

## SPECIAL MINUTES OF THE CITY COUNCIL

**SAN JOSÉ, CALIFORNIA**

**TUESDAY, JANUARY 20, 2009**

The Council of the City of San José convened in Special Session at 10:24 a.m. in the Conference Rooms 118 and 119, located in the Council Wing at City Hall.

Present: Council Members - Campos, Chu, Constant, Herrera, Kalra, Liccardo, Nguyen, Oliverio, Pyle; Reed.

Absent: Council Members - Chirco. (Excused)

### STRATEGIC SUPPORT SERVICES

#### **3.2 Interview applicants and consider appointments to fill two four-year terms expiring March 1, 2013 on the Elections Commission. (City Clerk)**

Documents Filed: (1) Memorandum from City Clerk Lee Price, dated January 6, 2009, recommending the interview of two applicants and consideration of two appointments to serve unexpired terms ending March 1, 2013. (2) Memorandum from City Attorney Richard Doyle, dated January 9, 2009, providing background on the Elections Commissions and the applicants. (3) Memorandum from Deputy Director of Planning, Building and Code Enforcement Mike Hannon, dated January 6, 2009, responding to possible code violations of applicants. (4) Letter from Fred de Funiak, Chair, Elections Commission, dated January 15, 2009, requesting the reappointment of Michael Smith. (5) Ballot Tally 1, dated January 20, 2009, documenting the results for the Elections Commission.

Action: Erica Cosgrove was appointed to a four year term expiring on March 1, 2013. Michael Smith was reappointed to a four year term expiring on March 1, 2013.

#### **3.1 Interview applicant and consider an appointment to fill the Attorney-at-Law representative position for a four-year term expiring November 30, 2011 on the Civil Service Commission. (City Clerk)**

### 3.1 (Cont'd.

Documents Filed: (1) Memorandum from City Clerk Lee Price, dated January 8, 2009, recommending interviewing one applicant. (2) Memorandum from City Clerk Lee Price, dated January 14, 2009, recommending interview of two applicants. (3) Three memoranda from City Attorney Richard Doyle, dated January 6, 2009, January 14, 2009 and January 16, 2009, providing background on the Civil Service Commission applicants and procedures. (4) Memorandum from Deputy Director of Planning, Building and Code Enforcement Mike Hannon, dated January 6, 2009, responding to possible code violations of applicants. (5) Ballot Tally 1, dated January 20, 2009, documenting the results for the Civil Service Commission.

Action: Upon motion by Council Member Pyle, seconded by Council Member Constant and carried unanimously, Emily Cote was appointed for a four year term expiring November 30, 2011 effective March 1, 2009. (10-0-1. Absent: Chirco.)

### 3.3 Interview applicants and consider an appointment to fill one unexpired term ending June 30, 2010 on the Planning Commission. (City Clerk)

Documents Filed: (1) Memorandum from City Clerk Lee Price, dated January 8, 2009, recommending interviewing six applicants. (2) Memorandum from City Attorney Richard Doyle, dated January 12, 2009, providing background on the Planning Commission applicants, potential conflicts analyses and updates. (3) Memorandum from Deputy Director of Planning, Building and Code Enforcement Mike Hannon, dated January 6, 2009, responding to possible code violations of applicants. (4) Ballot Tally 1 and 2, dated January 20, 2009, documenting the results for the Planning Commission.

Action: Hope Cahan was appointed to an unexpired term ending June 30, 2010.

## RECESS/RECONVENE

The City Council recessed at 12:11 p.m. from the Special Council Session and reconvened at 1:06 p.m. in the Conference Rooms 118 and 119, Council Wing, City Hall.

Present: Council Members - Campos, Chu, Constant, Herrera, Kalra, Liccardo, Nguyen, Oliverio, Pyle; Reed.

Absent: Council Members - Chirco. (Excused)

### 3.4 Interview nominees and consider appointment of one retiree member to the Board of Administration of the Federated City Employees Retirement System (FCERS) to a term expiring November 30, 2012; and consider appointment of one retiree member to the Board of Administration of the Police and Fire Department Retirement Plan to a term expiring November 30, 2012. (City Clerk)

### 3.4 (Cont'd.)

Documents Filed: (1) Memorandum from City Clerk Lee Price, dated January 9, 2009, recommending the interviews of each applicant and consideration of an appointment to each Board. (2) Email from former Vice Mayor Cortese, dated January 19, 2009, expressing support for David Bacigalupi. (3) Email from former Council Member Shirakawa, dated January 19, 2009, expressing support for David Bacigalupi. (4) Ballot Tally 1, dated January 20, 2009, documenting the results for the Board of Administration of the Federated City Employees Retirement System. (5) Ballot Tally 1, dated January 20, 2009, documenting the results for the Board of Administration of the Police and Fire Department Retirement Plan.

Public Comments: Bob Leininger (San José Retired Employees Association) and Dorothy McGinley spoke in support to the appointment of Ed Overton.

Randy Sekany (San José Firefighters), Bobby Lopez and Jack Salois (San José Police Officers Association) spoke support to the appointment of David Bacigalupi.

Action: Ed Overton was appointed to the Board of Administration of the Federated City Employees Retirement System to a term expiring November 30, 2012. David Bacigalupi was appointed to the Board of Administration of the Police and Fire Department Retirement Plan to a term expiring November 30, 2012.

## ADJOURNMENT

The Council of the City of San José adjourned the Special Session at 2:57 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

Lee Price, MMC  
City Clerk

smd/1-20-09 MIN

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/clerk/agenda.asp> or <http://www.sanjoseca.gov/clerk/MeetingArchive.asp>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.