

**REGULAR MEETING OF THE SAN JOSE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

SAN JOSE, CALIFORNIA

MONDAY, FEBRUARY 22, 2010

The Community and Economic Development Committee of the City of San José convened in regular session at 1:37 p.m. in Conference Rooms 118 and 119, Council Wing, City Hall.

PRESENT: Council Member Nancy Pyle, Chair; Council Member Sam Liccardo, Vice Chair (arrived at 1:39 p.m.), Council Member Rose Herrera and Council Member Ash Kalra (arrived at 1:41 p.m.).

ABSENT: None.

STAFF: Assistant City Attorney Ed Moran, Chief Development Officer Paul Krutko, Assistant Executive Director Redevelopment Agency John Weis and Legislative Secretary Susan M. Davis.

WORK PLAN

Action: The Committee voted to drop Item (1) the Fire Department Administration Citation Fine Schedule.

(1) Fire Department Administrative Citation Fine Schedule. (Fire)

Action: Item (1) was dropped.

CONSENT CALENDAR

(1) Acceptance of monthly verbal report from the Office of Economic Development. (City Manager)

Action: The Committee accepted the report.

CONSENT CALENDAR

(2) Accept Staff's Sister City Annual Report. (OED)

Documents Filed: Memorandum from International Program Manager Joe Hedges, dated February 5, 2010, recommending acceptance of the report.

Action: The Committee accepted the report.

(3) Accept the Staff report updated the Community & Economic Development Committee on the transition plan for the Mexican Heritage Plaza. (General Services/OED)

Documents Filed: Memorandum from Director of General Services Peter Jensen and Chief Strategist Kim Walesh, dated February 5, 2010, recommending acceptance of the report.

Public Comments: David Wall voiced comments about the Mexican Heritage Plaza and the art school.

Action: The Committee accepted the report.

REPORTS TO COMMITTEE

Action: The Committee voted to refer Items (3) The City's Policy Exempting Affordable Housing Payment for Payment of Parkland Dedication/Park Impact Fees, (5) Monuments Policy and (6) Santa Clara Valley Habitat Conservation Plan to the full Council for discussion and consideration on March 9, 2010.

(1) Accept the proposed Land Use Ordinance and Policy Work Plan for the remainder of FY 2009-10. (PBCE)

Documents Filed: Memorandum from Director of Planning, Building and Code Enforcement Joseph Horwedel, dated February 5, 2010, recommending acceptance of the proposed ordinance and policy work plan.

Action: The Committee accepted the proposed Land Use Ordinance and Policy Work Plan for the remainder of FY 2009-2010.

(2) Accept the Development Services Update Status Report. (PBCE)

Documents Filed: Memorandum from Director of Planning, Building and Code Enforcement Joseph Horwedel, dated February 9, 2010, recommending acceptance of the report.

Action: The Committee accepted the report.

REPORTS TO COMMITTEE

- (3) **It is recommended that the Community & Economic Development Committee review and provide feedback to Staff regarding its proposed recommendation to consider an amendment to the Parkland Dedication Ordinance/Park Impact Ordinance to remove the exemption for affordable housing units from payment of parkland fees. Direct Staff to bring the issue to the City Council for consideration to adopt a resolution establishing parkland fees for affordable housing units at 50% of the applicable fees for each residential unit type. (Housing/PRNS)**

Documents Filed: Memorandum from Director of Housing Leslye Krutko and Director of Parks, Recreation and Neighborhood Services Albert Balagso, dated February 5, 2010, recommending that the Committee provide feedback to Staff regarding an amendment to the Parkland Dedication Ordinance/Park Impact Ordinance to remove the exemption for affordable housing units from payment of parkland fees. Direct Staff to bring the issue to the City Council for consideration.

Public Comments: David Wall suggested a moratorium on affordable housing. Terri Balandra read a letter from Helen Chapman expressing support to the Staff recommendations. Bonnie Mace, Housing Commission, stated that the amendment was a fair and balanced approach.

Action: The Committee accepted the report. The Committee referred Item (3) to the full Council for discussion and consideration to adopt a resolution establishing parkland fees for affordable housing units at 50% of the applicable fees for each residential unit type on March 9, 2010.

- (4) **Accept Staff's verbal update regarding further revisions to the Public Entertainment Ordinance. (OED)**

Documents Filed: (1) Memorandum from Chief Development Officer Paul Krutko, dated February 5, 2010, recommending acceptance of the report. (2) Staff presentation dated February 22, 2010 outlining the Public Entertainment Ordinance.

Public Comments: David Wall commented on drunkenness in public.

Action: The Committee accepted the report.

- (5) **It is recommended that the Community & Economic Development Committee approve and refer for Council consideration:**
- (a) **The City Council adopt a resolution approving a Council Policy to establish criteria and guidelines for the consideration and installation of monuments on City property. The policy will give guidance for installation of monuments on parks, plazas and certain other types of City property.**
 - (b) **The Redevelopment Agency Board adopt a resolution requiring the Agency to conform to the City's Monument Policy, as adopted and modified from time to time.**
- (City Manager's Office/RDA)**

REPORTS TO COMMITTEE

(5) (Cont'd.)

Documents Filed: Memorandum from Chief Development Officer Paul Krutko and Assistant Executive Director Redevelopment Agency John Weis, dated February 11, 2010, recommending forwarding the Monument Policy to the full Council/Agency for discussion and consideration.

Action: The Committee referred Item 5(a)(b) to the full Council for discussion and consideration on March 9, 2010, to adopt a resolution approving a Council Policy to establish criteria and guidelines for the consideration and installation of monuments on City property and the Redevelopment Agency Board adopt a resolution requiring the Agency to conform to the City's Monument Policy, as adopted and modified from time to time. Staff directed to look into establishing an appeals process into the administrative guidelines and procedures, issues having to do with the appropriateness of a monument to a site, the professionalism of the work that is being proposed, community outreach; and clear guidelines for the donor cost, design, fabrication and maintenance.

(6) **Staff recommends that the Committee accept the status report and staff recommendations regarding the removal of fish from the covered species list, pursuit of alternatives to the Zone D fee, preference for a Joint Powers Authority as the implementation governing body and other elements of the Draft Santa Clara Valley Habitat Plan. (PBCE)**

Documents Filed: (1) Memorandum from Director of Planning, Building and Code Enforcement Joseph Horwedel, dated February 5, 2010, recommending acceptance of the report and the staff recommendations. (2) Staff presentation dated February 22, 2010 summarizing the Santa Clara Valley Habitat Plan.

Public Comments: David Wall expressed support to the concept of habitat planning.

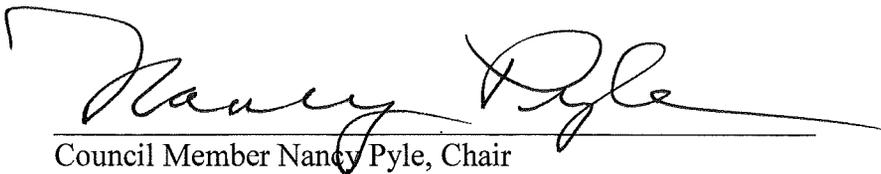
Action: The Committee accepted the report and the Staff recommendations regarding the removal of fish from the covered species list, pursuit of alternatives to the Zone D fee, preference for a Joint Powers Authority as the implementation governing body and other elements of the Draft Santa Clara Valley Habitat Plan. The Committee referred Item (6) to the full Council for discussion and consideration on March 9, 2010.

OPEN FORUM

David Wall commented on Cirque du Soleil and issues of chronic toxicity failures at the sewage treatment plant.

ADJOURNMENT

Council Member Pyle adjourned the meeting at 3:54 p.m.

A handwritten signature in black ink, appearing to read "Nancy Pyle", written over a horizontal line.

Council Member Nancy Pyle, Chair
Community and Economic Development Committee

NP/smd