

CITY COUNCIL AGENDA

MAY 3, 2011

SYNOPSIS

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.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any 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**
 - 9:06 a.m.** - Closed Session, Call to Order in Council Chambers
Absent Council Members: All Present.
 - 9:27 a.m.** Adjourn to Closed Session in Council Chambers Conference Room, W133
Absent Council Members: All Present.
 - 1:34 p.m.** - Regular Session, Council Chambers, City Hall
Absent Council Members: All Present.

- **Invocation (District 5)**
Jon Zamora read from his children's book "The Story of Pepe L. Mariachi and Los Amigos".

- **Pledge of Allegiance**
Mayor Reed led the Pledge of Allegiance.

- **Orders of the Day**
The Orders of the Day and the Amended Agenda were approved, with Items 2.3(a)(b)(d)(e) and (f), and Item 2.8 deferred to 5/10/11.

- **Closed Session Report**
No report.

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to Baseball Buddies Foundation for their dedication with providing children with proper baseball gear. (Chu)
Deferred to 5/10/11 per District 4.
- 1.2 Presentation of a proclamation celebrating the month of May 2011 as “Asian Pacific American Heritage Month” in the City of San José. (Chu)
Mayor Reed, Vice Mayor Nguyen and Council Members Chu and Kalra recognized the month of May 2011 as “Asian Pacific American Heritage Month” in the City of San José.
- 1.3 Presentation of proclamation declaring May 2-6, 2011 as “Teacher Appreciation Week” in the City of San José. (Constant)
Mayor Reed and Council Member Constant recognized May 2-6, 2011 as “Teacher Appreciation Week” in the City of San José.
- 1.4 Presentation of a proclamation declaring Sunday, May 8, 2011 as “Paint Your Town Purple Day” in the City of San José. (Pyle)
Mayor Reed and Council Member Pyle recognized Sunday, May 8, 2011 as “Paint Your Town Purple Day” in the City of San José.
- 1.5 Presentation of a proclamation declaring the Month of May 2011 as “Safe Teen Driving Month” in the City of San José. (Kalra)
(Rules Committee referral 04/27/11)
Mayor Reed, Council Members Chu and Kalra and Chief of Police Chris Moore recognized the Month of May 2011 as “Safe Teen Driving Month” in the City of San José.

2. CONSENT CALENDAR

2.1 Approval of Minutes.

Recommendation: Approval of minutes.

- (a) Regular Minutes of February 1, 2011.
- (b) Joint City/San José Financing Authority Minutes of February 1, 2011.
- (c) Regular Minutes of February 8, 2011.
- (d) Regular Minutes of February 15, 2011.
- (e) Minutes of the Disaster Policy Seminar of February 22, 2011.

Approved.

2. CONSENT CALENDAR

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances.

- (a) ORD. NO. 28907 – Amending Section 25.04.570 of Chapter 25.04 of Title 25 of the San José Municipal Code to include engine run-up reports in the Annual Airport Noise Report.

Ordinance No. 28907 adopted.

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.

- (c) Rules and Open Government Committee Report of March 30, 2011. (Mayor)
[Deferred from 4/19/11 – Item 2.3(a) and 4/26/11 – Item 2.3(d)]
Approved.

- (a) Rules and Open Government Committee Report of April 13, 2011. (Mayor)
(b) Public Safety, Finance and Strategic Support Committee Report of April 21, 2011. (Constant)
(d) Rules and Open Government Committee Report of March 23, 2011. (Mayor)
[Deferred from 4/12/11 – Item 2.3(a), 4/19/11 – Item 2.3(c) and 4/26/11 – Item 2.3(e)]
(e) Rules and Open Government Committee Report of March 16, 2011. (Mayor)
[Deferred from 4/5/11 – Item 2.3(a), et al, and 4/26/11 – Item 2.3(f)]
(f) Rules and Open Government Committee Report of March 9, 2011. (Mayor)
[Deferred from 3/29/11 – Item 2.3(a), et al, and 4/26/11 – Item 2.3(g)]

Deferred to 5/10/11 per City Clerk.

2.4 Mayor and Council Excused Absence Requests.

None.

2.5 City Council Travel Reports.

None.

2.6 Report from the Council Liaison to the Retirement Boards.

None.

2.7 Agreement with Robert Gary Schmelzer for the Lease of Real Property Located at 108 Paseo de San Antonio.

Recommendation: Adopt a resolution authorizing the City Manager to execute an agreement with Robert Gary Schmelzer for the lease of real property located at 108 Paseo de San Antonio for purposes of operating a retail store, for total rental revenue to City as follows: Year 1 \$17,856; Year 2 \$18,972; Year 3 \$20,646; Year 4 \$22,381.38; Year 5 \$23,019.34; Year 6 \$23,676.44 for total compensation to City of \$126,551.16. Council District 3. CEQA: Exempt, File No. PP10-066(f), lease of existing space for same use. (Economic Development) (Deferred from 3/29/11 – Item 2.7)

Resolution No. 75787 adopted.

2. CONSENT CALENDAR

2.8 Agreement with Pelican Communications for Pay-Telephone Services at the Airport.

Recommendation: Approve a second amendment to the agreement with Pelican Communications, Inc., to mutually agree to an additional five-year term retroactively commencing on May 13, 2010, in the annual, ongoing amount of \$12,480, with additional one time charges of \$250 for each new pay-telephone installed to provide for installation and maintenance of pay-telephones at the Airport at no cost to the City, and installation, removal and maintenance of pay-telephones on other City-owned properties. CEQA: Exempt, File No. PP05-053. (Economic Development)

Deferred to 5/10/11 per Orders of the Day.

2.9 Sale of City-Owned Property at 1807 Sarasota Way.

Recommendation: Adopt a resolution:

- (a) Authorizing an alternative competitive process for the sale of the property;
- (b) Approving an agreement between the City and Z&C Investment LLC, for sale of the property in the amount of \$235,000; and
- (c) Authorizing the Director of Economic Development or designee to execute all sales documents and the deed necessary to complete the transaction, and ratifying any disclosures or certifications made by the Director or designee regarding the property as required by law.

CEQA: Exempt, File No. PP10-016. Council District 7. SNI: K.O.N.A. (Economic Development)

Resolution No. 75788 adopted.

2.10 Agreement with the San Jose Water Company for Water Usage Data.

Recommendation: Approve the Confidentiality and Nondisclosure Agreement between San Jose Water Company and the City of San Jose to allow the City to obtain water usage data from San Jose Water Company for the purpose of calculating Sewer Service and Use Charges for non-residential users. CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Environmental Services)

Approved.

2. CONSENT CALENDAR

2.11 Initiate Proceeding for Annexation/Reorganization of Downer No. 11.

Recommendation: Adopt a resolution initiating proceedings and setting May 24, 2011 at 1:30 p.m. for a public hearing on the reorganization of territory designated as Downer No. 11 which involves the annexation to the City of San José of approximately 8.6 gross acres of land generally located west at the northwest corner of Blossom Hill Road and Southcrest Way, and the detachment of the same from the appropriate special districts including Central Fire Protection and Area No. 01 (Library Services) County Service. CEQA: The environmental impacts of this project were addressed by an Initial Study (IS) and Mitigated Negative Declaration (MND) that were prepared by the Director of Planning, Building, and Code Enforcement for both the approved General Plan Amendment (File No. GP10-01-01) and the Planned Development Rezoning/Rezoning (File No. PDC10-007). The documents were circulated for public review between October 14, 2010 and November 3, 2010, and the City Council approved the IS/MND on December 7, 2010. Council District 10. (Planning, Building and Code Enforcement) **Resolution No. 75789 adopted.**

2.12 Agreement Extension for the Transportation Incident Management Center Project.

Recommendation: Approval of the first amendment to extend the term of the original agreement from June 30, 2011 to June 30, 2013 with IBI Group for architectural design and construction administration services for the Transportation Incident Management Center Project. CEQA: Not a Project, File No. PP10-066(d) Consultant Services. Council District 3. (Public Works) **Deferred to 5/10/11 per Administration.**

2.13 State Highway Route 101 Freeway Agreement.

Recommendation: Approve the State Highway Route 101 Freeway Agreement, from Route 280/680 to Yerba Buena Road, between the City of San José and the State of California. CEQA: Mitigated Negative Declaration, File No. OA05-010. Council Districts 5, 7 and 8. SNI: K.O.N.A.; Tully/Senter; West Evergreen. (Transportation) **Approved.**

2.14 Amendment to the Bylaws of the Caltrain Centralized Equipment Maintenance & Operations Facility.

Recommendation: Approve an amendment to the bylaws of the Caltrain Centralized Equipment Maintenance & Operations Facility Monitoring Committee reducing the minimum number of meetings from quarterly to annually and the reporting from quarterly to periodic. CEQA: Not a Project, File No. PP10-068, general procedure and policy making. (Transportation) **Approved.**

2. CONSENT CALENDAR

2.15 Sponsored Travel to the Global Summit on LED Lighting, Shanghai, China.

Recommendation:

- (a) Accept invitation from The Climate Group and the China Solid State Lighting Alliance to participate in a global summit on LED lighting, including streetlighting, in Shanghai, China from May 9 to May 13, 2011.
- (b) Approve travel to China for Amy Olay, Senior Engineer in the Department of Transportation as the City's official staff representative at the summit meeting.

Source of Funds: The Climate Group. CEQA: Not a Project, File No. PP10-069, Administrative Activities. (Transportation)

Approved.

2.16 Actions Related to Civil Service Classifications.

Recommendation: Adopt a resolution to:

- (a) Amend the City of San Jose Pay Plan effective May 3, 2011 to create the following classifications:
 - (1) Radio Communications Manager (8523)
- (b) Amend the City of San Jose Pay Plan effective May 3, 2011 to delete job classifications no longer in use:
 - (1) Assistant City Attorney SII (2197)
 - (2) Chief Deputy City Attorney (SII) (2137)
 - (3) Communications Services Operator (1176)
 - (4) Communications Services Operator PT (1177)
 - (5) Emergency Preparedness Director U (2341)
 - (6) Horticulturalist (3424)
 - (7) Parks Development Officer (3450)
 - (8) Public Communications Manager (1675)
 - (9) Redevelopment Program Manager (4232)

CEQA: Not a Project, File No. PP10-068(b), Municipal Code, Title 3. (Human Resources) (Deferred from 4/26/11 – Item 2.8)

Resolution No. 75790 adopted.

2.17 Actions Related to Councilmember Constant's Travel to Waco, TX.

Recommendation:

- (a) Approve travel by Councilmember Constant to Waco, TX on May 24-29, 2011 to represent the City of San José as a member and Vice-Chair of the National League of Cities' (NLC) Public Safety and Crime Prevention (PSCP) Steering Committee. Source of Funds: Mayor & Council Travel Fund & Office Budget. (Constant)

(Item Continued on the next page)

2. CONSENT CALENDAR

2.17 Actions Related to Councilmember Constant's Travel to Waco, TX (Cont'd.)

- (b) Request for an excused absence for Councilmember Constant from the Regular Meeting of the Rules and Open Government Committee on May 25, 2011 and the Family/Domestic Violence Advisory Board Meeting on May 25, 2011 due to Authorized City Business: National League of Cities' (NLC) Public Safety and Crime Prevention (PSCP) Steering Committee. (Constant)

(Rules Committee referral 04/27/11)

Approved.

2.18 Setting Public Meetings for Proposed Increase to Downtown BID Assessments for Fiscal Year 2011-2012.

Recommendation: Adopt a resolution:

- (a) Setting June 7, 2011 at 1:30 p.m. as the date and time for the public meeting to consider adoption of a resolution of intention to levy increased assessments in the Downtown Business Improvement District for Fiscal Year 2011-2012;
- (b) Setting June 21, 2011 at 1:30 p.m. as the date and time for the public hearing on the levy of increased assessments for FY 2011-2012; and
- (c) Directing the City Clerk to publish the required notice of the public meeting and public hearing.

CEQA: Exempt, File No. PP03-05-165. Council District 3. SNI: St. James Square; University; Delmas; Burbank/DelMonte. (Economic Development)

(Rules Committee referral 04/27/11)

Resolution No. 75791 adopted.

3. STRATEGIC SUPPORT SERVICES

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

The City Manager highlighted the release of the 2011-2012 Operating Budget recommendations and the Fiscal Reform Plan.

3.2 Labor Negotiations Update

Recommendation: Accept Labor Negotiations Update.

The Labor Negotiations Update was heard at 9 a.m.

3. STRATEGIC SUPPORT SERVICES

3.3 Settlement with Licking Enterprises, Inc./Purchase of Property at 1157 East Taylor Street.

Recommendation:

- (a) Approve a settlement and authorize the City Attorney to execute a Settlement Agreement and Release to settle the case of Licking v. City of San Jose. The settlement includes \$2,104,000 for purchase of property for the Route 101/Mabury interchange and attorney fees, payment of \$1,000,000 for loss of business goodwill at the time that the City takes possession of the property, plus estimated closing costs of \$13,200, for a total amount of \$3,117,200.

Approved.

- (b) Adopt the following 2010-2011 Appropriation Ordinance amendments in the Construction Excise Tax Fund:
- (1) Establish an appropriation to the Department of Transportation for the Route 101/Mabury Acquisition project in the amount of \$1,021,200; and
 - (2) Decrease the Ending Fund Balance by \$1,021,200.

CEQA: Resolution No. 74195.1, File No. PP09-186. (City Attorney's Office)

Ordinance No. 28910 adopted.

3.4 Annual Financial Scan of City-Funded Community-Based Organizations.

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on April 21, 2011, accept the Annual Financial Scan of City-Funded Community Based Organizations. (City Auditor)

[Public Safety, Finance and Strategic Support Committee referral 4/21/11 – Item D(3)]

Accepted.

3.5 Audit of Disability Retirement.

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on April 21, 2011, accept the Audit of Disability Retirement. (City Auditor)

[Public Safety, Finance and Strategic Support Committee referral 4/21/11 – Item D(4)]

The memorandum from Mayor Reed, Vice Mayor Nguyen and Council Member Liccardo, dated April 28, 2011 was approved with amendments as noted and providing direction, that the City Council:

- A. Accept the City Auditor's report on "Disability Retirement: A Program in Need of Reform" as amended in the joint memorandum from Mayor Reed, Vice Mayor Nguyen and Council Member Liccardo, dated April 28, 2011, including recommendations 1-6 as outlined in the Auditor's report.**

(Item Continued on the next page)

3.5 Audit of Disability Retirement (Cont'd.)

- B. Direct the City Manager, City Auditor and City Attorney to research, conduct outreach and prepare ballot language for a ballot measure allowing the residents of San José to vote on changing the City Charter by amending Section 1504 and Section 1505 to clarify the purpose of the disability retirement benefit as outlined in the City Auditor's report.
- C. Direct the Administration to look into the feasibility of forming a disability retirement committee, independent of the Police and Fire and Federated City Employees' Retirement Boards, to review and decide on disability retirement applications and allow the City Council to appoint a Hearing Officer to make decisions on appeals regarding disability retirement applications.
- D. Return to Council on June 14, 2011, with proposed draft language.

Additionally, that Administration aggressively enforce the collection of amounts owed to the City by retirees, and direct Staff to look into ensuring that we reconcile the differences/conflict between the Charter and the Municipal Code when drafting the ballot language.

Noes: Campos, Chu, Kalra.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Final Public Hearing and Approval of the Annual Action Plan FY 2011-2012.

Recommendation:

- (a) Hold a final public hearing regarding the approval of the City's Annual Action Plan 2011-12 and take public comment.
Public hearing held.
- (b) Adopt the 2011-2012 Annual Action Plan, including the FY 2010-2011 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.
Adopted.
- (c) Adopt a resolution authorizing the Director of Housing to negotiate and execute all non-capital agreements and contracts not requiring CEQA 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.
Resolution No. 75792 adopted.

(Item Continued on the next page)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Final Public Hearing and Approval of the Annual Action Plan FY 2011-2012 (Cont'd.)

- (d) Authorize the Housing Department to submit the FY 2011-2012 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD), which makes the City eligible to receive and distribute approximately \$15,400,000.

CEQA: Not a Project, File No. PP10-067, Non-Project Specific Funding Mechanism.
(Housing)

Authorized.

4.2 Review of North San Jose Residential Activity and Consideration of Potential Changes to Reservation and Allocation Process.

Recommendation: Accept the staff report to continue current practices of reservation and allocation of residential units in the North San José Area Development Policy area.

CEQA: Resolution No. 72768 and Addenda thereto. Council Districts 3 and 4.
(Planning, Building and Code Enforcement/Housing)

Deferred to 5/10/11 per Administration.

5. NEIGHBORHOOD SERVICES

5.1 Actions Related to the Tamien Specific Plan Area Purchase and Sale Agreement.

Recommendation:

- (a) Adopt a resolution authorizing the City Manager to negotiate and execute a Purchase and Sale Agreement (PSA) with the Santa Clara Valley Transportation Authority (VTA) for 3.5 acres of VTA Excess Property located at Lick Avenue near Pepitone Avenue and Goodyear Street, San Jose, California, within the Tamien Station Area, for an amount not to exceed \$4,500,000 and credits under the Parkland Dedication and Park Impact Ordinances and to execute any documents required to complete the transaction.
Resolution No. 75793 adopted.
- (b) Adopt the following Appropriation Ordinance amendments in the Construction Tax & Property Conveyance Tax Fund: Council District 3 (Fund 380):
- (1) Establish an appropriation to the Parks, Recreation and Neighborhood Services Department in the amount \$985,000 for the Tamien Specific Plan Area Park Improvements;
 - (2) Decrease the Reserve: Tamien Specific Plan Area Park Improvements by \$325,000; and
 - (3) Decrease the Reserve: Roosevelt Hockey Rink Cover by \$660,000.
- Ordinance No. 28911 adopted.**

(Item Continued on the next page)

5. NEIGHBORHOOD SERVICES

5.1 Actions Related to the Tamien Specific Plan Area Purchase and Sale Agreement (Cont'd.)

- (c) Adopt the following Appropriation Ordinance amendments in the Construction Tax & Property Conveyance Tax Fund: Council District 6 (Fund 384):
 - (1) Establish an appropriation to the Parks Recreation and Neighborhood Services Department in the amount of \$50,000 for the Tamien Specific Plan Area Park Improvements; and
 - (2) Decrease the Reserve: Tamien Specific Plan Area Park Improvements by \$50,000.

Ordinance No. 28912 adopted.

- (d) Adopt the following Appropriation Ordinance amendments in the Subdivision Park Trust Fund (Fund 375):
 - (1) Establish an appropriation to the Parks Recreation and Neighborhood Services Department in the amount \$3,465,000 for the Tamien Specific Plan Area Park Improvements.
 - (2) Decrease the Reserve: Tamien Specific Plan Area Park Improvements by \$505,000.
 - (3) Decrease the Reserve: Future PDO/PIO Projects by \$2,960,000.

CEQA: Exempt, File No PP10-023. Council District 3. SNI: Washington. (Parks, Recreation and Neighborhood Services/City Manager's Office)

Ordinance No. 28913 adopted.

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Report on Bids and Award of Contract for the Padres Drive Sanitary Sewer Rehabilitation Project.

Recommendation: Report on bids and award of contract for the Padres Drive Sanitary Sewer Rehabilitation project to the low bidder, McGuire and Hester, in the amount of \$1,799,192 and approval of a contingency in the amount of \$180,000. CEQA: Exempt, File No. PP08-259, dated November 14, 2008. Council District 6. (Public Works)
Approved.

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

- **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>
10054	West side of San Felipe Rd, 600’ S of Delta Rd	8	Hawkstone San Felipe, LLC	15 Lots / 9 Units	8 SFDR & 1 Non-Residential	Approve

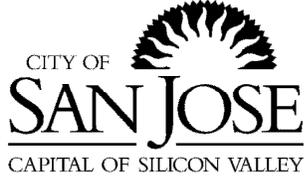
- **Open Forum**

David Wall expressed a perceived disparity in the City of San José Code of Conduct for Public Meetings and addressed comments he had made regarding 360 Residences, LLC which appeared on last week’s Redevelopment Agency agenda.

- **Continue RDA Board Meeting**

- **Adjournment**

The Council of the City of San José adjourned at 4:54 in memory of Richard Rios who passed last Monday after battling with cancer. Rios, the retired deputy director of the San Jose Redevelopment Agency, had taught at De Anza College and served as a mentor to several influential community leaders including former Mayor Ron Gonzales. Richard Rios’ presence within the community will be greatly missed. (Campos)



**JOINT CITY OF SAN JOSÉ CITY COUNCIL/
REDEVELOPMENT AGENCY/
FINANCING AUTHORITY AGENDA**

SAN JOSÉ, CALIFORNIA

TUESDAY, MAY 3, 2011

- 1. Call to Order: 4:15 p.m.**
- 2. City, Agency and Finance Authority actions related to the payment to the Supplemental Education Revenue Augmentation Fund.**

Recommendation: Adopt resolutions authorizing the City Manager, Executive Director of the Financing Authority, and the Executive Director of the Agency to negotiate and execute a First Amendment to the Loan Agreement by and among the City, Financing Authority and the Agency Related to the Supplemental Education Revenue Augmentation Fund dated May 6, 2010, to allow the second installment of the SERAF Loan to the Agency to be made with 20% Housing Funds, and later replenished with a loan of Commercial Paper proceeds from the Authority to the Housing Program.

Resolution No. 75794 adopted.

Financing Authority Resolution No. 112 adopted.

Redevelopment Agency Resolution No. 6016 adopted.

Noes: Oliverio.

Mayor Reed adjourned the Joint Council/Redevelopment Agency/San José Financing Authority Meeting at 4:50 p.m.