



# Memorandum

**TO:** Honorable Mayor &  
City Council Members

**FROM:** Lee Price, MMC  
City Clerk

**SUBJECT:** The Public Record  
January 25-31, 2008

**DATE:** February 1, 2008

## ITEMS TRANSMITTED TO THE ATTORNEY

- (1) Letter from Sheppard, Mullin, Richter and Hampton LLP to Mayor and Council dated January 30, 2008 regarding City Council Meeting on November 20, 2007, and Resolution No. 74127, Adopted November 20, 2007.

## ITEMS FILED FOR THE PUBLIC RECORD

- (a) Letter from the Department of Fish and Game dated December 28, 2007 enclosing a copy of California Wildlife: Conservation Challenges (on file in the Office of the City Clerk).
- (b) Letter from San Jose Fire Fighters, Local 230 to Mayor Reed and Council dated January 14, 2008 regarding Council Policy on Labor Negotiations Guidelines.
- (c) Memorandum from Deputy Director of Finance Julia Cooper to City Clerk Lee Price dated January 24, 2008 regarding Director's TEFRA Public Hearing.
- (d) Email from Eddie Garcia to Mayor and Council dated January 24, 2008 regarding Mexican Heritage Corporation.
- (e) Email from Joanne Benjamin, Executive Director of Santa Clara County Cities Association to City Clerk Lee Price dated January 29, 2008 regarding Cities Association: Priorities for the Coming Year.
- (f) Letter from the San Jose Human Rights Commission to Mayor and Council dated January 28, 2008 regarding their desire to support the Burmese and Thai-Burmese Citizens that now live in our City.

Lee Price, MMC  
City Clerk

LP/np

Distribution: Mayor/Council  
City Manager  
Assistant City Manager  
Assistant to City Manager  
Council Liaison  
Director of Planning  
City Attorney  
City Auditor  
Director of Public Works

Director of Finance  
Public Information Officer  
San José Mercury News  
Library



Public Record 1.

Four Embarcadero Center | 17th Floor | San Francisco, CA 94111-4106  
415-434-9100 office | 415-434-3947 fax | www.sheppardmullin.com

James M. Chadwick  
Writer's Direct Line: 415-774-2945  
jchadwick@sheppardmullin.com

January 30, 2008

Our File Number: 17DL-134870

**VIA FACSIMILE AND FEDEX**

Hon. Mayor Chuck Reed  
Hon. Members of the City Council  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113  
tel. (408) 535-4800  
fax. (408) 292-6422

Re: City Council Meeting on November 20, 2007, and Resolution No. 74127, Adopted November 20, 2007

Dear Mayor Reed and Members of the City Council:

I am writing on behalf of the Northern California Vietnamese American Community ("VACNORCAL") to request that the City Council cure and correct the City's adoption of Resolution No. 74127, creating and naming the "Saigon Business District" ("SBD"). VACNORCAL requests that Resolution No. 74127 be rescinded, and that any and all future actions with respect to the creation or naming of a Vietnamese retail area be taken in strict compliance with the Ralph M. Brown Act.

The discussion of the creation and naming of the SBD and the adoption of Resolution No. 74127 violated the Ralph M. Brown Act (Government Code section 54950, *et seq.*, hereafter the "Brown Act"). In particular, they violated Government Code sections 54952.2 and 54953.

Prior to the City Council meeting on November 20, 2007, members of the City Council engaged in a series of communications involving a majority of the members of the City Council, in an effort to develop a collective concurrence as to action to be taken on the creation and naming of the SBD. These communications included, but were not limited to, a memorandum dated November 15, 2007, signed by the Mayor and four other members of the City Council. As a result of these communications, it appears that the agreement of a majority of the members of the City Council to approve the creation of a Vietnamese retail area and to name it the "Saigon Business District" was obtained. However, regardless of whether an actual

Hon. Mayor Chuck Reed  
Hon. Members of the City Council  
January 30, 2008  
Page 2

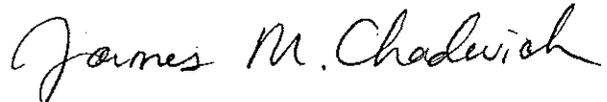
agreement was obtained, it is clear that a majority of the members of the City Council became involved in an effort to achieve consensus on the action to be taken and deliberated on that proposal, through communications outside of any noticed public meeting of the City Council. That violated Government Code section 54953 and 54952.2.

VACNORCAL supports the creation of a Vietnamese destination retail area. However, together with the vast majority of the San Jose Vietnamese American community, VACNORCAL opposes branding that area with the name "Saigon Business District." For reasons that may be difficult for those outside the Vietnamese American community to appreciate, but which are understood and compelling within that community, VACNORCAL and its members—many of whom live or work in the SBD area—vehemently object to being associated with the "Saigon Business District" name. In adopting the resolution creating the SBD and imposing that name upon it, the City unfortunately disregarded both the will of the community and the Brown Act.

Therefore, VACNORCAL respectfully requests that the City take immediate action to cure and correct those violations, by rescinding Resolution No. 74127 and taking any future actions with regard to a Vietnamese retail area in accordance with the Brown Act. VACNORCAL also requests that the City refrain from creating or installing any signage using the "Saigon Business District" name. Finally, the City should take all necessary steps to ensure that hardcopy and electronic documents or records relating to the creation and naming of a Vietnamese retail area in San Jose are preserved, including electronic communications or records that might otherwise be erased or expunged by automated processes.

Thank you for your attention to this matter. We look forward to your prompt response.

Sincerely,



James M. Chadwick

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP



DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
Director's Office
1416 9th Street, Room 1205
Sacramento, California 95814
916.653.7667

Public Record a.



RECEIVED
San Jose City Clerk

December 28, 2007

2008 JAN 25 P 2: 5b

Dear Partner in Conservation:

On behalf of the Department of Fish and Game and our conservation partners, it is with great pleasure that I transmit the enclosed copy of California Wildlife: Conservation Challenges. (on file in the Office of the City Clerk)

In 2000, Congress enacted the State Wildlife Grants Program to support state programs that broadly benefit wildlife and habitats but particularly "species of greatest conservation need." As a requirement for receiving funding under this program, state wildlife agencies were required to submit for approval a Wildlife Action Plan to the U.S. Fish and Wildlife Service. The California Department of Fish and Game's plan, California Wildlife: Conservation Challenges, is available in print as well as online at: www.dfg.ca.gov/wildlife/wap/report.html. The online version provides additional supporting information and is also available in Spanish.

California Wildlife: Conservation Challenges is directed at answering three primary questions:

- What are the species and habitats of greatest conservation need?
• What are the major stressors affecting California's native wildlife and habitats?
• What are the actions needed to restore and conserve California's wildlife, thereby reducing the likelihood that more species will meet the definition of threatened or endangered under the California Endangered Species Act?

The Department has developed a distribution Plan that provides copies to local government officials, libraries, universities, and the broad and diverse stakeholder group that were engaged to provide input into development of the plan. We look forward to collaborating with federal, state and local agencies and conservation organizations on projects to implement recommendations of the California Wildlife Action Plan.

If you would like additional copies of the plan, please contact the Department's Office of Communications and Education at: Publications@dfg.ca.gov; or (916) 322-8911.

Sincerely,

[Handwritten signature of John McCamman]

John McCamman
Acting Director
California Department of Fish and Game

Enclosure



# San Jose Fire Fighters • Local 230

425 E. Santa Clara Street, Suite 300, San Jose, CA 95113 • (408) 286-8718 • FAX (408) 286-2577



January 14, 2008

*Public Record b*

Honorable Mayor Reed and City Council members,

RE: SJ Firefighter's re Council Policy on Labor Negotiations Guidelines

San Jose Firefighters opposes the proposed Council Policy on Labor Negotiations and asks that each of you reject the proposal for the following reasons;

1. This proposal is an insult to each of you. It suggests that you do not have the intellect, integrity and/or ethics to find the line between right and wrong.
2. It slams the door on your open door policy.
3. It defies the open government concept.
4. It is likely a violation of the first amendment.
5. It blocks you from your duty to gather facts so you can make intelligent decisions.
6. It is a manipulation to control the flow of information to you.

San Jose Firefighters and all employees of the city are part of your constituent group. This policy unfairly blocks us from speaking with you based on a premise that you are too irresponsible to do what is right. The policy is driven by management's false allegation that the city's failures in negotiations and/or arbitrations are a result of inappropriate council member involvement. This is a convenient excuse that diverts attention away from the truth. The truth being, that for some time now, the city's negotiating team has come into the process without the will and/or authorization to actually negotiate issues.

San Jose Firefighters urges you to do what you were elected to do. Lead, by rejecting this grossly flawed policy proposal.

Should you have any questions of me please don't hesitate to call me at 408-828-3726

Respectfully,

*Randy Sekany /ps*

Randy Sekany, President  
San Jose Fire Fighters IAFF Local 230  
4th District Vice President  
California Professional Fire Fighters





*Public Record C*  
**Memorandum**

**TO:** Lee Price  
City Clerk

**FROM:** Julia H. Cooper

**SUBJECT:** Public Record  
Director's TEFRA Public Hearing

**DATE:** January 24, 2008

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Attached is Certificate No. 2008-1, Meeting Report, sign-in sheet, agenda packet and Notice of Public Hearing for the Director's TEFRA Public Hearing of January 17, 2008, as requested by California Statewide Communities Development Authority as Issuer. The hearing was published and the agenda was posted as required by law.

Please file as part of the public record. If you have any questions, please call Peter Detlefs at extension 57015.

  
JULIA H. COOPER  
Deputy Director of Finance

**Attachments**

cc: Ed Moran, City Attorney's Office  
(no attachments)

RECEIVED  
San Jose City Clerk  
2008 JAN 25 P 3:28

**Certificate No. 2008-1**  
of the  
**MAYOR**

The undersigned, Chuck Reed, Mayor of the City of San José (the "City"), hereby certifies as follows:

1. I am the Mayor of the City, duly elected by the people of the City.
2. Pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), I am the chief elected executive officer of the City, and, as such, I am the "applicable elected representative" of the City authorized to approve the issuance of bonds by or on behalf of the City.
3. California Statewide Communities Development Authority ("CSCDA") proposes to issue an aggregate principal amount not to exceed \$20,000,000 of its revenue bonds, designated as Charter Court Apartments (the "Bonds"), to finance the costs of the acquisition and rehabilitation of a 94-unit multifamily rental housing development located at 1200 Ranchero Way in the City of San José (the "Project").
4. The City caused to be published on January 2, 2008 in the *San Jose Mercury News*, a newspaper of general circulation in the City, a notice of a public hearing to be held on January 17, 2008, at 11:30 a.m. concerning the issuance of the Bonds, all in accordance with the requirements of Section 147(f) of the Code.
5. On January 17, 2008, the Deputy Director of Finance, pursuant to Municipal Code Section 5.06.430, held a duly noticed public hearing pursuant to Section 147(f) of the Code, at which hearing interested persons were given an opportunity to express their views for or against the issuance of the Bonds and on the nature and location of the Project.
6. I have been provided with a summary of the hearing and information concerning the Project and the Bonds.
7. Pursuant to Section 147(f) of the Code, I hereby approve the issuance of not to exceed \$20,000,000 principal amount of the Bonds by the City.
8. This action is taken expressly for purposes of Section 147(f) of the Code and nothing contained herein shall be construed to signify that the Project complies with the planning, zoning, subdivision and building laws and ordinances applicable thereto or to suggest that the City or any officer or agent of the City will grant any such approval, consent or permit that may be required in connection with the Project, or that the City will make any expenditures, incur any indebtedness or proceed with the financing of the Project.

Executed this 23<sup>rd</sup> day of January, 2008.



CHUCK REED  
Mayor of the City of San José

**CITY OF SAN JOSE FINANCE DEPARTMENT  
DIRECTOR'S TEFRA PUBLIC HEARING**

**MEETING REPORT  
January 17, 2008**

**1. Call to Order**

Hearing Officer Julia H. Copper, Deputy Director of Finance, called the meeting to order at 11:34 a.m.

**2. Minutes**

Minutes of previous meeting of December 11, 2007 were noted and filed.

**3. Purpose of Hearing**

The public hearing is required by the Tax Equity and Fiscal Responsibility Act of 1982. Following consideration of oral petitions and staff recommendations, the Mayor of San José will execute certificates indicating that the hearing was held for the projects and will be filed with the City Clerk.

The hearing is on the proposed issuance, by the California Statewide Communities Development Authority ("CSCDA"), of Multifamily Housing Revenue Bonds in an amount not to exceed \$20,000,000 for Charter Court Apartments. Proceeds from the sale of the proposed bonds will be used to provide financing for the acquisition and rehabilitation of the **Charter Court Apartments** project located at **1200 Ranchero Way, San José**.

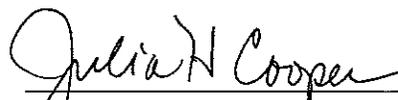
Any comments provided at the hearing will be made available to the CSCDA prior to their taking action on a bond sale resolution. Ms. Cooper asked if there were parties present who wished to voice their opinion and provide comments on the proposed issuance of bonds, to be recognized by raising their hand.

There were no public comments and Ms. Cooper closed the hearing at 11:37 a.m.

**4. Adjournment**

The meeting was adjourned at 11:37 a.m.

**Certificate No. 2008-1 Adopted**



JULIA H. COOPER, Deputy Director of Finance  
Hearing Officer

**SAN JOSE FINANCE DEPARTMENT  
DIRECTOR'S TEFRA PUBLIC HEARING**

San José City Hall  
200 East Santa Clara Street, Room T-1352  
San Jose, CA 95113-1905

**Meeting Agenda**

11:30 a.m., January 17, 2008  
Julia H. Cooper, Deputy Director of Finance

- 1. Call to Order**
- 2. Minutes**
- 3. Public Hearing**

The public hearing is required by the Tax Equity and Fiscal Responsibility Act of 1982. Following consideration of oral petitions and staff recommendation, the Mayor of San José will execute certificates indicating that the hearings were held for the project and will be filed with the City Clerk.

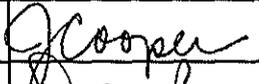
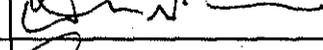
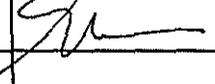
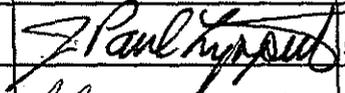
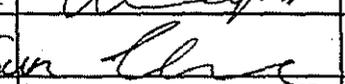
Name:	Charter Court Apartments
Location:	1200 Ranchero Way, San José, CA
Developer:	KDF Communities, LLC
Issuer:	California Statewide Communities Development Authority
Bond Amount:	\$20,000,000

- 4. Oral Petitions**
- 5. Adjournment**

# Sign In Sheet

## CITY OF SAN JOSE - FINANCE DEPARTMENT DIRECTOR'S TEFRA PUBLIC HEARING

San Jose City Hall  
200 East Santa Clara Street, Room T-1352  
San Jose, CA 95113-1905  
11:30 a.m., January 17, 2008  
Julia H. Cooper, Deputy Director of Finance

Print Name	Signature	Title	Company Name	Address	Phone Number
Julia H. Cooper		Deputy Director of Finance	City of San José	200 E. Santa Clara St, 13th Floor, Tower, San José, CA 95113	408-535-7011
David Persselin		Debt Administrator	City of San José	200 E. Santa Clara St, 13th Floor, Tower, San José, CA 95113	408-535-7012
Ed Moran		Chief Deputy City Attorney	City of San José	200 E. Santa Clara St, 16th Floor, Tower, San José, CA 95113	408-535-1900
Mark DeCastro		Senior Deputy City Attorney	City of San José	200 E. Santa Clara St, 16th Floor, Tower, San José, CA 95113	408-535-1900
Paul Lippert		Senior Development Officer	City of San José	200 E. Santa Clara St, 12th Floor, Tower, San José, CA 95113	408-975-4443
Peter Dettlefs		Financial Analyst	City of San José	200 E. Santa Clara St, 13th Floor, Tower, San José, CA 95113	408-535-7015
Alina Kwak		Analyst	City of San Jose	" "	408-535-3800
Charlene Sun		Financial Analyst	City of SJ	" "	

## Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the City of San José's Finance Department, at an open session, on January 17, 2008 at 11:30 AM will hold a public hearing on the intent by the California Statewide Communities Development Authority ("CSCDA") to issue tax-exempt multi-family housing revenue bonds for the acquisition and rehabilitation of the following projects:

<u>PROJECT/UNITS</u>	<u>LOCATION</u>	<u>DEV./OWNER</u>	<u>AMOUNT</u>
Charter Court Apartments 94 Units	1200 Rancho Way San Jose, CA 95117	KDF Communities, a California Limited Liability Company	\$20,000,000.00

All those interested in matters related to either the issuance of the bonds or the location or operation of the projects are invited to attend and be heard at the open session, which will commence at 11:30 AM, and will be held in Room T-1352, at 200 E. Santa Clara Street of the City of San José, California 95113. If you have any questions with respect to this matter, please call J. Paul Lippert, Senior Development Officer, Department of Housing of the City of San José, at (408) 975-4443 or Michael LaPierre of CSCDA, at (925) 933-9229 ext.212.

Dated: December 18, 2007

Lee Price, City Clerk  
City of San José, California

(to be published no later than January 2, 2008)

Public Record d

**From:** \_\_\_\_\_  
**Sent:** Thursday, January 24, 2008 11:24 PM  
**To:** \_\_\_\_\_

**Cc:** Fernando R. Zazueta  
**Subject:** Re: Comments re MHC?MHP Consultants' Assessments

Fernando,

I wholeheartedly concur with your statements and analysis. You continue to provide valuable insight and leadership on this important community asset. In addition to your comments below, I believe that the report cannot be comprehensive without the insight of the past board leadership who have a thorough understanding of the flawed financial model that has posed challenges for the Plaza since its opening. While the consultant's report successfully addresses many important operational issues, it does not adequately address how to improve the financial model to ensure long-term success.

Thanks again for your tireless leadership on this issue.

Eddie Garcia  
Board Chair, 2005-2007  
Mexican Heritage Corporation

----- Original message -----

From: "Fernando R. Zazueta"  
COMMENTS RE MHC/MHP CONSULTANTS' ASSESSMENTS

While the consultants chose whom to interview with respect to the MHC/MHP project recently reported to the City Council, and there is no quarrel with whomever was invited or who volunteered to comment on the Mexican Heritage Plaza issues, it seems odd and regrettable that none of the four prior MHC board chairmen were included in the consultants' report at "Appendix A- List of Participants": myself, Joe Coto, Dan Perez, and Eddie Garcia.

Nor did I see on that List many of the founding members of the board, including Victor Garza, Al Morales, or Val De Leon. All of these individuals are sufficiently well known in our Hispanic community, and presumably to the consultants, as "stakeholders" (however that term is defined) in the MHC/MHP for them to have been included in these assessments as they certainly could and would have provided additional first hand history and perspective on the obstacles and challenges encountered in operating the MHP, e.g. why no economic development can be pursued on the side of the property facing Alum Rock Av.; or why the HVAC system had to be replaced at great cost because it was "one-zone only" so that every room in the Theatre has the same

temperature, hot or cold, regardless of whether it's a dressing room, the lobby, or the theatre proper; or the cultural considerations which determined why the MHP buildings face inward to a central square rather than open to the street.

Each of the omitted individuals volunteered a great deal of time (and money, speaking personally) in the inception, formation, establishment, and creation of the MHC, the Plaza, and its mission. It is safe to say all of us are interested in its future financial and cultural success and want both the City and the Plaza to constructively move forward from the present uncertainties.

Quite independent of any criticism the consultants may have identified regarding its present operator, the MHP's cultural offerings, and MHP relationships with the various communities, as addressed in their reports, the current financial state of the MHP is not the sole responsibility of and was not solely caused by its board or its executive director. Rather, it is due to a number of factors external to the MHP, not the least of which has been the downturn in the economy with its resultant dramatic decrease in money available to fund arts organizations whether by individuals, foundations, corporations, or the City. Entities which have been negatively affected by this downturn, according to past and recent news articles, include the MHP, SJ Symphony, SJ Repertory Theatre, Tech Museum and the Hayes Mansion, among many others. If speaking just about finances, it is my understanding the Hayes Mansion in two months receives from the City more than the total amount of annual subsidy being requested by the MHP without any of the community and cultural issues of the MHP. This by no means suggests that the MHP operations should not be the subject of objective analysis. They should be and are.

The responses to the consultants' reports by the current MHP executive director and current chairman indicate significant discrepancies in the consultants' studies which warrant further exploration to satisfactorily resolve these differences.

Such further exploration is welcomed and necessary to put and keep this important City cultural asset on a firmer foundation, and it is to be hoped that the ultimate objective of the analyses by the various consultants, MHP Board, City staff and Council is to come up with and implement a plan which can ensure the financial and cultural existence of the Mexican Heritage Plaza, regardless of whomever is ultimately charged with operating it or which operational model is selected.

1-23-08

Fernando R. Zazueta, Esq.  
Founding Board Chairman (retired 2001)  
San Jose Mexican Heritage Corporation

**From:** Pete Carrillo  
**Sent:** Tuesday, January 22, 2008 5:18 PM  
**To:** 'Gibson, Mignon'  
**Cc:** Fernando Zazueta; Victor Garza  
**Subject:** RE: MHC Response to MHP Consultant Assessment

Mignon

What happened to the community meeting to discuss the findings?

Pete Carrillo  
Principal  
Silicon Valley Advisors LLC  
1150 N. First Street Suite 130  
San Jose, California 95112

*offices to serve you in*

San Jose  
Sacramento  
Phoenix

**From:** Gibson, Mignon [redacted]  
**Sent:** Friday, January 18, 2008 10:21 AM  
**Subject:** MHC Response to MHP Consultant Assessment

Hello,

When attending the Visioning Session on the Mexican Heritage Plaza in August 2007, you indicated an interest to receive email updates about the consultant assessments efforts.

You should have received an email distributed on January 11, 2008 indicating that the consultant assessment related to the optimal uses of the Mexican Heritage Plaza was posted on the City of San José's Web Page.

Attached please find a PDF document with the subject "Response by MHC to Consultant's Reports", dated January 16, 2008. For additional information posted by MHC (Mexican Heritage Corporation), please go to the Mexican Heritage Corporation web site [www.mhcviva.org](http://www.mhcviva.org)

Please note that MHC's response does not reflect an official position of the City.

The purpose in distributing this information is with the intention to facilitate full community discussions regarding the Mexican Heritage Plaza and any decisions regarding the future direction of the Plaza.

The next key date for City discussion on this topic is January 30, 2008; Rules and Open Government Committee at 2:00 in the Wing of San José City Hall. At this meeting the MHP Consultant will make a presentation and stakeholders will provide input.

Mignon J. Gibson  
[redacted]  
[redacted]

Public Record e

**From:** Joanne Benjamin [redacted]

**Sent:** Tuesday, January 29, 2008 12:22 PM

**To:** [redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]

**Subject:** Cities Association: Priorities for the Coming Year

Dear all,

This is a reminder to ask your councils for input on priorities for the Cities Association for this coming year. I have attached the Jan. Meeting Summary which lists the suggested priorities mentioned at the meeting.

At the Feb. 21 Board Meeting, the Board will be asked to prioritize the priorities and hopefully, the Board will determine three issues to focus upon. Board members will then focus in greater depth on these three issues at later Board Meetings.

Also, please remind your city managers and council colleagues that the March 13 meeting will be a Joint Board/City Manager/General Membership Meeting. We hope all can attend and hope that put the date on their calendars now. The meeting will be a dinner meeting at Michael's at Shoreline Restaurant in Mountain View.

Joanne

Joanne Benjamin, Executive Director  
[redacted]



## JANUARY 2008 MEETING SUMMARIES

### **CITY SELECTION COMMITTEE:**

- MTC: Consented to Dean Chu completing his term which expires February 2011.
- Recycling and Waste Reduction Commission: Appointed Cat Tucker, Gilroy, to the South County Seat (Term expires July 2011) and Kris Wang, Cupertino, to the North County Seat (Term expires April 2010).
- LAFCO: Appointed Al Pinheiro, Gilroy, as the Alternate Representative (Term expires May 2008)
- BAAQMD: Appointed Erin Garner to a new two-year term (Term expires March 2010)
- CSC will hold a meeting in February to review the Policy and consider whether CSC appointed representatives to agencies must be elected officials while serving on boards.

### **BOARD OF DIRECTORS:**

- Changed the February Board Meeting to Thursday, February 21.
- Approved holding the Joint General Membership/Cities Managers' Dinner Meeting on March 13. The meeting will be held at Michaels at Shoreline Restaurant in Mountain View.
- President Pinheiro asked and the Board agreed to the following: 1) Focus Board Meetings on topics important to cities. The Board will choose three topics at the February meeting and then Board members will work in groups to research and present the information to the Board; 2) Have time set aside to discuss Joys and Challenges – Best Practices and things that have gone well in cities and issues that are challenging to cities or council members. Board members can learn from each other; 3) More timely reports from appointees that are representing the Cities Association on regional boards; 4) When adopting consistent standards, include the County in discussions.
- Held discussion on Policy Issues for 2008. The following issues were identified:
  - **Creating a countywide uniform streamlined solar permitting process and consistent countywide solar power policies**  
Currently, solar companies must deal with an array of varying requirements to get a residential or commercial solar installation permitted. A consistent set of rules countywide would greatly benefit homeowners, businesses, and our efforts to reduce our collective carbon footprint to ease the installation of photovoltaic panels.
  - **Countywide green building standards**  
We've taken initial steps in 2007 to require LEED silver on public construction and a green "checklist" for private construction. Now, we should take the next step: as several cities (including San Jose) investigate

green building standards on all new private construction, let's ensure that we're consistent among the 15 jurisdictions, so builders face a single set of standards.

- **Countywide solar assessment to fund solar installation**  
The City of Berkeley has proposed an innovative financing scheme to promote solar installation on private residences and businesses, by paying for the installation up front with an assessment on the owner's property.  
As we examine Berkeley's experience with its approach, we should investigate the benefits of doing something similar throughout the county.
- **Gang Intervention, Suppression and Prevention**  
We've seen substantial upswings in gang crime and activity throughout San Jose, and other cities are likely seeing a similar trend. Gang problems cross city lines, and demand regional solutions.
- **SUASI grants – coordinate countywide**  
The Bay Area Super-Urban Area Security Initiative (SUASI) is a federal Department of Homeland Security grant that provides resources for the unique equipment, training, planning, and exercise needs of 35 selected national high threat urban areas. By coordinating throughout the county, we can collectively leverage our investments in disaster and terrorism preparedness much further.
- **Streamline the planning and permitting process:** Speeding the Permit and Planning Process-develop an expedited process that is based on additional fees to speed the process. Homeowners and business owners facing critical development timelines could pay an additional amount for supplemental resources necessary to speed the process along.
- Promote a **"Green Power" Challenge**
- Promote **use of reclaimed water**
- **Best Practices for reducing water consumption**
- **Prepayment of PERS and realized savings**
- **How cities are handling emails**
- **How cities are handling Public Record Requests**
- **A cohesive approach to the determination of speed limits**
- **A clearing house for vendors or a Purchasing Pool to reduce costs of purchased city goods**
- **ABAG Housing Allocations**---study of possible repeal of, or amendments to, state law that governs housing allocations
- **ABAG Allocations** – ABAG allocations for housing to be shared county wide-Santa Clara County should work to follow the same approach as San Mateo County, working as a county to meet the overall number, sharing resources from each city to optimize our approach to meeting the number overall.
- **Medical Retirement Benefit Packages and Retirement at 55.**
- **Communications during emergencies with accurate information communicated to the public**
- **Curtailling Red-Light Running at Intersections**
- A Standing Agenda Item will be a Monthly Update on Legislation

- Mayor Pat Mahan announced the Santa Clara City Council would be meeting on Tuesday, January 15, and would be discussing whether to enter exclusive negotiations with the 49ers. Pat invited everyone to attend the meeting.
- Mayor Larry Klein announced Palo Alto will be hosting the Prologue to the AMGEN Bicycle Tour of California on Sunday, February 17. Larry invited everyone to attend and announced that after the 2-1/2 mile race, there will be events to promote a healthy life style.
- Dan Furtado reported the ABAG Regional Planning Committee has been discussing disaster preparation and mitigation. To see the presentation on updating building codes and financial recovery, Dan referred members to the ABAG website, which has a specific reference and documents on the subject: [www.abag.ca.gov](http://www.abag.ca.gov); Resources Available from Workshop on How to Finance Disaster Recovery and Rebuild After a Disaster

January 28, 2008

The Honorable Chuck Reed, Mayor and City Council Members  
Rules and Open Government Committee (ROGC)  
San Jose City Hall  
200 E. Santa Clara St.  
San Jose, Ca. 95113

Dear Mayor and Council members:

In an action, taken by passing the enclosed (Attachment) by a unanimous vote by all attendees (11-0-0) of the San Jose Human Rights Commission at its January 17, 2008 meeting, the San Jose Human Rights Commission (HRC) has expressed its desire to support the Burmese and Thai-Burmese Citizens that now live in our City.

A very large contingency of citizens showed up at the HRC November 15<sup>th</sup> meeting followed by several citizens at the January meeting. Understanding fully that the Human Rights Commission is resolved to issues concerning our citizens and that involving ourselves in the international business is not our purpose; we felt that having heard our citizens and having tracked the Human Rights violations in Burma, we felt the need to express our concerns.

We chose to bring this matter forward as a resolution coming from the Human Rights Commission of San Jose, a body concerned with human rights violations in our city but also affecting our citizens indirectly. It is further felt that if the Council or other bodies feel the need to make recommendation, resolutions or any form of statement, they will do so on their own accord.

Thank you for your consideration on this matter. As always, the Commissioners of the HRC appreciate the opportunity to serve our citizens regarding matters that affect human rights.

Very Truly Yours,  
Robert Sippel  
Chair, San Jose Human Rights Commission

Statement of \_\_\_\_\_, Candidate for  
(Name as it will appear with statement on ballot)

Member, San Jose City Council, District \_\_\_\_

Occupation: \_\_\_\_\_ (limited to  
one line)

Age: \_\_\_\_ (optional)

**Education and Qualifications:**

(Begin typing your statement here. 200 word count starts here.)

Signature: \_\_\_\_\_

Residence Address: \_\_\_\_\_

## **Burma Resolution**

WHEREAS: San Jose is the capital of Silicon Valley and home of many Burmese Americans and host of recent Burmese refugees from Thai-Burma border area; and

WHEREAS: It is the responsibility of all to speak out against oppression; and,

WHEREAS: Starting on Sept. 26, the government of Burma has launched violent repression of the demonstrations, arresting hundreds, killing an unknown number of people, beating and arresting more than 4,000 monks, imprisoning monks in their monasteries, and placing an estimated 20,000 soldiers in the streets of Rangoon; therefore be it

RESOLVED: That the Human Rights Commission of the City of San Jose urges the government of Burma to immediately cease the use of violence in suppression of nonviolent protests by its citizens; cease the detention of political prisoners and release those currently held, cease the harassment of those suspected of supporting the protests, and enter into sincere negotiations with leaders of the movement for democracy and human rights in Burma; and, be it

FURTHER RESOLVED: That copies of this resolution shall be sent to the San Jose City Council and Congressional delegation with requests to forward the resolution, as they see fit, to the governments of Burma, China, India, Thailand, Korea, Japan, and the United States.

PASSED AND ADOPTED by the Human Rights Commission of the City of San Jose on January 17, 2008 by the following vote:

AYES: 11  
NOES: 0  
ABSTAINED: 0