



CITY COUNCIL AGENDA

DECEMBER 19, 2014

SYNOPSIS

PETE CONSTANT
ASH KALRA
SAM LICCARDO
XAVIER E. CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON NGUYEN, VICE MAYOR
ROSE HERRERA
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. If you wish to speak to the City Council, please refer to the following guidelines:

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

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

The San José City Council meets every Tuesday at 1:30 p.m. and 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**

1:34 p.m. Adjourned Meeting

Open Session

Absent Council Members: Campos, Kalra, Rocha. (Excused)

Vacant: District 4.

Closed Session, Call to Order in Council Chambers

Adjourn to Closed Session in Council Chambers Conference Room, W133

Convene Special Meeting, See Separate Agenda

Motion to meet in Closed Session failed.

(6-1-3-1. Noes: Oliverio. Absent: Campos, Kalra, Rocha. Vacant: District 4.)

- **Closed Session Report**

No Report.

3. STRATEGIC SUPPORT SERVICES

3.1 Interim Appointment to Vacant District 4 Seat.

Recommendation: As recommended by the Rules and Open Government Committee on December 10, 2014, appoint an interim representative for Council District 4 to serve until a new Council Member has been elected. (Mayor/Liccardo)

[Rules Committee referral 12/10/14 – Item G(7)]

(Continued from 12/16/14 – Item 3.13)

(Action Continued on the Next Page)

3. STRATEGIC SUPPORT SERVICES

3.1 Interim Appointment to Vacant District 4 Seat. (Action Cont'd.)

Bob Dhillon, Marjorie McInnis Matthews and Robyn Shearin were interviewed.

The Council voted to approve an appointment to District 4 of an interim Council Member to be effective after the Oath of Office is administered by the City Clerk at the Regularly Scheduled Council Meeting on January 13, 2015.

(6-1-3-0-1. Noes: Oliverio. Absent: Campos, Kalra, Rocha. Vacant: District 4.)

The Council voted to approve the appointment of Marjorie McInnis Matthews as the interim representative for District 4 to serve until a new Council Member has been elected.

(6-0-3-1-1. (Absent: Campos, Kalra, Rocha. Abstain: Oliverio. Vacant: District 4.)

- **Open Forum**

- (1) Stephen Hazel and Shaunn Cartright voiced their own comments on various societal issues.**
- (2) David Wall opined about Montgomery Watson invoices.**
- (3) Jon Max Reger expressed his appreciation to City Manager Edward K. Shikada and the Office of Employee Relations.**

City Manager Edward K. Shikada thanked the Council for allowing him to exercise his unique brand of leadership over the past year, noted that he has been overwhelmed by the outpouring of expressions of support from everyone upon his resignation and wished the City of San José all the best in tackling the difficult choices ahead.

- **Adjournment**

The Council of the City of San José was adjourned at 6:35 p.m.

The Council of the City of San José adjourned to Closed Session at 6:36 p.m. and reconvened to Open Session at 6:42 p.m. There was no Closed Session Report.

The Council of the City of San José will reconvene in Special Closed Session on December 30, 2014 at 2:00 p.m.