: Not a Project, File No. PP10-069(a), Staff reports, Assessments, and Annual Reports that that involve no approval of City actions with a potential change in the environment. (Parks, Recreation and Neighborhood Services)

[Neighborhood Services and Education Committee referral from 9/10/15 – Item (d)(2)]

**Accepted, with staff directed to include information for creating housing for persons requiring memory-assisted living care.**

### 5.2 Actions Related to the Saint James Park Revitalization Strategy.

**Recommendation:**

- (a) Accept and support the Saint James Park Revitalization Strategy (Strategy);  
(b) Direct staff to meet with stakeholders, reporting to the Director of Parks, Recreation and Neighborhood Services, to assist in the implementation of the Strategy;

**Accepted.**

**Noes: Oliverio, Rocha.**

- (c) Adopt a resolution to:
- (1) Establish a new Saint James Park Area park fee program to allow high-rise developers to voluntarily pay 50% of their parkland in-lieu fees, and to make a donation credited against the equivalent of the remaining 50% to be used for parks operations, maintenance, and activation; and allow mid-rise developers to voluntarily pay 75% of their parkland in-lieu fees and to make a donation credited against the equivalent to the remaining 25% to be used for parks operations, maintenance, and activation; and

*(Item Continued on the next page)*

## 5. NEIGHBORHOOD SERVICES

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### 5.2 Actions Related to the Saint James Park Revitalization Strategy (Cont'd.)

- (c) (2) Authorize the City Manager to execute agreements with developers within the Saint James Park Area that are willing to participate in the program on the terms specified in the resolution.

**Resolution No. 77581 adopted.**

**Noes: Oliverio, Rocha.**

- (d) Direct staff to return to City Council in winter 2016-2017 with a feasibility study for the potential formation of a special financing district and/or other sustainable funding mechanism for operations, maintenance and capital repairs of Downtown parks, as well as for all parks within the City of San José. This study should be funded with an appropriate parks capital funding source.

CEQA: Exempt, Guidelines Section 15061(b)(3). No potential for causing a significant effect on the environment. Council District 3. (Parks, Recreation and Neighborhood Services)

**Accepted.**

**Noes: Oliverio, Rocha.**

## 6. TRANSPORTATION & AVIATION SERVICES

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### 6.1 Actions Related to the Agreement with Taxi San José for the On-Demand Ground Transportation Program. (*DEFERRED*)

**Recommendation:** As recommended by the Transportation and Environment Committee on October 5, 2015, accept the report regarding Citywide taxicab regulations and operations of taxicabs and Transportation Network Companies (TNC) at the Airport. CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Airport) [Transportation and Environment Committee referral from 10/5/15 – Item (d)(5)] (Deferred from 11/3/15 – Item 6.1)

**Deferred to 11/17/15 per Administration**

## **6. TRANSPORTATION & AVIATION SERVICES**

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### **6.2 Management and Operating Plan for the Transportation Network Companies (TNCs) at the Airport.**

**Recommendation:** As recommended by the Transportation and Environment Committee on October 5, 2015, accept the Airport staff report and recommendations related to the current status of Transportation Network Companies (TNC) activity at Mineta San José International Airport. CEQA: Not a Project, File No. PP10-069(a), Staff reports, Assessments, and Annual Reports that involve no approval of City actions with a potential change in the environment. (Airport)

[Transportation and Environment Committee referral from 10/5/15 – Item (d)(6)]  
(Deferred from 11/3/15 – Item 6.2)

**Accepted, including Staff’s supplemental memorandum, dated November 2, 2015, Recommendation #2 approving TNC operations at the Airport and the Management and Operating Plan; the joint memorandum from Mayor Sam Liccardo, Vice Mayor Rose Herrera and Councilmembers Peralez, Rocha and Khamis, dated November 6, 2015 (Items 1-5); Councilmember Raul Peralez’ memorandum dated November 10, 2015 regarding safety inspections of TNC vehicles; and with the assurance that TNC fines be fully paid before being allowed to operate at the Airport. Staff was asked to continue its research into the availability of data related to accidents and/or incidents occurring at the Airport, the question of predatory pricing/permit conditions violated, and to determine drivers’ requirement to have business licenses visible and available for inspection.**

## **7. ENVIRONMENTAL & UTILITY SERVICES**

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## **8. PUBLIC SAFETY SERVICES**

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## **9. REDEVELOPMENT – SUCCESSOR AGENCY**

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- **Open Forum**  
Brian Darby provided an acknowledgement of Veteran’s Day.
- **Adjournment**  
The Council of the City of San José adjourned at 7:46 p.m.