

CITY COUNCIL AGENDA

NOVEMBER 15, 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 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**
9:04 a.m. - Closed Session, Call to Order in Council Chambers
Absent Council Members: All Present.

1:32 p.m. - Regular Session, Council Chambers, City Hall
Absent Council Members: All Present.

7:02 p.m. - Public Hearings, Council Chambers, City Hall
Absent Council Members: All Present.
- **Invocation (District 10)**
Pastor Dwight Bailey, Church of the Chimes, presented the Invocation.
- **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.
- **Closed Session Report**
No Report.

1. CEREMONIAL ITEMS

- 1.1 Presentation of a proclamation declaring the Week of November 13 – 19, 2011 as “Bully Awareness Week” in the City of San José. (Chu)
Mayor Reed and Council Member Chu recognized the Week of November 13 – 19, 2011 as “Bully Awareness Week” in the City of San José.
- 1.2 Presentation of a commendation to Kelly Newell, a third-grade teacher at George Miner Elementary School, in recognition of the heroism and quick thinking she demonstrated by saving a third-grade student from choking. (Kalra)
Heard in the evening.
Mayor Reed and Council Member Kalra recognized and commended Kelly Newell, a third-grade teacher at George Miner Elementary School, in recognition of the heroism and quick thinking she demonstrated by saving a third-grade student from choking.
- 1.3 Presentation of a commendation to “Flat Stanley” in honor of International Education Week. (Kalra)
Mayor Reed and Council Member Kalra recognized and commended “Flat Stanley” in honor of International Education Week.
- 1.4 Presentation of an award from the Tobacco Free Coalition of Santa Clara County and Community Advocate Teens of Today to the City of San José in honor of Lung Cancer Awareness Month for the City’s outstanding leadership in reducing the burden of tobacco use and protecting the public’s health by passing strong tobacco prevention policies. (Mayor)
Heard in the evening.
Mayor Reed accepted an award from the Tobacco Free Coalition of Santa Clara County and Community Advocate Teens of Today presented to the City of San José in honor of Lung Cancer Awareness Month for the City’s outstanding leadership in reducing the burden of tobacco use and protecting the public’s health by passing strong tobacco prevention policies.
- 1.5 Presentation of a commendation to the Almaden Valley Women’s Club for their work to stimulate interest in the social, civic, and cultural improvement of the District 10 community. (Pyle)
Mayor Reed and Council Member Pyle recognized and commended the Almaden Valley Women’s Club for their work to stimulate interest in the social, civic, and cultural improvement of the District 10 community.
- 1.6 Presentation of a commendation to Second Harvest Food Bank for its dedication to ending local hunger and for its caring and dedicated service to the residents of San José and the Silicon Valley. (Pyle/Mayor)
(Rules Committee referral 11/2/11)
Mayor Reed and Council Member Pyle recognized and commended Second Harvest Food Bank for its dedication to ending local hunger and for its caring and dedicated service to the residents of San José and the Silicon Valley.

2. CONSENT CALENDAR

2.1 Approval of Minutes.

Recommendation: Approval of minutes.

- (a) Regular Minutes of August 2, 2011.
- (b) Regular Minutes of August 9, 2011.
- (c) Regular Minutes of August 16, 2011.
- (d) Regular Minutes of August 23, 2011.
- (e) Special Minutes of August 24, 2011.
- (f) Regular Minutes of August 30, 2011.

Approved.

2.2 Final Adoption of Ordinances.

None.

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.

- (a) Rules and Open Government Committee Report of October 26, 2011. (Mayor)
- (b) Community and Economic Development Committee Report of October 24, 2011. (Herrera)
[Deferred from 11/8/11 – Item 2.3(b)]

Approved.

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 Agreements with AMS-SJC JV, Areas USA SJC, LLC and Host International, Inc. for Airport Food and Beverage Concessions.

Recommendation: Approve a First Amendment to the AMS-SJC JV Airport Retail Concession Agreement, Second Amendments to the Airport Food and Beverage Concession Agreements with Areas USA SJC, LLC and Host International, Inc. and a Second Amendment to the Host Airport Retail Concession Agreement to revise the Concession Agreement provisions regarding customer pricing and to revise provisions regarding concession concepts and space layouts to reflect current concession operations at the Airport. CEQA: Not a Project, File No. PP10-066(e), Service agreements involving no physical change to the environment. (Airport)
(Deferred from 10/25/11 – Item 2.8)

Approved.

2. CONSENT CALENDAR

2.8 Acceptance of Gift Related to the Dublin Sister City Trip.

Recommendation: Approve City Manager's acceptance of a gift from the City of Dublin, Ireland for the cost of the hotel in Dublin, Ireland for the 25th Anniversary Sister City Trip. CEQA: Not a Project, File No. PP10-069, administrative activities. (City Manager's Office)

Approved.

2.9 Agreement with Cirque du Soleil for Leasing Portions of the City's "E" Parking Lot.

Recommendation:

- (a) Adopt a resolution authorizing the City Manager:
- (1) To execute a Lease Agreement with Cirque du Soleil for the purpose of leasing portions of the City's "E" Parking Lot (Taylor, San Pedro, and Mission Streets) to Cirque du Soleil from January 30, 2012 to April 27, 2012 for rental consideration to the City in the amount of \$100,000; and
 - (2) To negotiate and execute a Parking Space License Agreement with the County of Santa Clara for approximately 300 parking spaces in the "C" Lot and "Half Circle Parking Lot" at the former Civic Center site for a license fee amount of \$30,000 and sharing of parking revenues generated at the County facilities for the Cirque du Soleil event to be negotiated by the City Manager.

Resolution No. 76054 adopted, with direction to Staff to return to the Community and Economic Development Committee within six months to report on alternative sites identified in the downtown core for future staging of Cirque du Soleil and with increased emphasis on the use of public transit for access to the site.

- (b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
- (1) Establish a City-Wide appropriation to the Office of Economic Development for Cirque du Soleil in the amount of \$186,000; and
 - (2) Increase the estimate for Other Revenue by \$186,000.

CEQA: Exempt, File No. CPA05-015-02. Council District 3. (Economic Development/City Manager's Office)

Ordinance No. 28993 adopted.

Resolution No. 76055 adopted.

2. CONSENT CALENDAR

2.10 Memorandum of Agreement to Implement a Regional Approach to Obtaining and Allocating Federal Funding for Water Recycling Projects.

Recommendation: Adopt a resolution authorizing the City Manager to execute an amended Memorandum of Agreement among the cities of San José, Mountain View, Palo Alto, Hayward, Pleasanton and Redwood City, Town of Yountville, Central Contra Costa Sanitary District, Delta Diablo Sanitation District, Dublin San Ramon Services District, Ironhouse Sanitary District, Zone 7 Water Agency, North Coast County Water District, Coastside County Water District, Santa Clara Valley Water District and the Bay Area Clean Water Agencies to implement a regional approach to obtaining and allocating federal funding for water recycling projects, at a cost for 2011-12 not to exceed \$20,000, with future year funding to be subject to appropriation by Council. CEQA: Not a Project, File No. PP10-066 (g), Memorandum of Understanding. (Environmental Services)

Resolution No. 76056 adopted.

2.11 Award of Construction Contract for the Nortech Parkway East Loop Main Extension Project.

Recommendation:

- (a) Award the construction contract for the Nortech Parkway East Loop Main Extension Project to the low bidder, Ranger Pipelines, Inc., in the amount of \$304,200.
- (b) Approve a contingency in the amount of \$45,630.

CEQA: Exempt, File No. PP10-178. (Environmental Services)

Approved.

2.12 Grant Application to the California Strategic Growth Council for the Proposition 84 Urban Greening Grant Program to Retrofit a City Street to Integrate Stormwater Treatment.

Recommendation: Adopt a resolution authorizing the City Manager to submit a grant application to the California Strategic Growth Council for the Proposition 84 Urban Greening Grant Program for the following project to retrofit a City street to integrate stormwater treatment: Green Streets, Greener Neighborhood - Ocala West for a grant amount of \$2,475,000. CEQA: Not a Project, File No. PP10-068(a), Grant Application, where Council is not obligated to enter into an agreement at the time of application. (Environmental Services)

Resolution No. 76057 adopted.

2. CONSENT CALENDAR

2.13 Agreement with Horwath Hospitality & Leisure, LLC for Asset Management Oversight Services.

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute the Second Continuation Agreement with Horwath Hospitality & Leisure, LLC:

(a) To retroactively extend the term of the agreement for an additional one-year period from July 1, 2011 to June 30, 2012, for asset management oversight services with respect to the operation and management of the Dolce Hayes Mansion; and

(b) To increase the contract amount by \$69,600 from \$512, 486 to \$582,086.

CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Finance)

Resolution No. 76058 adopted.

2.14 Agreement with Buis Construction Services, Inc., For Construction Management Assistance on Affordable Housing Projects.

Recommendation: Approve a fifth amendment to the agreement with Buis Construction Services, Inc., for construction management assistance on affordable housing projects, increasing the amount of the agreement by \$100,000 from \$241,000 to \$341,000 and extending the term of the agreement to June 30, 2012. CEQA: Not a Project, File No. PP10-066(a), Agreement for professional services with no changes in physical environment. (Housing)

Approved.

2.15 Actions Related to Redevelopment Capital Projects Fund - City-Side Redevelopment Fund.

Recommendation: Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for 2011-2012:

(a) Increase the estimate for Earned Revenue by \$150,000.

(b) Establish the appropriation to the Department of Public Works for the Improvement District 99-218SJ Deferral of Assessments Fiscal Year 2011-2012 (PSM 624) in the amount of \$150,000.

CEQA: Not a Project, File No. PP10-067(b), Appropriation Ordinance. Council District 2. SNI Area: Edenvale. (Public Works/City Manager's Office)

Ordinance No. 28994 adopted.

Resolution No. 76059 adopted.

2. CONSENT CALENDAR

2.16 Award of Construction Contract for the Handrail Replacement Re-Bid Phase IV Project at the San José/Santa Clara Water Pollution Control Plant.

Recommendation:

- (a) Award the construction contract for the Handrail Replacement Re-Bid Phase IV Project to the low bidder, B Side Inc., in the amount of \$398,900; and
- (b) Approve a contingency in the amount of \$79,780.

CEQA: Exempt, File No. PP 11-028. (Public Works/Environmental Services)

Approved.

2.17 Appointment to the Silicon Valley Workforce Investment Network Board of Directors.

Recommendation: As recommended by the Rules and Open Government Committee on November 9, 2011, approve the appointment of Sima Yazdani, Senior IT/Business Operations Manager at Cisco in San José, California to serve as a private-sector representative on the Silicon Workforce Investment Network Board of Directors as required by law. (Mayor)

[Rules Committee referral 11/9/11 – Item G(1)(a)]

Approved.

2.18 Santa Clara County Suicide Prevention Resolution.

Recommendation: As recommended by the Rules and Open Government Committee on November 9, 2011, adopt a resolution in support for the work that Santa Clara County is conducting through their Suicide Prevention Strategic Plan. (Chu)

[Rules Committee referral 11/9/11 – Item H(2)]

Resolution No. 76060 adopted.

2.19 “Let’s Give” Donations Drive.

Recommendation: As recommended by the Rules and Open Government Committee on November 9, 2011:

- (a) Approve the “Let’s Give” donations drive as a City Council sponsored Special Event; 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 11/9/11 – Item H(2)]

Approved.

3. STRATEGIC SUPPORT SERVICES

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

No report.

3.2 Labor Negotiations Update

Recommendation: Accept Labor Negotiations Update.

Heard at 9:02 a.m.

Accepted.

3.3 Ordinances Amending Deferred Compensation Plan and PTC Plan.

Recommendation: Approve the following:

(a) An ordinance to amend the Deferred Compensation Plan under Chapter 3.48 of Title 3 of the San José Municipal Code to comply with the federal Pension Protection Act of 2006 and miscellaneous United States Treasury regulations.

Ordinance No. 28995 passed for publication.

(b) An ordinance to amend the PTC Plan under Chapter 3.50 of Title 3 of the San José Municipal Code to comply with the federal Pension Protection Act of 2006 and miscellaneous United States Treasury regulations.

CEQA: Not a Project; File No. PP10-068(b), Municipal Code or Policy. (City Attorney's Office)

Ordinance No. 28996 passed for publication.

3.4 Agreement with Standard Insurance Company to Provide Long-Term Disability Insurance Services to Employees.

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute an agreement between the City and Standard Insurance Company to provide Long-Term Disability insurance services to employees at a cost not to exceed \$10,045,390 for the period of January 1, 2012 through December 31, 2016. CEQA: Not a Project, PP10-066 (e), Services that involve no physical changes to the environment.

(Human Resources)

Resolution No. 76061 adopted.

3.5 Civil Service Commission Interviews.

Recommendation:

(a) Interview applicants for appointment to the Civil Service Commission;

(b) Appoint up to three (3) members to the Civil Service Commission to full four-year terms expiring November 30, 2015; and

(c) If any vacancy remains, direct the City Clerk to continue recruitment efforts and bring additional applicants forward for consideration within 90-days.

(City Clerk)

Joan Smith, Roy Truitt and Holden Green were appointed to the Civil Service Commission to full four-year terms expiring November 30, 2015.

3. STRATEGIC SUPPORT SERVICES

3.6 Report on the 2012 – 2013 Preliminary General Fund Forecast.

Recommendation: Accept the report on the 2012 – 2013 Preliminary General Fund Forecast. CEQA: Not a Project, File No. PP10-069(a), Staff Reports. (City Manager's Office)

(Rules Committee referral 11/9/11)

Heard in the Evening.

Accepted.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Review of North San José Residential Activity and Consideration of Potential Changes to Reservation and Allocation Process for Affordable and Market Rate Units.

Recommendation: Accept the staff report to consider modifications to the current practices of reservation and allocation of residential units in the North San José Area Development Policy area to allow affordable housing units to be reallocated for market rate projects that provide extraordinary level of affordable housing funding. CEQA: Resolution No. 72768 and Addenda thereto. Council Districts 3 and 4. (Planning, Building and Code Enforcement/Housing)

Deferred to 11/29/11 per Administration.

4.2 Foreign Trade Zone Alternative Site Framework Application.

Recommendation: As recommended by the Community and Economic Development Committee on October 24, 2011, adopt a resolution authorizing the City Manager to submit a Foreign Trade Zone Alternative Site Framework application to the Foreign Trade Zones Board of the U.S. Department of Commerce for the City of San José. (Economic Development)

[Community and Economic Development Committee referral 10/24/11 – Item D(7)]

Resolution No. 76062 adopted.

5. NEIGHBORHOOD SERVICES

5.1 Actions Related to San José Family Camp.

Recommendation: Adopt a resolution including the following actions:

- (a) Authorize the City Manager to offer for sale the improvements associated with Camp, and therefore remove the City from future obligations to operate Camp, or if acceptable financial terms cannot be reached;
- (b) Operate Camp through a third party concessionaire similar to the other facilities under the City's Community Center Reuse Policy, which would require the City to enter into a new Special Use Permit/Land Lease with the U.S. Forest Service and does not relieve the City from the future capital expenditures at Camp.

CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (Parks, Recreation and Neighborhood Services)

The memorandum cosigned by Mayor Reed and Council Members Pyle, Herrera, Liccardo and Campos, dated November 10, 2011, was approved, including the following modification:

1. **Authorize the City Manager to execute and negotiate the terms of a new special use permit/land lease agreement with the United States Forest Service for a term of shorter duration (e.g. five (5) years); or alternatively, an agreement that includes a right of "assignment". *Included in negotiation authority, give the City Manager authority to enter into a short-term extension with the Forest Service on the current lease so as to consummate the new agreement.***
2. **Authorize the City Manager to execute and negotiate partnership agreements, which may include the City of Tracy, San Jose State University, and Friends of Family Camp to reduce expenses, increase revenue, and share future capital expenditures.**
3. **Direct Staff to continue collaboration with the USFS and other agencies, and our Congressional Representatives to solicit grants and/or donations to augment city funds for future capital repairs.**
4. **Finish the Draft Master Plan and Environmental documents as required to obtain a new special use permit/land lease agreement.**
5. **Provide pre and post season reports to the Parks and Recreation Commission and Neighborhood Services and Education Committee with information about partnerships, completed and anticipated capital improvements, pre and post season reservations, occupancy rate, expenses, income and grants submitted for Family Camp.**
6. **Direct Staff to establish a Capital Reserve Fund for Family Camp and collect a supplemental user fee (surcharge) of \$20 per tent, per night, starting in 2012 to help fund future improvements at the site.**

Noes: Constant.

6. TRANSPORTATION & AVIATION SERVICES

6.1 Authorization for the Issuance of Airport Revenue Bonds.

Recommendation:

- (a) Adopt the seventeenth supplemental resolution of the Council authorizing the issuance of City of San José Airport Revenue Bonds, Series 2011B and Series 2011C (the “2011B/C Bonds”) in a total aggregate principal amount of not to exceed \$315,000,000 to be sold through negotiated sale; approving substantially final forms of Supplemental Trust Agreement, Preliminary Official Statement, Bond Purchase Agreement and Continuing Disclosure Certificate; authorizing the distribution of one or more Preliminary Official Statements and Final Official Statements; and authorizing and approving other related actions in connection with the issuance of the 2011B/C Bonds. CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Finance)

Resolution No. 76063 adopted.

- (b) Adopt a resolution authorizing the City Attorney to negotiate and execute an amendment to the Agreement with Orrick, Herrington & Sutcliffe LLP for bond and disclosure counsel services in connection with the issuance of the City of San José Airport Revenue Bonds Series 2011A, Series 2011B and Series 2001C in order to increase the compensation by \$50,000 for a total compensation not to exceed \$400,000. (City Attorney's Office)

Resolution No. 76064 adopted.

6.2 Actions Related to “Smart” LED Streetlight System.

Recommendation:

- (a) Accept staff report on Request for Proposal (RFP) for the purchase of a “smart” light emitting diode (LED) streetlight wireless communication monitoring and control system (“System”);

Accepted.

- (b) Adopt a resolution authorizing the City Manager to:
- (1) Execute an agreement with Schröder Lighting, LLC (Illinois) for the purchase of “smart” LED streetlight wireless communication monitoring and control system, including all hardware, software, professional services, three years of software maintenance and support, shipping, and applicable sales tax for an amount not to exceed \$2,087,000, with an initial expiration date of November 15, 2014;
 - (2) Execute a software license and maintenance support services agreement with Schröder Lighting, LLC (Illinois) at no additional cost to City during the initial term for use of the OWLET Nightshift software application with the purchase of the “smart” LED streetlight wireless communication monitoring and control system;

(Item Continued on the next page)

6. TRANSPORTATION & AVIATION SERVICES

6.2 Actions Related to “Smart” LED Streetlight System (Cont’d.)

- (b) (3) Negotiate and execute change orders or amendments to the agreement to cover any unanticipated design or implementation changes or to purchase additional luminaries and accessories for both the initial term of the agreement and option years, subject to the appropriation of funds; and
- (4) Execute up to three, one-year options to extend the software license and maintenance agreement as required to provide ongoing software maintenance and support of the system, subject to the appropriation of funds.

CEQA: Exempt, File No. PP11-002, January 12, 2010. (Finance/Transportation)
Resolution No. 76065 adopted.

6.3 15 MPH School Zone Pilot Program.

Recommendation: Approve a framework for a 15 mph school zone pilot program at three school zones to evaluate the effectiveness of enhancing school access safety, to be accomplished with existing resources allocated for school area safety. CEQA: Exempt, File No. PP10-113. (Transportation)

The memorandum cosigned by Mayor Reed and Council Members Oliverio and Rocha, dated November 10, 2011, was approved, with three school zones selected for the pilot project with data collected and evaluated by the Department of Transportation, and with the provision that future schools may participate on a cost-recovery basis. Staff is directed to return to the Transportation and Environment Committee one year after implementation for review of measurable results. All aspects of the project must be within full compliance of state law.

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

10. GENERAL PLAN PUBLIC HEARINGS

No General Plan Public Hearing at this time.

11. PUBLIC HEARINGS

11.1 Public Hearings on Consent Calendar.

No Public Hearings on Consent Calendar at this time.

11.2 Rezoning Real Property Located on the East Side of South 12th Street.

Recommendation: Consider an ordinance rezoning the real property located on the east side of South 12th Street, approximately 140 feet southerly of East Santa Clara Street (562 East Santa Clara Street) from A(PD) Planned Development Zoning District to R-1-8 Single-Family Residential Zoning District on a .16 gross acre site (Diana Bermudez, Owner). SNI: University. CEQA: San José 2020 General Plan EIR Resolution No. 65459. Planning staff recommends that Council approve the proposed Conforming Rezoning for the following reasons: The proposed rezoning is in conformance with the San José 2020 General Plan Land Use/Transportation Diagram's land use designation of Medium Low Density Residential (8 DU/AC) with Santa Clara Street/Alum Rock Avenue Transit-Oriented Development District Overlay for the subject site. The proposed rezoning would allow residential uses on the site that are compatible with the existing structure and surrounding uses. The rezoning is in conformance with the California Environmental Quality Act.

C11-015 – District 3

Hearing held.

Ordinance No. 28997 passed for publication.

- **Open Forum**

None.

- **Adjournment**

The Council of the City of San José adjourned at 9:22 p.m.