



# **City Council Meeting Minutes**

**Tuesday, September 19, 2023**

**1:30 PM**

**Hybrid Meeting – Council Chambers and Virtually –  
<https://sanjoseca.zoom.us/j/88471470054>**

MATT MAHAN, MAYOR  
ROSEMARY KAMEI, VICE MAYOR, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
OMAR TORRES, DISTRICT 3  
DAVID COHEN, DISTRICT 4  
PETER ORTIZ, DISTRICT 5  
DEV DAVIS, DISTRICT 6  
BIEN DOAN, DISTRICT 7  
DOMINGO CANDELAS, DISTRICT 8  
PAM FOLEY, DISTRICT 9  
ARJUN BATRA, DISTRICT 10

- **Call to Order and Roll Call**

**9:00 a.m.** - Closed Session: *See Page 12 for Closed Session Minutes.*

Present: Councilmembers - Torres, Cohen, Ortiz, Davis, Doan, Candelas, Foley, Batra, Kamei, Mahan.

Absent: Councilmembers- Jimenez.

**1:34 p.m.** - Afternoon Session.

Present: Councilmembers - Jimenez, Torres, Cohen, Ortiz, Davis (1:36 p.m.), Doan, Candelas, Foley (1:46 p.m.), Batra, Kamei; Mahan.

Absent: Councilmembers - All Present.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 8)**

Then Tia, Voeng Thach, and Tey Thach from the Wat Khmer Kampuchea Krom Temple provided the invocation.

- **Orders of the Day**

The Orders of the Day and the Amended Agenda were approved.

- **Closed Session Report**

None provided.

## **1. CEREMONIAL ITEMS**

- 1.1 Councilmember Peter Ortiz presented a commendation to Danny Garza, acknowledging his tireless advocacy for the East Side communities of San José.
- 1.2 Councilmember Sergio Jimenez presented a proclamation declaring September 2023 as National Service Dog Month in the City of San José to recognize the importance of services that task-trained dogs provide to persons with disabilities.

## **2. CONSENT CALENDAR**

Item 2.13 was pulled for Council comments and separate public comment.

Action: Upon motion by Councilmember Omar Torres, seconded by Councilmember Peter Ortiz, and carried unanimously, the Consent Calendar was approved as a whole. The below listed actions were taken as indicated. (11-0-0)

Public Comment: Blair Beekman and Paul Soto offered public comments.

### **2.1 Approval of City Council Minutes.**

None provided.

### **2.2 Final Adoption of Ordinances.**

None provided.

### **2.3 Approval of Council Committee Minutes.**

None provided.

### **2.4 Mayor and Council Excused Absence Requests**

None provided.

### **2.5 City Council Travel Reports.**

None provided.

### **2.6 Report from the Council Liaison to the Retirement Boards.**

None provided.

### **2.7            23-1226            Amendment to Standard Consultant Agreement with Tullett Prebon Americas Corp. for Power Products.**

Adopt a resolution authorizing the City Manager or designee to negotiate and execute a First Amendment to the Standard Consultant Agreement with Tullett Prebon Americas Corp. for assisting City staff to identify opportunities for the City to buy or sell required power products, to: (a) Increase the maximum compensation from \$320,000 to \$640,000 through June 30, 2027, subject to the appropriation of funds; and (b) Adjust the compensation table to become a tiered structure based on the notional value of a resource adequacy transaction. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Community Energy)

Action: **Resolution No. RES2023-325** was adopted, authorizing the City Manager or designee to negotiate and execute a First Amendment to the Standard Consultant Agreement with Tullett Prebon Americas Corp. (11-0-0)

**2.8            23-1227            Land Exchange Between the City of San José and San José Water Company for Properties Located at Sunol Street, W. Home Street, Emory Street, Harvest Meadow Court and Branham Lane.**

(a) Adopt a resolution: (1) Declaring 12,800 square feet of land, identified as a portion of Assessor's Parcel Numbers 264-11-024, "exempt surplus land" under Cal. Gov. Code §54221(f)(1)(C) as exchange of land for another property necessary for the City's use; (2) Approving the sale of 12,800 square feet of City-owned property located at the southeast corner of W. Home and Sunol Streets, to San Jose Water Company in the amount of \$1,090,000, to exchange for the properties identified as Assessor's Parcel Numbers 264-11-034, 259-07-075, 459-02-004, 459-02-008 in fee interest and an approximately 12,000 square foot easement encumbering APN 458-18-012, for the total amount of \$270,000; and (3) Authorizing the City Manager or designee, to negotiate and execute a Purchase and Sale Agreement and an Easement Agreement between the City of San José and San Jose Water Company for the subject parcels and to execute all other documents necessary to effectuate the property exchange. (b) Adopt the following 2023-2024 Appropriation Ordinance and Funding Sources Resolution Amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District #6: (1) Establish the estimate for Revenue from Other Revenue in the amount of \$820,000; and (2) Establish the Del Monte Park Phase III Development Reserve appropriation in the amount of \$820,000. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council Districts 6 and 9. (Economic Development and Cultural Affairs/City Manager)

Action: (a) **Resolution No. RES2023-326**, (b) **Funding Sources Resolution No. RES2023-327**, and **Appropriation Ordinance No. 30953** were adopted. (11-0-0)

**2.9            23-1228            Stormwater Management Annual Report 2022-2023.**

Adopt a resolution authorizing certification and submittal of the Stormwater Management Annual Report 2022-2023 to the San Francisco Bay Regional Water Quality Control Board by September 30, 2023, in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City Action. (Environmental Services)

Action: **Resolution No. RES2023-328** was adopted, authorizing certification and submittal of the Stormwater Management Annual Report 2022-2023 to the San Francisco Bay Regional Water Quality Control Board by September 30, 2023. (11-0-0)

- 2.10      23-1229      Actions Related to the Purchase Orders with Crime Scene Cleaners, Inc. for Crime Scene Cleaning: Removal and Disposal of Biohazardous Waste.**  
Adopt a resolution authorizing the City Manager or designee to exercise up to four one-year options to extend the term of the purchase orders with Crime Scene Cleaners, Inc. (Orinda, CA) for crime scene cleaning services, with the last option ending on or about September 30, 2027, subject to the appropriation of funds. CEQA: Not a Project, File No. PP17-003 Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Finance)

Action: **Resolution No. RES2023-329** was adopted, authorizing the City Manager or designee to exercise up to four one-year options to extend the term of the purchase orders with Crime Scene Cleaners, Inc. (Orinda, CA). (11-0-0)

- 2.11      23-1230      Parks Recreation and Neighborhood Services Department Staffing.**  
Approve the following staffing adjustments to the Parks, Recreation and Neighborhood Services Department in 2023-2024: (a) Add 1.00 Assistant to the Director position; (b) Delete 1.00 Staff Specialist position; and (c) Delete 1.32 Recreation Leader Part-Time Unbenefited position. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Parks, Recreation and Neighborhood Services/City Manager)

Action: Staff recommended staffing adjustments to the Parks, Recreation and Neighborhood Services Department in 2023-2024 were approved. (11-0-0)

- 2.12      23-1231      Amendment to the Agreement with Filco LLC, for Placemaking Activations. - DEFERRED.**  
Adopt a resolution authorizing the City Manager or designee to negotiate and execute an amendment to the agreement with Filco LLC for public event services support increasing the maximum compensation by \$300,000, from \$1,000,000 to \$1,300,000. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Parks, Recreation and Neighborhood Services)

**Deferred to the September 26, 2023 City Council Meeting per administration.**

- 2.13      23-1232      Donation of a Retired Ford Crown Victoria Vehicle.**  
Adopt a resolution authorizing the San José Police Department to donate a retired Ford Crown Victoria to the San José Police Historical Society. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Police)

Councilmembers Omar Torres and Peter Ortiz expressed their support for this item.

Public Comments: David Polanco (Lowrider Council) offered public comment.

Action: **Resolution No. RES2023-330** was adopted, authorizing the San José Police Department to donate a retired Ford Crown Victoria to the San José Police Historical Society. (11-0-0)

- 2.14      23-1233      Report on Bids and Award of Contract for the 10080 - Sanitary Sewer Repairs Fiscal Year 2022-2023 Package I Project.**  
(a) Report on bids and award of a contract for the construction of 10080 - Sanitary Sewer Repairs Fiscal Year 2022-2023 Package I Project to the lowest responsive, responsible bidder, Southwest Pipeline and Trenchless Corp., in the amount of \$1,425,716; and (b) Approve a 10% contingency in the amount of \$142,572. CEQA: Exempt, File No. ER22-048, CEQA Guidelines Sections 15301(b), Existing Facilities, and 15302(c), Replacement or Reconstruction. Council Districts 3, 5, and 7. (Public Works)
- Action: (a) The report on bids and award of a contract for the construction of 10080 - Sanitary Sewer Repairs Fiscal Year 2022-2023 Package I Project to Southwest Pipeline and Trenchless Corp. was accepted, and (b) the 10% contingency in the amount of \$142,572 were approved. (11-0-0)
- 2.15      23-1234      Agreement with Arup, Inc. for the North San José Multimodal Transportation Improvement Plan.**  
Adopt a resolution authorizing the City Manager or designee to negotiate and execute a consulting services agreement with Arup, Inc. for the North San José Multimodal Transportation Improvement Plan from the date of execution through February 28, 2025, for an amount not to exceed \$1,080,000. CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. Council Districts 3, 4, and 6. (Transportation)
- Action: **Resolution No. RES2023-331** was adopted, authorizing the City Manager or designee to negotiate and execute a consulting services agreement with Arup, Inc. for the North San José Multimodal Transportation Improvement Plan. (11-0-0)
- 2.16      23-1235      Consulting Services Agreement with Mott MacDonald Group, Inc. for the Willow-Keyes Complete Streets Improvement Project.**  
Adopt a resolution authorizing the City Manager or designee to negotiate and execute a consulting services agreement with Mott MacDonald Group, Inc. for the Willow-Keyes Complete Streets Improvements Project from the date of execution through June 30, 2026, for an amount not to exceed \$1,771,304. CEQA: Categorically Exempt, File No. ER23-172, CEQA Guidelines Section 15301, Existing Facilities. Council District 3. (Transportation)
- Action: **Resolution No. RES2023-332** was adopted, authorizing the City Manager or designee to negotiate and execute a consulting services agreement with Mott MacDonald Group, Inc. for the Willow-Keyes Complete Streets Improvements Project. (11-0-0)
- 2.17      23-1290      Retroactive Approval of Multiple Special Events Sponsored by Council District 3 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.**  
As recommended by the Rules and Open Government Committee on September 13, 2023: (a) Retroactively approve the Street Vendor Resource Fair scheduled on July 31, 2023 as a City Council sponsored Special Event and approve the expenditure of

funds; (b) Retroactively approve the Community Safety Meeting scheduled on August 14, 2023 as a City Council sponsored Special Event and approve the expenditure of funds; (c) Retroactively approve the Luna Park Business Association Meeting scheduled on August 30, 2023 as a City Council sponsored Special Event and approve the expenditure of funds; and (b) Approve and accept donations from various individuals, businesses, or community groups to support the events. CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Torres) [Rules Committee referral 9/13/2023 - Item B.4]

Action: The City Council Sponsored Special Events were retroactively approved. (11-0-0)

**2.18      23-1294      Retroactive Approval of the San José State University Flag Raising Event Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

As recommended by the Rules and Open Government Committee on September 13, 2023: (a) Retroactively approve the San José State University (SJSU) Flag Raising event scheduled on August 23, 2023 as a City Council sponsored Special Event and approve the expenditure of funds; and (b) Approve and accept donations from various individuals, businesses, or community groups to support the event. CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Torres) [Rules Committee referral 9/13/2023 - Item B.5]

Action: The City Council Sponsored Special Events were retroactively approved. (11-0-0)

## **3. STRATEGIC SUPPORT**

### **3.1 Report of the City Manager, Jennifer Maguire (Verbal Report)**

City Manager Jennifer Maguire acknowledged the 20<sup>th</sup> anniversary the Dr. Martin Luther King Junior Library. Established in 2003, the library was a unique collaboration between the San José Public Library and the San José State University Library. This pioneering venture, the nation's first jointly operated library, set a global standard for library systems. Over its 20-year history, the King Library has welcomed more than 43 million visitors, hosted nearly 24,000 programs, and circulated over 218 million public items. Additionally, it has played a crucial role in the economic prosperity of the City, offering diverse resources, technology access, and supporting the local community, including immigrants on their path to citizenship. City Manager Jennifer Maguire congratulated both the San José State University and San José Public Library for reaching this milestone.

### **3.2 Labor Negotiations Update.**

None provided.

**3.3      23-1239      Brilliant at the Basics Infrastructure Strategy Status Report.**  
As recommended by the Transportation and Environment Committee on June 5, 2023, accept a status report on the Brilliant at the Basics Infrastructure Strategy that

addresses meeting our 2030 carbon mitigation goals, municipal regional permit requirements, water supply needs, and strategies to pursue federal and state funding for aligned programs. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager) [Transportation and Environment Committee referral 6/5/2023 - Item (d)5]

Deputy City Manager, Kip Harkness and Lead Resilience Strategist, Erica Garrafo provided the presentation and responded to questions.

Public Comments: Blair Beekman and Paul Soto offered public comments.

Action: Upon motion by Vice Mayor Rosemary Kamei, seconded by Councilmember Dev Davis, and carried unanimously, the status report on the Brilliant at the Basics Infrastructure Strategy was accepted. (11-0-0)

### **3.4            23-1260            Fourth Quarter Financial Reports for Fiscal Year 2022-2023.**

As recommended by the Public Safety, Finance and Strategic Support Committee on August 17, 2023, accept the Fourth Quarter (period ended June 30, 2023) Financial Reports for Fiscal Year 2022-2023 for the following programs: (a) Debt Management; (b) Investment Management; (c) Revenue Management; and (d) Purchasing and Risk Management. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Finance) [Public Safety, Finance and Strategic Support Committee referral 8/17/2023 - Item (d)1]

Public Comments: None provided.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Omar Torres, and carried unanimously, the Fourth Quarter (period ended June 30, 2023) Financial Reports for Fiscal Year 2022-2023 were accepted. (11-0-0)

### **3.5            23-1240            Actions Related to the Rule 20A and Rule 20B (In-Lieu Fee) Underground Utility Program Including Approval of the Program Work Plan and the Rule 20B (In Lieu Fee) Underground Master Plan.**

(a) Approve the Fiscal Year 2021-2022 Rule 20B (In-Lieu Fee) Undergrounding Master Plan. (b) Approve the updated criteria for evaluating underground utility districts. (c) Approve the proposed work plan for the Rule 20A Underground Utility Program and provide direction to staff for the establishment of additional underground utility districts. (d) Approve the proposed Fiscal Year 2022-2023 and 2027-2028 work plan for the Rule 20B (In-Lieu Fee) Underground Utility Program. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Public Works)

Public Works Director, Matt Loesch; Interim Assistant Director, Catherine Brown; and Deputy Director, J. Guevarra provided the presentation and responded to questions.

Public Comments: Blair Beekman offered public comment.



Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Arjun Batra, and carried unanimously, (a) the Fiscal Year 2021-2022 Rule 20B (In-Lieu Fee) Undergrounding Master Plan, (b) the updated criteria for evaluating underground utility districts, (c) the proposed work plan for the Rule 20A Underground Utility Program, and (d) the proposed Fiscal Year 2022-2023 and 2027-2028 work plan for the Rule 20B (In-Lieu Fee) Underground Utility Program were all approved. (11-0-0)

- 3.6            23-1241            Amendment to the City Pay Plan for Retirement Plans' Executive Officers Classifications. - DEFERRED.**
- (a) Accept the Director of Retirement Services and Chief Executive Officer (CEO) compensation study results. (b) Accept the Chief Investment Officer (CIO) and Retirement Investment Officers compensation study results. (c) Adopt a resolution amending the City of San José Pay Plan effective July 1, 2023 to adjust the salary range for the classification of Director of Retirement Services & Chief Executive Officer with a new pay range of \$342,433 to \$376,488 annually. (d) Adopt a resolution amending the City of San José Pay Plan effective July 1, 2023 to adjust the salary range for the classification of Assistant Director & Chief Investment Officer with a new pay range of \$371,388 to \$408,300. (e) Adopt a resolution amending the City of San José Pay Plan effective July 1, 2023 to adjust the salary range for the classification of Senior Retirement Investment Officer with a new pay range of \$235,677 to \$266,409. (f) Adopt a resolution amending the City of San José Pay Plan effective July 1, 2023 to adjust the salary range for the classification of Retirement Investment Officer with a new pay range of \$203,341 to \$231,660. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Retirement Services)

**Deferred to the September 26, 2023 City Council Meeting per administration.**

## **4. PUBLIC SAFETY SERVICES**

- 4.1            23-1242            Independent Police Auditor 2022 Year End Report.**
- (a) Accept the 2022 Independent Police Auditor Year End Report. (b) Accept the San José Police Department's response to the recommendations contained in the 2022 Independent Police Auditor Year End Report. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Independent Police Auditor) [Deferred from 6/6/2023 - Item 4.1 (23-833)]

Independent Police Auditor, Karyn Sinunu-Tower; Assistant Chief of Police, Paul Joseph; City Manager, Jennifer Maguire; Assistant City Manager, Lee Wilcox; and San José Police Department, Research and Development, Paul Hamblin provided the presentation and responded to questions.

Public Comments: Blair Beekman and Surinder Dhaliwal offered public comments.

Action: Upon motion by Vice Mayor Rosemary Kamei, seconded by Councilmember Omar Torres, and carried unanimously, (a) the 2022 Independent Police Auditor Year End Report and (b) the San José Police Department's response to the recommendations contained in the 2022 Independent Police Auditor Year End Report were both accepted. (11-0-0)

- 4.2      23-1244      **San José Police Department Internal Affairs Unit - 2022 Department Initiated Investigations Report.**  
Accept the San José Police Department's Internal Affairs Unit report on Department Initiated Investigations for calendar year 2022. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Police) [Deferred from 6/6/2023 - Item 4.2 (23-834)]

San José Police Department, Internal Affairs Unit, Commander, Macedonio Zuniga; Assistant Chief of Police, Paul Joseph; and City Attorney, Nora Frimann provided a summary of the report and responded to questions.

Public Comments: Blair Beekman and Surinder Dhaliwal offered public comments.

Action: Upon motion by Councilmember Arjun Batra, seconded by Councilmember Bien Doan, and carried unanimously, the San José Police Department's Internal Affairs Unit report on Department Initiated Investigations for calendar year 2022 was accepted, including *additional direction* for the next report to include information on the loss of equipment including the number of cases and value as a sperate line item. (11-0-0)

- 4.3      23-1245      **Report on Operational Plans for Large Crowd Events. - DEFERRED.**  
Accept the San José Police Department's plan for community outreach regarding its operational plans for planned and unplanned large crowd events that include possible traffic diversions and street closures. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Police)

**Deferred to the October 3, 2023 City Council Meeting per administration.**

## **5. TRANSPORTATION & AVIATION SERVICES**

## **6. ENVIRONMENTAL & UTILITY SERVICES**

- 6.1      23-1249      **Long-Term Trash Reduction Plan Update Approval.**  
As recommended by the Transportation and Environment Committee on September 11, 2023: (a) Accept the status report on the Long-Term Trash Plan Program called Clean Waterways, Healthy City: Long-Term Trash Load Reduction Plan and Assessment Strategy in conformance with Municipal Regional Stormwater Permit. (b) Approve the submittal of the Program to the San Francisco Bay Regional Water Quality Control Board by September 30, 2023 and authorize the City Manager or designee to modify the plan as necessary after the Water Board's review. CEQA: Categorically Exempt, CEQA Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment. (Environmental Services)  
[Transportation and Environment Committee referral 9/11/23 - Item (d)3]

Director, Parks, Recreation, and Neighborhood Services, Jon Cicirelli Harkness; and Environmental Services Deputy Director, Rajani Nair; and Director, Kerrie Romanow provide the presentation and responded to questions.

Public Comments: Blair Beekman and Surinder Dhaliwal offered public comments.

Action: Upon motion by Vice Mayor Rosemary Kamei, seconded by Councilmember Domingo Candelas, and carried unanimously, (a) the status report on the Long-Term Trash Plan Program was accepted, and (b) the submittal of the Program to the San Francisco Bay Regional Water Quality Control Board was approved. (11-0-0)

## **7. NEIGHBORHOOD SERVICES**

## **8. COMMUNITY & ECONOMIC DEVELOPMENT**

## **9. REDEVELOPMENT – SUCCESSOR AGENCY**

## **10. LAND USE**

### **10.1 Land Use on Consent Calendar**

None provided.

### **10. Land Use – Regular Agenda**

None provided.

### **• Open Forum**

1. Blair Beekman spoke to the dialogue needed regarding tech accountability and wars.
2. Gary Minon spoke to the need for safe emergency exits in Oaks of Almaden Senior Apartments.

### **• Adjournment**

The Council of the City of San José adjourned at 4:47 p.m., in memory of community leader, Dallas Clark, who passed away on August 25, 2023. Dallas was a husband, a father, and an active member and anchor in our Evergreen community.

Minutes Recorded, Prepared, and Respectfully Submitted by,

*DRAFT- Grace Turner*

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Grace Turner  
Deputy City Clerk, City of San José

Approved at Council on:

# of Actions: 7

Attest By:

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Toni J. Taber, CMC  
City Clerk, City of San José

## **CLOSED SESSION MINUTES**

**SAN JOSE, CALIFORNIA**

**TUESDAY, SEPTEMBER 19, 2023**

The Council of the City of San José convened into Closed Session at 9:00 a.m.

This meeting was held in City Hall Conference room W-133.

Present: Councilmembers - Jimenez, Torres, Cohen, Ortiz, Davis, Doan, Candelas, Foley, Batra  
Kamei, Mahan.

Absent: Councilmembers - All Present.

Mayor Matt Mahan and Councilmembers Omar Torres, Peter Ortiz, and Bien Doan recused themselves in compliance with the Levine Act from item A.1.

### **CLOSED SESSION ITEM(S) DISCUSSED:**

#### **A. CONFERENCE WITH REAL PROPERTY DESIGNATED REPRESENTATIVES PURSUANT TO GOVERNMENT CODE SECTION 54956.8:**

1. Property Street Address, 32 and 60 Stockton Ave, San José, CA 95126 APNs: 259-28-001  
Parcel Number, or Other and 259-28-002  
Unique Reference of  
Property:  
Negotiating Parties: Nanci Klein, on behalf of the City of San José; Eric Hayden for  
Urban Catalyst, and Ron Golem for VTA  
Under Negotiation: The direction will concern price and terms of payment.  
Likely Range of Value of Negotiated price based present comparable property values,  
Property: potential use of and improvements to the property, and unique  
terms of the lease.

#### **B. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957:**

Department or Agency: City Clerk  
Title: City Clerk  
Name: Toni Taber, CMC