



MINUTES OF THE CITY COUNCIL

SAN JOSE, CALIFORNIA

TUESDAY, FEBRUARY 14, 2012

The Council of the City of San José convened in Regular Session at 8:45 a.m. in the Council Chambers at City Hall.

Present: Council Members - Campos, Chu, Constant, Kalra, Pyle, Rocha; Reed.

Absent: Council Members - Herrera, Liccardo, Nguyen, Oliverio. (Excused)

STRATEGIC SUPPORT SERVICES

3.2 Accept Labor Negotiations Update.

Employee Relations Manager Gina Donnelly stated that the Office of Employee Relations has not received any new proposals.

Public Comments: Robert Sapien, International Association of Firefighters, Local 230, remarked that the Mayor should be the political leader within the community by providing guidance and leadership to the Council by expressing and explaining to the community the City's policies and programs.

Jim Unland, San José Police Officers Association, Dale Depp, Association of Maintenance Supervisory Personnel, Cay Denise MacKenzie, City Association of Management Personnel Agreement and John Mulchar, Association of Engineers and Architects, expressed their dismay and strong opinions about the disclosure of the \$650 Million pension cost projections.

CLOSED SESSION

Upon motion unanimously adopted, Council recessed at 8:45 a.m. to a Closed Session in Room W133 (A) to confer with Legal Counsel pursuant to Government Code Section 54956.9, Subsection (a) with respect to existing litigation: (1) Arizmendi, et al. v. City et al. Names of Parties Involved: Therese Arizmendi, Baby Arizmendi, a minor, by and through his mother Therese Arizmendi, City of San José, a municipal corporation,

CLOSED SESSION (Cont'd.)

individually and in his official capacity; Sergeant Pate (#2737) individually and in his official capacity, Sergeant Imobersteg (#3054) individually and in his official capacity, Sergeant Boyle (#3247) individually and in his official capacity, Officer R. Vaughn (#3067) individually and in his official capacity, Officer C. Parente (#3094) individually and in his official capacity, Officer Lutticken (#3239) individually and in his official capacity, Officer Ordaz (#3396) individually and in his official capacity, Officer Kurrel (#3576) individually and in his official capacity, Officer Sit (#3662) individually and in his official capacity, Officer Miri (#3860) individually and in his official capacity, Officer Cook (#3886) individually and in his official capacity, Officer de Los Santos (#3946) individually and in his official capacity, and Does 1 through 50, as entities of unknown form and unknown capacities. Court: United States District Court, Northern District, San José Division; Case No: 08-CV-05163 EJD, Amount of Money or Other Relief Sought: Damages according to proof; (2) Velasquez v. City of Santa Clara, et al; Names of Parties Involved: Victor Velasquez, City of Santa Clara and Its Police Department, a municipal corporation, Steve Burress, an individual, Craig Middlekauff, an individual, Nick Richards, an individual, Chief Stephen Lodge, an individual as Doe 1, Officer Bret Moiseff, an individual as Doe 2, Commander Robert Mecir, an individual as Doe 3 and Does 4-15, inclusive; Court: United States District Court, Northern District, San Francisco Division; Case No: 11-CV-03588-YGR; Amount of Money or Other Relief Sought: Damages according to proof; (3) Cicala, et al. v. City et al. Names of Parties Involved: Paul Cicala, Enrico Sagullo and Erick Sanchez, City of San José, Robert Davis; Court: United States District Court, Northern District of California; Case No: C08-04032 PVT; Amount of Money or Other Relief Sought: Damages according to proof; (4) Heiman v. City, et al; Names of Parties Involved: Ronald Heiman, Officer Johnson, Badge No. 3827, Sergeant Baldal, Badge No. 3479, Officer A. Grogan, Badge No. 3972, John Doe and Richard Roe, Police Officers for the City of San José, the identify and number of whom are unknown to plaintiff, Robert Davis, individually and in his capacity as Chief of Police for the City of San José, municipality, Does 1 through 100; Court: United States District Court, Northern District of California, San José Facility; Case No: C09-02617 PVT; Amount of Money or Other Relief Sought: Damages according to proof; (5) Stand for San José, et al. v. City, et al. Names of Parties Involved: Stand for San José and Eileen Hannan, City of San José, City Council of the City of San José, Redevelopment Agency of the City of San José, Diridon Development Authority; Court: Superior Court of California, County of Santa Clara; Case No: 1-11-CV-214196; Amount of Money or Other Relief Sought: Injunctive relief. (6) City, et al. vs. Bank of America, N.A., et al; Names of Parties Involved: City of San José, The San José Redevelopment Agency, Bank of America N.A., Merrill Lynch & Co., Inc., UBS AG, UBS Financial Products Inc., UBS Securities, LLC, MBIA, Inc., Citibank, N.A., Citigroup Financial Products Inc., Citigroup Global Markets Holdings Inc., Morgan Stanley, Rabobank Group, Bayerische, Landesbank Gironzentrale, Piper Jaffray & Co., Societe Generale SA, Financial Security Assurance, Inc., Assured Guaranty US Holdings Inc., Dexia S.A., National Westminster Bank, PLC, Natixis FundingCorp., Natixis S.A., The Goldman Sachs Group, Inc., Goldman Sachs Mitsui Marine Derivative Products, L.P., Goldman SachsBank USA, CDR Financial Products, Winters & Co., Advisors.,

CLOSED SESSION (Cont'd.)

LLC, George K. Baum & Co., Sound Capital Management, Inc., Investment Management Advisory Group, Inc., First Southwest Company, PFM Investment Management LLC; Court: United States District Court, Northern District of California; Case No: CV 102199; Amount of Money or Other Relief Sought: Damages according to proof. (B) to confer with Legal Counsel with respect to Public Employment/Public Employee Evaluation pursuant to Government Code Section 54957: City Manager; Name: Debra Figone. (C) to confer with Labor Negotiator pursuant to Government Code Section 54957.6: City Negotiator: City Manager Designee Alex Gurza; Employee Organizations: (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and ABMEI. (2) Association of Engineers & Architects (AEA); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AEA. (3) Association of Maintenance Supervisory Personnel (AMSP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AMSP. (4) City Association of Management Personnel Agreement (CAMP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CAMP. (5) Confidential Employees' Organization, AFSCME Local 101 (CEO); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CEO. (6) International Association of Firefighters, Local 230 (IAFF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Association of Firefighters. (7) International Brotherhood of Electrical Workers (IBEW); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and IBEW. (8) Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and MEF; (9) International Union of Operating Engineers, Local No. 3 (OE#3); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Union of Operating Engineers, Local No. 3. (10) San José Police Officers' Association (SJPOA); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and San José Police Officers' Association. (11) Association of Legal Professionals of San José (ALP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc. Web: <http://www.sanjoseca.gov/employeerelations/moa.asp>; Telephone for Employee Relations: 408-535-8150.

CLOSED SESSION (Cont'd.)

To confer with Legal Counsel (A) pertaining to the Housing Authority of the City of San José pursuant to anticipated litigation, Government Code Section 54956.9 subsection (c) with respect to initiation of litigation in one (1) matter.

By unanimous consent, Council recessed from the Closed Session at 11:05 a.m. and reconvened to Regular Session at 1:33 p.m. in the Council Chambers.

Present: Council Members - Campos, Chu, Constant, Herrera, Kalra, Liccardo, Oliverio (1:39 p.m.), Pyle, Rocha; Reed.

Absent: Council Members - Nguyen. (Excused)

INVOCATION

Parveen Kaur Dhillon, Director of the Lohgarh Sikh Educational Foundation, provided the Invocation. (District 2)

PLEDGE OF ALLEGIANCE

Mayor Reed, accompanied by the Third Graders from Lynhaven Elementary School, led the Pledge of Allegiance.

ORDERS OF THE DAY

Upon motion by Council Member Pyle, seconded by Council Member Herrera and carried unanimously, the Orders of the Day and the Amended Agenda were approved. (9-0-2. Absent: Nguyen, Oliverio.)

CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to Neeraj Baid and Neel Bhoopalam for promoting youth entrepreneurship by organizing a TEDx Conference and mentorship sessions that brought together more than 200 Bay Area students and over 20 business leaders on October 22, 2011. (Herrera)**

Mayor Reed and Council Member Herrera recognized and commended Neeraj Baid and Neel Bhoopalam.

1.2 Presentation of a proclamation declaring the month of February 2012 as “American Heart Month” in the City of San José. (Kalra)

Mayor Reed and Council Member Kalra recognized the month of February 2012 as “American Heart Month” in San José.

1.3 Presentation of a commendation to the Berryessa Business Association for their efforts to strengthen the small businesses of the Berryessa Community. (Chu)

Mayor Reed and Council Member Chu recognized and commended the Berryessa Business Association.

CONSENT CALENDAR

Upon motion by Council Member Pyle, seconded by Council Member Herrera and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (10-0-1. Absent: Nguyen.)

2.1 Approval of minutes.

- (a) **Regular Minutes of October 4, 2011.**
- (b) **Regular Redevelopment Agency Minutes of October 4, 2011.**
- (c) **Special Minutes of October 17, 2011.**
- (d) **Regular Minutes of October 18, 2011.**
- (e) **Regular Minutes of October 25, 2011.**
- (f) **Joint City/County Minutes of October 28, 2011.**

Documents Filed: (1) The Regular Minutes dated October 4, 2011, October 18, 2011 and October 25, 2011. (2) The Regular Redevelopment Agency Minutes dated October 4, 2011. (3) The Special Minutes dated October 17, 2011. (4) The Joint City/County Minutes dated October 28, 2011.

Action: The Minutes were approved. (10-0-1. Absent: Nguyen.)

2.2 Final adoption of ordinances.

- (a) **ORD. NO. 29031 – Amending Sections 15.08.060, 15.08.070, 15.08.670, 15.08.790, 15.08.1120, 15.08.1140, 15.08.1160, and 15.08.1230 of Chapter 15.08 of Title 15 of the San José Municipal Code to reflect the current organization of City’s Municipal Water System within the Department of Environmental Services, and authorizing the Director of Environmental Services to allow modifications to customer responsibilities for connection of private fire protection pumps to municipal water distribution system in certain specified circumstances.**

Documents Filed: Proof of publication of the Title of Ordinance No. 29031 executed on February 7, 2012, submitted by the City Clerk.

2.2 (a) (Cont'd.)

Action: Ordinance No. 29031 was adopted. (10-0-1. Absent: Nguyen.)

- (b) **ORD. NO. 29032** – Amending Chapter 4.46 of Title 4 of the San José Municipal Code and Chapter 4.47 of Title 4 to add sections to partially suspend the collection of the Building and Structure Construction Tax and to suspend the Commercial-Residential-Mobilehome Park Building Tax for office, research and development uses, data center uses and installation of solar photovoltaic systems.

Documents Filed: Proof of publication of the Title of Ordinance No. 29032 executed on February 7, 2012, submitted by the City Clerk.

Action: Ordinance No. 29032 was adopted. (10-0-1. Absent: Nguyen.)

- (c) **ORD. NO. 29033** – Amending Section 14.29.040 of Chapter 14.29 of Title 14 of the San José Municipal Code to provide that the traffic impact fee shall be paid prior to issuance of a building permit or in accordance with the schedule specified in an agreement with the City of San José.

Documents Filed: Proof of publication of the Title of Ordinance No. 29033 executed on February 7, 2012, submitted by the City Clerk.

Action: Ordinance No. 29033 was adopted. (10-0-1. Absent: Nguyen.)

- (d) **ORD. NO. 29021** – Amending various sections of Chapter 2.04 of Title 2 of the San José Municipal Code, amending Section 13.23.210 of Chapter 13.23 of Title 13, and amending Section 14.04.141 of Chapter 14.04 of Title 14, to reflect the reorganization of city services within city departments; and repealing and modifying various sections of Part 2 and Chapter 11.36 of Title 11 relating to parking and traffic control within the old City Hall property due to the transfer of the property.

Documents Filed: Proof of publication of the Title of Ordinance No. 29021 executed on February 1, 2012, submitted by the City Clerk.

Action: Ordinance No. 29021 was adopted. (10-0-1. Absent: Nguyen.)

- (e) **ORD. NO. 29030** – Rezoning certain real property situated on the east side of Quimby Road, approximately 440 feet east of Murillo Road (3770 Quimby Road), from Unincorporated County to A(PD) Planned Development Zoning District to allow up to seven single-family detached residences on a 2.8 gross acre site. PDC10-002

2.2 (e) (Cont'd.)

Documents Filed: Proof of publication of the Title of Ordinance No. 29030 executed on January 31, 2012, submitted by the City Clerk.

Action: Ordinance No. 29030 was adopted. (10-0-1. Absent: Nguyen.)

2.3 Approval of Council Committee Reports

- (a) Rules and Open Government Committee Report of January 11, 2012.**
- (b) Rules and Open Government Committee Report of January 18, 2012. (Mayor)**
- (c) Community and Economic Development Committee Report of January 23, 2012. (Herrera)**
- (d) Public Safety, Finance and Strategic Support Committee Report of January 23, 2012. (Constant)**

Documents Filed: (1) The Rules and Open Government Committee Reports dated January 11, 2012 and January 18, 2012. (2) The Community and Economic Committee Report dated January 23, 2012. (3) The Public Safety, Finance and Strategic Support Committee Report dated January 23, 2012.

Public Comments: David Wall presented comments about the Rules and Open Government Committee Reports dated January 11, 2012 and January 18, 2012.

Action: Upon motion by Council Member Pyle, seconded by Council Member Herrera and carried unanimously, the Council Committee Reports were approved. (10-0-1. Absent: Nguyen.)

- 2.4 (a) Request for an excused absence for Council Member Chu from the Regular Meeting of the Neighborhood Services and Education Committee on February 9, 2012 due to Authorized City Business: League of California Cities Board of Directors Meeting in Palo Alto, CA. (Chu)**

Documents Filed: Memorandum from Council Member Chu, dated January 31, 2012, requesting an excused absence due to authorized City Business.

Action: The absence for Council Member Chu was excused. (10-0-1. Absent: Nguyen.)

2.5 City Council Travel Reports.

There were none.

2.6 Report from the Council Liaison to the Retirement Boards.

There were none.

- 2.7 Report on bids and award of contract for Installation of Potable and Non-Potable Water Services and Mains: 2012-2013 to the lowest responsive bidder, San Jose Water Company, for the estimated term of April 2012 through June 2013, in an amount not to exceed \$645,955.64. CEQA: Exempt, File No. PP10-163. (Environmental Services/Public Works)**

Documents Filed: (1) Memorandum from Acting Director of Environmental Services Kerrie Romanow and Director of Public Works David Sykes, dated January 23, 2012, recommending approval of the contract. (2) Supplemental memorandum from the Treatment Plant Advisory Committee Chair Chuck Reed, dated February 9, 2012, expressing concurrence with the Staff recommendations.

Action: The report on bids and the award of contract for Installation of Potable and Non-Potable Water Services and Mains: 2012-2013 to the lowest responsive bidder, San Jose Water Company, for the estimated term of April 2012 through June 2013, in an amount not to exceed \$645,955.64, was approved. (10-0-1. Absent: Nguyen.)

- 2.8 Adopt a resolution authorizing the City Manager to:**
- (a) Execute the Sixth Amendment to the Environmental Enforcement Data Management System (EEDMS) Agreement with enfoTech & Consulting, Inc., to extend the term of the agreement by twelve months, from January 31, 2012 to January 31, 2013, and increase the maximum compensation by \$86,300 for a revised not-to-exceed amount of \$1,467,898 in order to complete the upgrade of the existing EEDMS to a web-based system and to add additional features and functionality.**
 - (b) Add \$17,260 to the previous contingency amount of \$72,750, for a total contingency amount not to exceed \$90,010, to cover any unanticipated changes to the system upgrade, report development, system maintenance and support.**
 - (c) Execute amendments to extend the term of the agreement beyond January 31, 2013, as required in the event that additional time is needed to complete the project.**

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

Action: Deferred to March 13, 2012 per Administration.

- 2.9 Approve an Ordinance to amend Section 3.36.080 of Chapter 3.36 and Section 3.28.1030 of Chapter 3.28 of Title 3 of the San José Municipal Code regarding Non-Assignment for the purposes of Retiree Association Dues and other organizations as approved by the Retirement Boards. CEQA: Not a Project, File No. PP10-068(b), Municipal Code or Policy (new or revised). (Retirement)**

Documents Filed: Memorandum from Council Member Pyle, dated February 14, 2012, recommending approval of the Staff recommendations, with information as described below in "Action".

2.9 (Cont'd.)

Council Member Pyle offered background information about the Ordinance amending the Retiree Association Dues.

Motion: Council Member Pyle moved approval of her memorandum dated February 14, 2012, approving the Staff recommendations, with additional information as indicated below in “Action”.

City Attorney Richard Doyle and Deputy Director of Retirement Services Donna Busse responded to Council questions and concerns.

Council Member Pyle provided meeting disclosures.

Public Comments: Michael Alford, Vice President, Police and Fire Retiree Association, expressed support to the recommendations but foresees a problem in the implementation when sending out a second letter to the retirees.

Action: On a call for the question, the motion carried, the memorandum from Council Member Pyle, dated February 14, 2012, was approved: approving the Staff recommendations and Staff to provide this additional information to the Boards of Administration for the Police and Fire Department Retirement Plan and the Federated City Employees’ Retirement System: (1) Council strongly encourages the above mentioned Boards to allow at least 3 months for Retirees to return the new authorization due agreement before they become non-dues paying retirees. (2) Limit changes in contributions to any of the approved organizations to one time per year and Ordinance No. 29035, entitled: “An Ordinance of the Council of the City of San José Amending Section 3.28.1030 of Chapter 3.28 and Section 3.36.080 of Chapter 3.36 of Title 3 of the San José Municipal Code To Allow Voluntary Deductions from Pension Payments for Payment to a Third Party Organization If Permitted by Rules and Regulations Adopted by the City’s Retirement Boards”, was passed for publication. (9-1-1. Noes: Oliverio. Absent: Nguyen.)

2.10 **Approve a Cooperative Agreement with the Santa Clara Valley Transportation Authority (VTA) for the relocation of existing VTA utilities, cabinets, and other utility related equipment in the City public right-of-way in conflict with the proposed San Carlos Multimodal Streetscape Improvement Phase II project, for the approximate amount of \$800,000. CEQA: Downtown Strategy SEIR/SEIR, Resolution No. 68839, File No. PP03-254. (Transportation)**

Documents Filed: City Council Action Request from Director of Transportation Hans Larsen, dated February 3, 2012, recommending approval of a cooperative agreement.

2.10 (Cont'd.)

Action: A Cooperative Agreement with the Santa Clara Valley Transportation Authority (VTA) for the relocation of existing VTA utilities, cabinets, and other utility related equipment in the City public right-of-way in conflict with the proposed San Carlos Multimodal Streetscape Improvement Phase II project, for the approximate amount of \$800,000, was approved. (10-0-1. Absent: Nguyen.)

2.11 As recommended by the Rules and Open Government Committee on January 25, 2012:

- (a) Approve the District 1 Annual Flag Raising Event as a City Council sponsored Special Event.**
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.**

CEQA: Not a Project. (City Clerk)

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins, CMC, dated January 25, 2012, transmitting the recommendations of the Rules and Open Government Committee.

Action: The District 1 Annual Flag Raising Event as a City Council sponsored Special Event was approved and donations from various individuals, businesses or community groups to support the event were authorized for acceptance. (10-0-1. Absent: Nguyen.)

2.12 As recommended by the Rules and Open Government Committee on February 1, 2012, reappoint Mike Graves to the Mobile Home Advisory Commission. (Nguyen)

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 1, 2012, transmitting the recommendations of the Rules and Open Government Committee.

Action: Mike Graves was reappointed to the Mobile Home Advisory Commission. (10-0-1. Absent: Nguyen.)

2.13 As recommended by the Rules and Open Government Committee on February 1, 2012:

- (a) Appoint Council Member Pyle to the Santa Clara Valley Transportation Authority Board of Directors.**
- (b) Appoint Council Member Oliverio to the Santa Clara Valley Transportation Authority Policy Advisory Board – El Camino Real Rapid Transit.**
- (c) Appoint Acting Director Kerrie Romanow as the Alternate to the Santa Clara Valley Water District – Water Commission.**
- (d) Reappoint Council Member Campos and Council Member Liccardo to the Santa Clara Valley Transportation Authority’s Downtown/East Valley Policy Advisory Board.**

(Mayor)

2.13 (Cont'd.)

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 1, 2012, transmitting the recommendations of the Rules and Open Government Committee.

Council Member Pyle abstained from voting as she is a member of the Santa Clara Valley Transportation Authority.

Action: Upon motion by Council Member Pyle, seconded by Council Member Herrera and carried unanimously, the following appointments were approved: Council Member Pyle was appointed to the Santa Clara Valley Transportation Authority Board of Directors; Council Member Oliverio was appointed to the Santa Clara Valley Transportation Authority Policy Advisory Board – El Camino Real Rapid Transit, Acting Director of Environmental Services Kerrie Romanow was appointed as the Alternate to the Santa Clara Valley Water District – Water Commission and Council Members Campos and Liccardo were reappointed to the Santa Clara Valley Transportation Authority’s Downtown/East Valley Policy Advisory Board. (9-0-1-1. Absent: Nguyen. Abstain: Pyle.)

END OF CONSENT CALENDAR

STRATEGIC SUPPORT SERVICES

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

City Manager Debra Figone reported that Assistant City Manager Edward K. Shikada was presented with the League of California Cities’ prestigious John H. Nail Memorial Award.

- 3.3 (a) **Approve the 2011-2012 Mid-Year Budget Review Report.**
(b) **Adopt related Appropriation Ordinance and Funding Sources Resolution amendments in various funds as detailed in Section III (Recommended Budget Adjustments and Clean-Up Actions) in the 2011-2012 Mid-Year Budget Review.**

CEQA: Not a Project, File No. PP10-067(b), Appropriation Ordinance. (City Manager’s Office)

Documents Filed: (1) The Mid-Year Budget Review Report from the Office of the City Manager dated January 2012. (2) Staff presentation dated February 14, 2012 summarizing the 2011-2012 Mid-Year Budget Review Report.

Budget Director Jennifer A. Maguire presented the report.

3.3 (Cont'd.)

Budget Director Jennifer A. Maguire, Acting Director of Parks, Recreation and Neighborhood Services Julie Edmonds-Mares, Chief of Police Christopher Moore, City Manager Debra Figone and City Attorney Richard Doyle responded to Council questions and comments.

Extensive Council discussion ensued.

Motion: Council Member Constant moved approval of the Mid-Year Budget Review Report and Staff recommendations. Council Member Herrera seconded the motion.

Council Member Rocha requested the City Manager to circulate to Council an accounting of \$250,000 or less expenditures being made with regard to Employee Negotiations, i.e. attorney fees.

Public Comments: David Wall expressed various comments and “clean up actions” related to the Mid-Year Budget Review Report.

Action: On a call for the question, the motion carried, the Mid-Year Budget Review Report was approved, Ordinance No. 29036, entitled: “An Ordinance of the Council of the City of San José Amending Ordinance No. 28928 to Appropriate Monies in the General Fund and Various Special and Capital Funds; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption and Resolution No. 76141, entitled: “A Resolution of the Council of the City of San José Amending Resolution No. 75872 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2011-2012 To Adjust Revenues in the General Fund and Various Special and Capital Funds”, were adopted. (9-1-1. Noes: Kalra. Absent: Nguyen.)

The City Manager was requested to circulate to Council an accounting of \$250,000 or less expenditures being made with regard to Employee Negotiations, i.e. attorney fees.

- 3.4 (a) **Consider increasing the Marijuana Business Tax rate from 7% of gross receipts to 10% of gross receipts, as allowed under Measure U; and**
(b) **Direct staff to prepare an ordinance to implement the increased Marijuana Business tax rate for Council consideration at a public hearing originally scheduled for January 24, 2012, to take place no later than March 6, 2012.**

CEQA: Not a Project, File No. PP10-067(a), Increase to rate without changes to, or expansion of services. (Finance)

Action: Item 3.4 was continued.

3.5 As recommended by the Rules and Open Government Committee on February 1, 2012:

- (a) Consistent with California Elections Code Section 9241, approve an ordinance entirely repealing Ordinance No. 28960 (Chapter 6.88 of the San Jose Municipal Code), which establishes regulations pertaining to medical marijuana collectives and to individual cultivation and use of medical marijuana.**
- (b) Establish enforcement priorities for city actions against medical marijuana collectives to guide staff until the Council adopts a regulatory ordinance or the State of California establishes a regulatory system.**
- (c) Direct staff to produce quarterly report on tax compliance and complaint data by locations.**
- (d) Continue consideration of a marijuana business tax increase at a meeting and at a public hearing to be set at a later date.**

(Mayor)

Documents Filed: (1) Memorandum from Mayor Reed and Council Members Liccardo, Oliverio and Herrera, dated February 3, 2012, recommending direction to Staff to deploy City enforcement resources on the highest priorities as described below in “Action”. (2) Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 1, 2012, transmitting the recommendations of the Rules and Open Government Committee. (3) Supplemental memorandum from City Attorney Richard Doyle, dated February 6, 2012, transmitting the Legal Update on Medical Marijuana. (4) Staff presentation dated February 14, 2012 outlining a Report on Medical Marijuana. (5) Letter from Gary Salvadore, President, The Cannabis Patients Alliance, thanking the Council for having the courage and foresight to create an ordinance regulating the distribution of medical marijuana in the City of San José.

Assistant to City Manager Angelique Gaeta provided a report on Medical Marijuana.

Motion: Council Member Oliverio moved approval of the memorandum he cosigned with Mayor Reed and Council Members Liccardo and Herrera and the recommendations from the Rules and Open Government Committee as described on Page 14 in “Action”. Council Member Liccardo seconded the motion.

Public Comments: Speaking to the issues of medical marijuana were James Anthony, Citizens Coalition of Patient Care, Pamela Baker, Dave Hodges, First Cannabis Club, Mark Dugger, Golden Street Coalition, Michelle Hodges, Corrina Reyes, Michael Galdanez, Ace Salvadore, Lain Muzaeta and Jon Lustig.

City Attorney Richard Doyle responded to Council questions and comments.

Discussion ensued.

3.5 (Cont'd.)

Action: On a call for the question, the motion carried unanimously, Ordinance No. 29037, entitled: An Ordinance of the Council of the City of San José Repealing Ordinance No. 28960 (Chapter 6.88 of Title 6 of the San José Municipal Code) Establishing Regulations Pertaining to Medical Marijuana Collectives and to the Individual Cultivation and Use of Medicinal Marijuana”, was passed for publication; Items 3.5(a)-(d) on Page 13 were approved and the memorandum from Mayor Reed and Council Members Liccardo, Oliverio and Herrera, dated February 3, 2012, was approved, with Staff directed to deploy City enforcement resources on the highest priorities, which are: (1) Dispensaries that are creating nuisance activity for their neighbors including, but not limited to, conduct regulated by Municipal Code Chapter 1.13 Administrative Nuisance Abatement and Chapter 9.44 Regulation of Smoking. (2) Dispensaries that are not paying taxes. (3) Dispensaries too close to schools under state law. If current City efforts and funding are not sufficient to address the problems associated with medical marijuana dispensaries, bring a recommendation to add funding to the City Council during the budget process with a modification of Manager’s Budget Addendum (MBA) 30. (10-0-1. Absent: Nguyen.)

- (e) **If (a) is not approved, adopt a resolution calling a special municipal election to be held on June 5, 2012, for the purpose of submitting to the electors of the City of San José, a measure seeking approval of Ordinance No. 28960. (City Clerk)**

There was action required on Item 3.5(e).

3.6 **As recommended by the Public Safety, Finance and Strategic Support Committee on January 26, 2012, accept the City Auditor’s Report on Office Supply Purchases. (City Auditor)**

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 1, 2012, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee.

City Auditor Sharon W. Erickson presented a brief report on the audit of office supply purchases.

Action: Upon motion by Council Member Constant, seconded by Council Member Chu and carried unanimously, City Auditor’s Report on Office Supply Purchases was accepted. (10-0-1. Absent: Nguyen.)

3.7 **As recommended by the Public Safety, Finance and Strategic Support Committee on January 26, 2012, accept the City Auditor’s Report on Team San José and Convention and Visitors Bureau Performance for 2010-11. (City Auditor)**

3.7 (Cont'd.)

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 1, 2012, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee.

City Auditor Sharon W. Erickson presented the report. Downtown Manager Leeland Wilcox was also present.

William Sherry, Team San José, CEO, presented comments.

Action: Upon motion by Council Member Constant, seconded by Council Member Liccardo and carried unanimously, the City Auditor's Report on the Audit of Team San José and the Convention and Visitors Bureau Performance 2010-2011, was accepted. (10-0-1. Absent: Nguyen.)

3.8 **As recommended by the Public Safety, Finance and Strategic Support Committee on January 26, 2012, accept the City Auditor's Report on Information Technology General Controls. (City Auditor)**

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 1, 2012, transmitting the recommendations of the Public Safety, Finance and Strategic Support Committee.

City Auditor Sharon W. Erickson presented the report. Acting Chief Information Officer Vijay Sammeta was also present.

Action: Upon motion by Council Member Constant, seconded by Council Member Herrera and carried unanimously, the City Auditor's Report on Information Technology General Controls, was accepted. (10-0-1. Absent: Nguyen.)

3.10 **Recommendation:** As recommended by the Rules and Open Government Committee on February 8, 2012, accept the report on the results of the 2012 Community Budget Survey. (Mayor)

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 8, 2012, transmitting the recommendations of the Rules and Open Government Committee.

David Metz, Fairbank, Maslin, Maullin, Metz and Associates presented the report and responded to Council questions.

Council discussion followed.

Public Comments: David Wall expressed comments and opposition to the Community Budget Survey.

3.10 (Cont'd.)

Action: Upon motion by Council Member Liccardo, seconded by Council Member Herrera and carried unanimously, the Report on the results of the 2012 Community Budget Survey, was accepted. (10-0-1. Absent: Nguyen.)

3.11 As recommended by the Rules and Open Government Committee on January 25, 2012, discuss the following regarding June or November Tax Measures:

- (a) Information about anticipated revenue generated by a ¼ and ½ percent Sale Tax increase, a Business Tax adjustment that will keep up with inflation, a Modernization of the Business Tax as presented in Council Member Pyle's memorandum dated May 23, 2011.**
- (b) Evaluation of the advantages/disadvantages of tax increase ballot measures in a June or November election with information about the June 2010 and November 2010 revenue measure results.**
- (c) List of other potential revenue ballot measures for June and November including those under consideration by the State.**

(Pyle)

Documents Filed: (1) Copy of the memorandum from Council Member Pyle, dated February 8, 2012, recommending discussing the advantages of placing a tax measure on either the June or November ballot using the points contained in her memorandum as guides for Council deliberation and if necessary return to Council on February 28, 2012 to vote on a course of action. (2) Staff presentation dated February 14, 2012 summarizing the June/November 2012 Tax Measures.

Council Member Pyle remarked that Council should discuss the advantages of placing a tax measure on either the June or November ballot using the points described in her memorandum dated February 8, 2012.

Extensive Council discussion followed.

Library Director Jane Light and City Clerk Dennis D. Hawkins, CMC provided information about the ballot measures.

Director of Intergovernmental Relations Betsy Shotwell presented comments on Proposition 29.

Council Member Liccardo requested that the City Attorney take a look at the bond measure (street repair and maintenance) that passed in San Francisco.

Public Comments: David Wall presented comments on the June/November Tax Measures.

Council Member Rocha requested that the City Attorney explore options to consider a special election specifically for one item.

3.11 (Cont'd.)

Motion: Council Member Pyle moved approval to continue the discussion on the June/November 2012 Tax Measures to February 28, 2012. Council Member Campos seconded the motion.

Mayor Reed advised that placing this item on the November Ballot would be the best option. Council Member Liccardo concurred with Mayor Reed.

Mayor Reed and Council Members Liccardo, Constant and Oliverio expressed opposition to the motion on the floor.

Action: On a call for the question, the motion carried, the discussion was continued to February 28, 2012. The City Attorney was directed to take a look at the bond measure (street repair and maintenance) that passed in San Francisco and to explore options to consider a special election specifically for one item. (6-3-2. Noes: Liccardo, Oliverio; Reed. Absent: Constant, Nguyen.)

NEIGHBORHOOD SERVICES

5.1 **Adopt a resolution to amend the Schedule of Parkland Fees and Credits (Council Resolution No. 73587, as amended) authorizing the City Manager to negotiate and execute an amendment to agreements with developers of high-rise multi-family residential projects located in the Downtown Core Area who previously executed a deferment agreement with City to provide up to an additional 12 months for payment of parkland in-lieu fees and accrued interest owed to City. CEQA: Mitigated Negative Declaration; File No. H06-017. Council District 3. (Parks, Recreation and Neighborhood Services)**

Documents Filed: Memorandum from Acting Director of Parks, Recreation and Neighborhood Services Julie Edmonds-Mares, dated, January 23, 2012, recommending adoption of a resolution.

Motion: Council Member Liccardo moved approval of the Staff recommendations. Council Member Herrera seconded the motion.

Public Comments: David Wall expressed concerns and opposition to the deferred payment of Parkland Fees.

Deputy Director of Parks, Recreation and Neighborhood Services Matt Cano responded to Council questions.

5.1 (Cont'd.)

Action: On a call for the question, the motion carried unanimously, Resolution No. 76142, entitled: "A Resolution of the Council of the City of San José Amending Exhibit B of Resolution No. 73587, As Amended, To Provide An Additional Extension of Up to Twelve (12) Months for Deferral of the Payment of Parkland Fees Charged Pursuant to Chapters 14.25 and 19.38 of the San José Municipal Code for High Rise Multi-Family Residential Projects Located in the Downtown Core Area", was adopted. (9-0-2. Absent: Constant, Nguyen.)

ENVIRONMENTAL & UTILITY SERVICES

7.1 Adopt a resolution authorizing the City Manager to:

- (a) **Execute a Master Service Agreement with Cameron International Corporation, dba Process & Compression Systems (Cameron) located in Houston, Texas for the sole source purchase of Electrical Generator Engines (EGE or "Generator") catalogue parts, repair, refurbishment of engine components and related services as may be required, for a not-to-exceed amount of \$3,000,000 over a three year period from January 2012 to January 2015.**
- (b) **Execute one-year options to extend the agreement to provide ongoing maintenance and support after the initial three year term, subject to the annual appropriation of funds.**
- (c) **Execute open purchase orders as required under the terms and conditions of the Master Agreement, subject to the appropriation of funds.**

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

Documents Filed: (1) Memorandum from Acting Assistant Director of Finance Arn Andrews, dated January 23, 2012, recommending adoption of a resolution. (2) Supplemental memorandum from the Treatment Plant Advisory Committee Chair Chuck Reed, dated February 9, 2012, expressing concurrence with the Staff recommendations.

Motion: Council Member Kalra moved approval of the Staff recommendations. Council Member Chu seconded the motion.

Public Comments: David Wall expressed concerns about the agreement with Cameron International Corporation.

Action: On a call for the question, the motion carried unanimously, Resolution No. 76143, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to Execute a Master Service Agreement With Cameron International Corporation Doing Business as Process and Compression Systems for the Sole Source Purchase of Electrical Generator Engines Catalogue Parts, Repair, Refurbishment of Engine Components and Related Services as May Be Required, For A Not To Exceed Amount of \$3 Million Over a Three Year Period from January 2012 to January 2015", was adopted. (9-0-2. Absent: Constant, Nguyen.)

7.2 As recommended by the Transportation and Environment Committee on February 6, 2012:

- (a) Accept the report on the capital project delivery approach for implementing the Plan CIP.**
- (b) Direct staff to proceed with a Request for Information solicitation to determine market interest in Design Build, Design Build Operate, and Design Build Own Operate project delivery options for capital improvements using technology new to the City.**

CEQA: Not a Project, File No. PP10-069(a), Staff Reports. (Environmental Services/Public Works)

Documents Filed: (1) Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 8, 2012, transmitting the recommendations of the Transportation and Environment Committee. (2) Staff presentation dated February 14, 2012 summarizing the Biosolids Process Transition Timing and CIP Delivery Strategy. Supplemental memorandum from the Treatment Plant Advisory Committee Chair Chuck Reed, dated February 9, 2012, expressing concurrence with the Staff recommendations.

Acting Director of Environmental Services Kerrie Romanow and Director of Public Works David Sykes presented the report.

Motion: Council Member Herrera moved approval of the Staff recommendations. Council Member Rocha seconded the motion.

Public Comments: Jim Foley, McCarthy Ranch spoke in support to the Staff recommendations.

David Wall expressed opposition timeline and CIP delivery approach and to the lack of communication to the residents of San José.

Action: On a call for the question, the motion carried unanimously, the report on the capital project delivery approach for implementing the Plan CIP was accepted. Staff was directed to proceed with a Request for Information solicitation to determine market interest in Design Build, Design Build Operate, and Design Build Own Operate project delivery options for capital improvements using technology new to the City. (9-0-2. Absent: Campos, Nguyen.)

7.3 As recommended by the Transportation and Environment Committee on February 6, 2012:

- (a) Accept the update on the San José/Santa Clara Water Pollution Control Plant's Pretreatment Program.**
- (b) Approve a Director initiated ordinance amending Sections 15.14.270, 15.14.405, 15.14.465, 15.14.545, 15.14.575, 15.14.590, 15.14.695, and 15.14.745 of Chapter 15.14 of Title 15 of the San José Municipal Code to (1) update definitions for 'diluting waters,' 'significant change,' and 'zero discharger categorical user;' (2) allow issuance of permits to discharge stormwater to the sanitary sewer system; and (3) clarify requirements for reports submitted to the City from regulated facilities, as described in Title 40 of the Code of Federal Regulations (40 CFR).**

CEQA: Resolution No. 76041, November 1, 2011, "Envision San José 2040 General Plan." (Environmental Services)

Documents Filed: (1) Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 8, 2012, transmitting the recommendations of the Transportation and Environment Committee. (2) Supplemental memorandum from the Treatment Plant Advisory Committee Chair Chuck Reed, dated February 9, 2012, expressing concurrence with the Staff recommendations.

Public Comments: David Wall expressed opposition to the San José/Santa Clara Water Pollution Control Plant's Pretreatment Program.

Action: Upon motion by Council Member Pyle, seconded by Council Member Liccardo and carried unanimously, the update on the San José/Santa Clara Water Pollution Control Plant's Pretreatment Program was accepted and Ordinance No. 29038, entitled: "An Ordinance of the Council of the City of San José Amending Sections 15.14.270, 15.14.405, 15.14.465, 15.14.545, 15.14.575, 15.14.590, 15.14.695 and 15.14.745 of Chapter 15.14 of Title 15 of the San José Municipal Code to Update Definitions, Allow Issuance of Permits to Discharge Stormwater to the Sanitary Sewer System and Clarify Requirements for Reports Submitted to the City from Regulated Facilities", was passed for publication. (9-0-2. Absent: Campos, Nguyen.)

PUBLIC SAFETY SERVICES

8.1 As recommended by the Public Safety, Finance and Strategic Support Committee on January 26, 2012:

- (a) Accept the report on Title 16 Amendments.**
- (b) Approve an ordinance amending Chapters 16.06, 16.30, 16.32 and 16.33 of Title 16 of the San José Municipal Code relating to administrative regulations, Key Employee Licenses, renaming the Cardroom Table Fee the Cardroom Regulation Fee, procedures regarding investigations for Cardroom License application, Temporary Key Employee Licenses, Administrative Review Hearings for Temporary Key Employee Licenses, and making conforming and technical amendments.**

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

Documents Filed: (1) Memorandum from Mayor Reed, Vice Mayor Nguyen and Council Member Constant, dated February 10, 2012, recommending approval of the Staff recommendations with modifications as described below in "Action". (2) Memorandum from City Clerk Dennis D. Hawkins, CMC, dated February 1, 2012, transmitting the recommendations of the Transportation and Environment Committee.

Motion: Council Member Constant moved approval of the memorandum he cosigned with Mayor Reed and Vice Mayor Nguyen, dated February 10, 2012, recommending approval of the Staff recommendations with modifications as described below in "Action".

City Attorney Richard Doyle, Chief of Police M. Christopher Moore and City Auditor Sharon W. Erickson responded to Council questions and comments.

Council discussion ensued.

Public Comments: Antoinette McGill, Garden City Casino (Casino Matrix) expressed support to the amendments to Title 16.

Ron Warner, Vice President, Bay 101, spoke in support to the acceptance of the report but expressed concern about the ninety day period for provisional regulation and urged the Council to support a period of six months at a minimum.

Council Member Constant requested to amend his motion and revise the Provisional Rule-Making Procedure Item (b)i, Section C to sunset in *nine months* in lieu of three months. Council Member Oliverio accepted the amendment.

8.1 (Cont'd.)

Council Member Constant requested that the City Attorney look at the alternate dispute resolution process and determine how to efficiently move it forward. Council Member Constant also requested that the City Attorney return to Council in 60 days with options tying the Non-Key Employees moving to the State. Council Member Oliverio accepted the amendments.

Action: On a call for the question, the motion carried unanimously, the report on Title 16 Amendments was accepted, the revised memorandum from Mayor Reed, Vice Mayor Nguyen and Council Member Constant, dated February 10, 2012, was approved: (1) The amendments to Title 16 as recommended by Staff were approved, with the following modifications. (a) As previously recommended by the City Auditor, transfer the permitting process for Non-Key Employees to the State, mirroring the actions previously approved by Council for Key Employees. (b) Revise the Provisional Rule-Making Procedure: (i) Revise Section C to read: All provisional Regulations promulgated by the Administrator shall sunset *nine months* after they take effect if the provisional Regulation has not been enacted as a final Regulation pursuant to the procedures set out in this Chapter. (ii) Add Section E: Approval of final Regulations may be appealed for review pursuant to the alternate dispute resolution process. *City Attorney was directed to look at the alternate dispute resolution process and determine how to efficiently move it forward.* (2) City Manager was directed to develop a process by which the card clubs can formally request clarification of Title 16 regulations and definitions. (3) City Manager was directed to meet with both card clubs to develop an agreed upon plan for a timely, cost efficient process to appeal disputes arising from the provisions of, or enforcement of, Title 16. The City Manager should return to the Rules and Open Government Committee with 60 days to present the plan. (4) City Manager was directed to return to the City Council, through the budget process, alternative staffing models and separation of duties in the Division of Gaming Control as recommended by the City Auditor and the independent consultant, WhiteSand Gaming. (5) *City Attorney was directed to return to Council in 60 days with options tying the Non-Key Employees moving to the State and Ordinance No. 29039*, entitled: “An Ordinance of the Council of the City of San José Amending Sections 16.06.050 and 16.06.060 of Chapter 16.06 of Title 16 of the San José Municipal Code to Provide for Review and Approval of Administrative Regulations by the Chief of Police Before they Become Final; Amending Section 16.32.020 of Chapter 16.32 of Title 16 to Require the Chief of Police to Issue a City Key Employee License for All Key Employee Positions That Are Licensable by the California Gambling Control Commission; Amending Section 16.30.060 of Chapter 16.30 To Create a Cardroom Regulation Fee in Place of the Cardroom Table Fee; Amending Section 16.32.110 of Chapter 16.32 to Specify That if Investigation of a Cardroom License Takes Longer than 180 Days the Administrator Shall Provide a Written Explanation of the Reasons for Delay and an Estimated Date for Completion of the Investigation, Which Will Be Updated Every Two Months Until the Application is Granted, Withdrawn or Denied; Amending Section 16.32.620 of Chapter 16.32 to Require the Administrator to Issue a Temporary Key Employee License to Each Applicant for a Key Employee License who

8.1 (Cont'd.)

is Issued an Interim State Key Employee License by the California Gaming Control Commission; Adding a New Section 16.32.630 Providing for Notice and an Opportunity for an Administrative Review Hearing Prior to Revocation of a Temporary Key Employee License; Adding a New Section 16.32.640 To Make Certain City Key Employee Licenses Retroactive to the Date that the California Gambling Control The Commission Issued a State Key Employee License; Making Technical and Conforming Amendments Regarding Licensing to Section 16.32.190 and 16.32.610 of Chapter 16.32; and Making Technical Clarifying and Conforming Amendments Regarding Minor Violation Procedure by Adding Sections 16.33.020 and 16.33.030 and Amending Section 16.33.010 of Chapter 16.33”, was passed for publication, as amended. (10-0-1. Absent: Nguyen)

8.2 **Adopt a resolution authorizing the City Manager to apply for the DHS/FEMA-administered, 2011 Staffing for Adequate Fire and Emergency Response Grant (SAFER) for funding to restore positions lost through attrition. (Fire)**

Documents Filed: Memorandum from Fire Chief William L. McDonald, dated February 13, 2012, recommending adoption of a resolution.

Fire Chief William McDonald responded to Council questions.

Action: Upon motion by Council Member Pyle, seconded by Council Member Herrera and carried unanimously, Resolution No. 76144, entitled: “A Resolution of the Council of the City of San José Authorizing the City Manager to Apply for the Department of Homeland Security/Federal Emergency Management Agency Administered 2011 Staffing for Adequate Fire and Emergency Response (SAFER) Grant for Funding to Restore Positions Lost Through Attrition”, was adopted. (10-0-1. Absent: Nguyen)

STRATEGIC SUPPORT SERVICES

3.9 **Establish a future list of priority policies and ordinances, with items on this list to be moved to the Top Ten list as top priorities are completed between now and August 2012. CEQA: Not a Project, File No. PP10-069(a), staff reports. (City Manager’s Office)**

Motion: Council Member Rocha moved approval to continue Item 3.9 to February 28, 2012. Council Member Herrera seconded the motion.

Public Comments: Providing suggestions and comments were Michael Fox, Goodwill of Silicon Valley, Jonathan Reyes, Robert Shuck and Frederick Ferrer, The Health Trust.

3.9 (Cont'd.)

Assistant Director of Planning, Building and Code Enforcement Laurel Prevetti responded to Council questions and comments.

A short discussion followed.

Action: On a call for the question, the motion carried unanimously, Item 3.9 was continued to February 28, 2012. (10-0-1. Absent: Nguyen.)

ADJOURNMENT

The Council of the City of San José was adjourned at 6:19 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

Dennis D. Hawkins, CMC
City Clerk

/smd 02-14-12 MIN

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