



CITY COUNCIL AGENDA

MAY 1, 2012

AMENDED AGENDA

PETE CONSTANT
ASH KALRA
SAM LICCARDO
KANSEN CHU
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
NANCY PYLE

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 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, 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 www.sanjoseca.gov/clerk/agenda.asp. Council Meetings are televised live and rebroadcast on Channel 26.

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

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

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

- **Call to Order and Roll Call**
 - 9:30 a.m. - Closed Session, Call to Order in Council Chambers
 - Open Session, Labor Negotiations Update (See Item 3.2)
 - Adjourn to Closed Session in Council Chambers Conference Room, W133
 - [See Separate Agenda](#)
 - 1:30 p.m. - Regular Session, Council Chambers, City Hall
- **Invocation (District 5)**
 - * Retired Father William Leininger from the Diocese of San José
- **Pledge of Allegiance**
- **Orders of the Day**
 - * Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

THE JOINT CITY OF SAN JOSE CITY COUNCIL/SAN JOSE DIRIDON DEVELOPMENT AUTHORITY AGENDA WILL MEET IN A JOINT SESSION IMMEDIATELY FOLLOWING THE CONSENT CALENDAR

- * ADJOURNMENT: This meeting will be adjourned in memory of Michael L. Hackworth, a Silicon Valley entrepreneur and philanthropist, who passed away on April 21, 2012 at the age of 71. (Constant)

- **Closed Session Report**

1. CEREMONIAL ITEMS

- 1.1 Acceptance of the American Council of Engineering Companies Award for the Happy Hollow Park and Zoo Pedestrian Bridge Project. (Public Works)
* **DEFERRED TO 5/8/12 PER RULES AND OPEN GOVERNMENT COMMITTEE**
- 1.2 Presentation of a proclamation celebrating the Month of May 2012 as “Asian Pacific American Heritage Month” in the City of San José. (Chu/Nguyen/Kalra)
* **DEFERRED TO 5/8/12 PER RULES AND OPEN GOVERNMENT COMMITTEE**
- 1.3 Presentation of a proclamation declaring the Month of May 2012 as “Older Americans Month” in the City of San José. (Constant)
(Rules Committee referral 4/18/12)
- 1.4 Presentation of a proclamation declaring the Month of May 2012 as “Jewish American Heritage Month” in the City of San José. (Herrera)
(Rules Committee referral 4/18/12)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

2.2 Final Adoption of Ordinances.

Recommendation: Final adoption of ordinances.

- (a) ORD. NO. 29054 – Amending Section 20.100.500 of Chapter 20.100 of Title 20 of the San José Municipal Code to modify provisions regarding the issuance of adjustments to extend the term of previously - approved development permits, to reactivate certain previously - expired development permits, and to make other nonsubstantive language clarifications.
- (b) ORD. NO. 29056 – Rezoning certain real property situated at the northwest corner of North First Street and East Taylor Street from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District. PDC05-101

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.

- (a) [Ad Hoc Committee on Airport Competitiveness Report of February 23, 2012.](#) (Mayor)
- * (b) [Community and Economic Development Committee Report of March 26, 2012.](#) (Herrera)
- * (c) [Transportation and Environment Committee Report of April 2, 2012.](#) (Liccardo)
- * (d) [Neighborhood Services and Education Committee Report of April 12, 2012.](#) (Pyle)

2. CONSENT CALENDAR

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 [Report on the Request for Proposal for a Fully Hosted Recreation Electronic Commerce System.](#)

Recommendation:

- (a) Accept the report on Request for Proposal for the purchase of a fully hosted Class Registration Electronic Commerce System; and
- (b) Adopt a resolution authorizing the City Manager to:
 - (1) Execute an [agreement](#) with The Active Network, Inc. (Burnaby, BC Canada) for a fully hosted Recreation Electronic Commerce System (RECS) to include all professional and technical support services, product upgrades, training and on-going product support, for an initial five-year term ending April 30, 2017.
 - (2) Execute five additional one-year options to renew the agreement subject to the annual appropriation of funds.

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

2.8 [Amendment to the Airport Shuttle Bus Services Agreement.](#)

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute the [third amendment to the Airport Shuttle Bus Services Agreement](#) with ShuttlePort California, LLC (Oak Brook, IL), to change the compensation structure from a cost per hour of operation to a hybrid model that includes a fixed monthly rate plus a cost per hour of operation, for the term March 1, 2012 through February 28, 2013; and adding one six month option to extend the Agreement to no later than August 27, 2013, if required, in the event that additional time is required to complete a Request for Proposal process to evaluate and select a shuttle bus operator after the current agreement terms out.
- (b) Exercise the option and to add or reduce the amount of maximum compensation, as required, to reflect market conditions at the Airport, subject to the appropriation of funds.

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

2.9 [Future Roots Cultural Festival.](#)

Recommendation:

- (a) Approve the Future Roots Festival held in Downtown San José, celebrating Asian Pacific American Month, as a City Council sponsored Special Event; and
- (b) Approve expending funds and accepting donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project. (City Clerk)

* (Rules Committee referral 4/25/12)

2. CONSENT CALENDAR

2.10 [District 2 Silver Creek Skate Night.](#)

Recommendation:

- (a) Approve the District 2 Silver Creek Skate Night as a City Council sponsored Special Event; and
- (b) Approve expending funds and staff time to support and promote the event.

CEQA: Not a Project. (City Clerk)

* (Rules Committee referral 4/25/12)

2.11 [Certificate of Sufficiency Minimum Wage Initiative.](#)

[Memo from Councilmember Liccardo](#)

[Memo from Councilmember Rocha](#)

Recommendation:

- (a) Accept the Certificate of Sufficiency issued by the County of Santa Clara Registrar of Voters regarding the Minimum Wage Initiative.
- (b) Refer to staff preparation of a report on the effects of the proposed ordinance consistent with California Elections Code Section 9212 to be presented to the Council no later than May 22, 2012.
- (c) Agendize for the May 22, 2012 City Council meeting a discussion of the report prepared under Section 9212 and Council action on options consistent with San Jose City Charter, Article 16, Sections 1601 (b) and 1603 (a) (2) and California Elections Code Section 9215:
 - (1) Adopt the proposed ordinance as submitted no later than June 1, 2012;
 - (2) Adopt a resolution calling an election to submit the initiative to the voters at a Special Municipal Election on a date to be decided; or
 - (3) Adopt a resolution no later than August 10, 2012 calling an election to submit the initiative to the voters at the next General Election on Tuesday, November 6, 2012

(City Clerk)

* (Rules Committee referral 4/25/12)

2.12 [District 8 Senior Health Fair and Walk.](#)

Recommendation:

- (a) Approve the District 8 Jewish American Heritage Month Reception and Senior Health Fair and Walk Events as a City Council sponsored Special Events; and
- (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project. (City Clerk)

* [Rules Committee referral 4/25/12 – Item G(2)]

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Debra Figone (Verbal Report)

3. STRATEGIC SUPPORT SERVICES

3.2 Labor Negotiations Update

Recommendation: Accept Labor Negotiations Update.
TO BE HEARD AT 9:30 A.M.

3.3 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the Association of Building, Mechanical, and Electrical Inspectors \(ABMEI\).](#)

[Supplemental Memo from the City Manager](#)

Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the Association of Building, Mechanical, and Electrical Inspectors (ABMEI). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)

3.4 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the Association of Engineers and Architects, International Federation of Professional and Technical Engineers, Local 21, Units 41/42 And Unit 43 \(AEA\).](#)

[Supplemental Memo from the City Manager](#)

Recommendation: Adopt a [resolution](#):

- (a) To approve the terms of an agreement with, or approve the implementation of terms contained in the City's Last, Best and Final Offer to the Association of Engineers and Architects, International Federation of Professional and Technical Engineers, Local 21, Units 041 and 042.
- (b) To approve the terms of an agreement with, or approve the implementation of terms contained in the City's Last, Best and Final Offer to the Association of Engineers and Architects, International Federation of Professional and Technical Engineers, Local 21, Unit 043.

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

3.5 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the Association of Legal Professionals of San Jose \(ALP\).](#)

[Supplemental Memo from the City Manager](#)

Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the Association of Legal Professionals of San Jose (ALP). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)

3. STRATEGIC SUPPORT SERVICES

3.6 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the Association of Maintenance Supervisory Personnel, International Federation of Professional and Technical Engineers, Local 21 \(AMSP\).](#)

[Supplemental Memo from the City Manager](#)

Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the Association of Maintenance Supervisory Personnel, International Federation of Professional and Technical Engineers, Local 21 (AMSP). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)

3.7 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the City Association of Management Personnel, International Federation of Professional and Technical Engineers, Local 21 \(CAMP\).](#)

[Supplemental Memo from the City Manager](#)

Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the City Association of Management Personnel, International Federation of Professional and Technical Engineers, Local 21 (CAMP). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)

3.8 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the International Brotherhood of Electrical Workers, Local No. 332 \(IBEW\).](#)

[Supplemental Memo from the City Manager](#)

Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the International Brotherhood of Electrical Workers, Local No. 332 (IBEW). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)

3.9 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the International Union of Operating Engineers, Local No. 3 \(OE3\).](#)

[Supplemental Memo from the City Manager](#)

Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the International Union of Operating Engineers, Local No. 3 (OE3). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)

3. STRATEGIC SUPPORT SERVICES

- 3.10 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the Municipal Employees' Federation, AFSCME, Local No. 101 \(MEF\).](#)
[Supplemental Memo from the City Manager](#)
Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the Municipal Employees' Federation, AFSCME, Local No. 101 (MEF). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)
- 3.11 [Terms of an Agreement with, or Implementation of Terms Contained in the City's Last, Best and Final Offer to the Confidential Employees' Organization, AFSCME, Local No. 101 \(CEO\).](#)
[Supplemental Memo from the City Manager](#)
Recommendation: Adopt a [resolution](#) approving the terms of an agreement with, or approving the implementation of terms contained in the City's Last, Best and Final Offer to the Confidential Employees' Organization, AFSCME, Local No. 101 (CEO). CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)
- 3.12 [Benefit Changes for Executive Management and Professional Employees in Unit 99 and Other Unrepresented Employees \(Units 81/82\)](#)
[Supplemental Memo from the City Manager](#)
Recommendation: Adopt a [resolution](#) approving benefit changes for executive management and professional employees in Unit 99 and other unrepresented employees (Units 81/82). (City Manager's Office)
- 3.13 [Annual Summary of Upcoming Labor Negotiations.](#)
Recommendation: Accept staff report on Annual Summary of Upcoming Labor Negotiations. CEQA: Not a Project, File No. PP10-069(a), Annual Reports. (City Manager's Office)
- 3.14 [Adoption of a Statement of Policy and City Council Questions Related to the Selection of a New City Librarian.](#)
Recommendation: Adopt a statement of Policy and City Council Questions related to the selection of a new City Librarian as described in the memorandum to Council, in compliance with City Charter Section 411.1. CEQA: Not a Project, File No. PP10-069(b), Personnel Related Decisions. (City Manager's Office)
- * **DEFERRED TO 5/8/12 PER RULES AND OPEN GOVERNMENT COMMITTEE**

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 [Public Hearing for the Approval of the 2012-2013 Consolidated Annual Action Plan.](#) [Supplemental Memo from the Director of Housing](#) [Supplemental Memo from the Director of Housing](#)

Recommendation:

- (a) Hold a final public hearing regarding the approval of the City's 2012-2013 Consolidated Annual Action Plan (ConPlan) and take public comment.
- (b) Adopt the 2012-2013 Consolidated Annual Action Plan, including the FY 2012-2013 funding recommendations for the Community Development Block Grant (CDBG) Program, the HOME Investment Partnership Program (HOME), the Housing Opportunities for People with HIV/AIDS (HOPWA) Program, and the Emergency Shelter Grant (ESG) Program.
- (c) Adopt a resolution authorizing the Director of Housing to negotiate and execute all non-capital agreements and contracts not requiring CEQA/NEPA review and to negotiate all capital project agreements and contracts, including any amendments or modifications, for the expenditure of CDBG, ESG, HOME and HOPWA funds on behalf of the City, and after CEQA/NEPA review and City Council approval, to execute all documents.
- (d) Authorize the Housing Department to submit the 2012-2013 Consolidated Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD).

CEQA: Not a Project, File No.PP10-069(a), Annual Report. Specific development projects that are funded as a result of the Consolidated Annual Action Plan are subject to project-specific CEQA clearance. (Housing)

4.2 [Amendment to the 2011-2012 Consolidated Annual Action Plan.](#) [Supplemental Memo from the Director of Housing](#)

Recommendation: Adopt a [resolution](#) approving the Substantial Amendment to the 2011-2012 Consolidated Annual Action Plan (ConPlan) and authorizing the Director of Housing, on behalf of the City, to:

- (a) Submit the Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD);
- (b) Accept a second allotment of FY 2011-2012 federal Emergency Solutions Grant (ESG) funds in the amount of \$248,315;
- (c) Negotiate and execute with HUD all agreements and documents for the expenditure of these funds;
- (d) Utilize \$26,644 of unallocated funds from the City's first allotment of FY 2011-2012 ESG Funds; and
- (e) Negotiate and execute with subrecipient agencies all non-capital agreements and contracts not requiring CEQA/NEPA review.

CEQA: Not a Project, File No.PP10-069(a), Annual Report. Specific development projects that are funded as a result of the Consolidated Annual Action Plan are subject to project-specific CEQA clearance. (Housing)

4.3 [Public Hearing to Vacate a Portion of S. Monroe Street.](#)

Recommendation: Conduct a public hearing and adopt a [resolution](#) to vacate a portion of S. Monroe Street, 300 feet north of Tisch Way. CEQA: Mitigated Negative Declaration, File No. PDC10-018. Council District 6. (Public Works)

5. NEIGHBORHOOD SERVICES

5.1 [Park Trust Fund Annual Report.](#)

Recommendation: Accept this Park Trust Fund annual report for fiscal year 2010-2011. CEQA: Not a Project, File No. PP10-069(a), Annual Reports and Assessments. (Parks, Recreation and Neighborhood Services)

* **DEFERRED TO 5/8/12 PER RULES AND OPEN GOVERNMENT COMMITTEE**

5.2 [Anti-Graffiti Program – Contracted Services Cost Report.](#)

[Attachment – Memo from Councilmembers Campos, Kalra and Chu](#)

Recommendation: Accept this report regarding the on-going administration of graffiti eradication activities. CEQA: Not a Project, File No. PP10-069, Staff Report. (Parks, Recreation and Neighborhood Services)

(Deferred from 4/24/12 – Item 5.1)

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. REDEVELOPMENT – SUCCESSOR AGENCY

9.1 [Strategy and Process for the Disposition of Real Property Assets of the Successor Agency.](#)

[Memo from Councilmember Oliverio](#)

[Memo from Mayor Reed and Councilmembers Rocha and Liccardo](#)

Recommendation: Adopt a [resolution](#) by the City Council, acting in its capacity as the Successor Agency of the Redevelopment Agency of the City of San Jose, approving a strategy and process for the disposition of real property assets of the Successor Agency and directing staff to present the Disposition Strategy to the Oversight Board for approval.

(Rules Committee referral 4/18/12)

9. REDEVELOPMENT – SUCCESSOR AGENCY

9.2 Sale of Real Property located at 193 East Santa Clara Street.

Recommendation: Adopt a [resolution](#) by the City Council, acting in its capacity as the Successor Agency of the Redevelopment Agency of the City of San Jose:

- (a) Approving the [amendment to the Purchase and Sale Agreement](#) for 193 East Santa Clara Street with Brandenburg Properties, LLC and Green Valley Corporation, among other things, extending the close of escrow date to May 31, 2012; and directing staff to place the Successor Agency owned property located at 193 East Santa Clara Street for sale through a solicitation process if escrow is not closed with Brandenburg Properties, LLC and Green Valley Corporation by May 31, 2012.
- (b) Directing staff to present the items to the Oversight Board for approval.
(Rules Committee referral 4/18/12)

9.3 Administrative Budget for FY 2012-2013 (July 1 – December 31, 2012) for the Successor Agency.

* **Recommendation:** Adopt resolutions:

- (a) By the City Council, acting in its capacity as the Successor Agency of the Redevelopment Agency of the City of San José, approving the Administrative Budget for July – December 2012 and directing staff to present the six-month Administrative Budget to the Oversight Board for adoption. [Resolution](#)
- (b) By the City Council approving the July – December 2012 Administrative Budget. [Resolution](#)
(Rules Committee referral 4/18/12)

9.4 Successor Agency Conflict of Interest Code.

Recommendation: Adopt a [resolution](#) by the City Council, as the code reviewing body pursuant to the California Political Reform Act, approving the Conflict of Interest Code for the Successor Agency to the Redevelopment Agency of the City of San José.
(Rules Committee referral 4/18/12)

● Notice of City Engineer’s Pending Decision on Final Maps

* In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/ Units</u>	<u>Type</u>	<u>Proposed Decision</u>
10086	W Side of North 1 st Street approximately 450 feet south of Rios Robles	4	WTI, Inc.	3 Lots / 271 Units	MFA	Approve

Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council.

- **Adjournment**

- * This meeting will be adjourned in memory of Michael L. Hackworth, a Silicon Valley entrepreneur and philanthropist, who passed away on April 21, 2012 at the age of 71.
(Constant)

**JOINT CITY OF SAN JOSE CITY COUNCIL/
SAN JOSE DIRIDON DEVELOPMENT AUTHORITY AGENDA**

1:30 P.M.

TUESDAY, MAY 1, 2012

CHAMBERS

* ***TO BE HEARD IMMEDIATELY FOLLOWING THE CONSENT CALENDAR***

1. Call to Order and Roll Call

2. [Actions Related to the Expansion and Renewal of a Property Based Improvement District in Downtown San José.](#)

Recommendation: It is recommended that the San José City Council and the San José Diridon Development Authority Board take the following actions:

- (a) Adopt resolutions by the [City Council](#) and the [Diridon Development Authority](#) approving the petitions of property owners to expand and renew a Property Based Improvement District (PBID) in Downtown San José.
- (b) Adopt a [resolution](#) by the City Council:
 - (1) Stating its intention to expand and renew a PBID in Downtown San José.
 - (2) Preliminarily approving the Downtown PBID Management Plan/Engineer's Report.
 - (3) Setting a public hearing and calling an election for tabulation of the ballots for June 19, 2012 at 1:30 p.m. or as soon thereafter as the matter may be heard.
- (c) Adopt a [resolution](#) by the City Council, in accordance with San José Municipal Code section 4.12.235, finding the San José Downtown Association (SJDA) remains uniquely situated to manage and oversee the delivery of enhanced and baseline services specified in the PBID Management Plan and Engineer's Report and authorizing the City Manager to negotiate an agreement with the SJDA to continue the management of the Downtown PBID if approved by the property owners on June 19, 2012.

CEQA: Exempt, File No. PP12-053. Council District 3. (Transportation/Public Works)

3. Open Forum

4. Adjourn the Joint City Council/San José Diridon Development Authority.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
 - b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) Speakers should discuss topics related to City business on the agenda.
 - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
 - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
 - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
 - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.