November 29, 2022

Mayor Liccardo
City of San Jose
200 E. Santa Clara St.
San Jose, CA 95113

Re: **Amendment to the City Council Policy 5-1 Transportation Analysis**.

Honorable Mayor and Councilmembers,

On behalf of the Silicon Valley Biz PAC, I respectfully request that you approve the T&E Committee's preferred VMT policy update option 5-1B as proposed by T&E Committee Chair Dev Davis and Councilmember Raul Peralez in their November 23, 2022 memorandum to the City Council.

Both update options, including the preferred update option VMT 5-1 were discussed and vetted by the T&E Committee for approximately one year. As you know, City Council Committees were created with the purpose of helping the Council as a whole vet complex policies such as the VMT policy before council approval. Given this, we ask you again to support the T&E Committee's work by approving the recommended update option of VMT 5-1B.

The housing crisis is not getting any better and it won't get better if we don't make meaningful changes to facilitate the creation of more housing of all types. San Jose's housing crisis, (and California's housing crisis) is devastating families. Fathers and mothers spend several hours a day in their car instead of being home helping their children. Families become homeless because they can't afford to rent a home or buy one, and in many cases, families become homeless because they can't afford to keep their home. The lack of housing unit production has caused our city to face a growing homeless population, which increases the crime rate, and lowers property values. Our businesses have also suffered with declining or closed businesses and the unease that the City does not have a plan to combat this issue. When local businesses are hurt, everyone feels the pain, especially the families that depend on the jobs or the income they get from them.

The time is now for the city to get serious about creating the most opportunities for housing on infill sites where services already exist. It's time to do what is best for our community. The will of San Jose voters, and more so than ever, the business community, have made it loud and clear during this election that the status quo that caused the housing crisis will not be supported any longer. The time for meaningful action is now.

I respectfully request that you approve the T&E Committee's preferred VMT policy update option 5-1B as proposed by T&E Committee Chair Dev Davis and Councilmember Raul Peralez in their November 23, 2022 memorandum to the City Council.

Sincerely,

Victor Cuauhtémoc Gomez
Executive Director
Silicon Valley Biz PAC

SILICON VALLEY BIZ PAC Board of Trustees
Tracey Enfantino * Phil Boyce * Dan Bozzuto * Nicole Goehring * Steve Lopes * Fran Hirsch
Suzanne Salata * Bernie Vogel * John Davis * Jim Campagna * Jeff Zell * Jim Castellanos

San Jose Downtown Association
28 N. First Street, Suite 1000
San Jose, CA 95113
sjdowntown.com
408.279.1775

November 29, 2022

The Honorable Mayor Sam Liccardo and City Council Members
City of San José
200 East Santa Clara Street
San José, CA 95113

RE: **Amendment to the City Council Policy 5-1 Transportation Analysis for Affordable Housing Projects.**

Dear Mayor Liccardo and City Councilmembers,

The San Jose Downtown Association (SJDA) has represented downtown for 36 years and together with more than 2000 current businesses and property owner members we strive to increase the vitality and livability of downtown San Jose.

I respectfully request that you approve the T&E Committee's preferred VMT policy update option 5-1B as proposed by T&E Committee Chair Councilmember Dev Davis and Councilmember Raul Peralez in their November 23, 2022 memorandum to the City Council.

The state of California has declared a housing crisis and has passed several laws to address the crisis and is further considering new laws to increase the production of housing. Current California Public Resources code and CEQA give local governments the power to approve housing projects based on a statement of overriding consideration. Even considering the current housing crisis, City of San Jose staff limited the City Council's state-given powers by adopting a restrictive VMT Policy when considering housing projects based on a statement of overriding considerations.

On the other hand, other cities in California have chosen to fully retain the state-granted powers and ability to consider projects on a statement of overriding considerations. As you also know, the city of San Jose chose to Preserve Coyote Valley, and established an Urban-Growth Boundary to promote development of infill sites where services already exist as suggested by 5-1B.

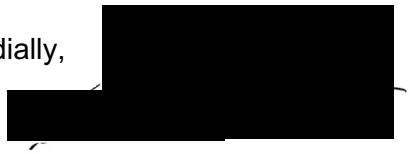
An update to the VMT policy as preferred by the T&E VMT 5-1B does not pre-approve any one project at the time of Council approval of the 5-1B update. The proposed approval of VMT 5-1B will give the council more discretion when considering future projects, so they have a chance to create more housing opportunities on infill sites where services already exist and only after going through a community outreach process consistent with Council Public Outreach Policy 6-30.

San Jose Downtown Association
28 N. First Street, Suite 1000
San Jose, CA 95113
sjdowntown.com
408.279.1775

Furthermore, consideration under 5-1B will only be given to proposed projects the City Council determines make a significant impact towards the city's RHNA housing goals to help address the housing crisis. As you are aware, San Jose has failed to meet the Regional Housing Needs Assessment housing unit allocation (RHNA) goals for the past two cycles, 2007-2014 & 2014-2022. San Jose's 2023-2031 RHNA target is projected to be approximately 62,000 units and given San Jose's past failure to meet the RHNA housing goals, we need to approve the propose 5-1B update so we have a meaningful chance to impact our housing crisis.

With that said, I encourage you to approve the VMT Policy 5-1B alternative and help our local businesses and families quality of life by creating more housing opportunities for San Jose families.

Cordially,



Alex Stettinski
Chief Executive Officer

11/29/22 Agenda Item 8.5 Council Policy 5-1: Reject the Alternative Recommendation

ldrruff psychology <[redacted]>
Tue 11/29/2022 3:03 AM
To: The Office of Mayor Sam Liccardo <[redacted] District1
<[redacted] District2 <[redacted] District3 <[redacted] District4
<[redacted] District5 <[redacted] District 6 <[redacted] District7
<[redacted] District8 <[redacted] District9 <[redacted] District 10
<[redacted]
Cc: City Clerk <[redacted]>

[External Email]

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[External Email]

Dear Mayor and City Council,

I have been a San Jose resident for 40 years. I have seen the region grow and change over the years. We are losing our enviable quality of life as we pave over all available open space. Children are left to grow up indoors, in front of screens.

San Jose is a big city that is extremely deficient in Park land and Open Space. Yet the human benefits of interacting with nature are well researched and understood. There are intellectual, social, emotional and community benefits to having access to nature in our city. Yet you have a proposal before you that would make it easy to turn large parcels of Open Space into housing without any community input.

Please adopt the staff recommendation for updating Transportation Analysis 5.1 and reject the alternative that would allow development of land designated as Open Space and Private Recreation.

Deciding what to do with huge parcels of land such as former golf courses should be subject to a community process and visioning. New City policies should not be developed to facilitate a single project with a single developer. Please follow the General Plan, a document that went through a very thoughtful development with considerable community input.

Linda Ruthruff, PhD
40 year San Jose Resident

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11/29/22 Agenda Item 8.5 Council Policy 5-1: REJECT the Alternative Recommendation

Kira Od <[redacted]>
Tue 11/29/2022 9:45 AM
To: The Office of Mayor Sam Liccardo <[redacted]>; District1 <[redacted]>; District2 <[redacted]>; District3 <[redacted]>; District4 <[redacted]>; District5 <[redacted]>; District 6 <[redacted]>; District7 <[redacted]>; District8 <[redacted]>; District9 <[redacted]>; District 10 <[redacted]>
Cc: City Clerk <[redacted]>

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[External Email]

Dear Mayor and Council,

I am just a stupid artist, but it doesn't take much smarts to notice that San Jose is developing open space at an alarmingly destructive rate.
Humans are creatures of nature, along with other animals, and we all need open space to thrive.

Please adopt the Planning Department staff recommendation for updating Transportation Analysis Policy 5-1 **while REJECTING the Alternative Recommendation** that would facilitate development on Private Recreation and Open Space land.
One developer's interest in one potential redevelopment project should not drive Citywide policy.
The proposed Alternative Recommendation is inconsistent with the City's General Plan, and would facilitate development of huge parcels of open space without a community visioning process, as is currently the practice for many other large parcels in San Jose.
Should the Council wish to consider allowing this site to redevelop, the City should lead a transparent community engagement process to determine how the development of the site could meet the needs of its future residents, the larger community, and the city.
Refraining from developing the land presents an unparalleled opportunity to gain publicly accessible open space for local communities.

Thank you.

Sincerely,

Kira Od

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November 29, 2022

Dear Mayor and City Council,

307 community members submitted individual written public comments regarding 11/29/22 Agenda Item 8.5 via email to city.clerk@sanjoseca.gov in support of the staff recommendation and calling for the rejection of the “Alternative Recommendation”. The emails were submitted between 11/22/22 and 2:43 p.m. today. The associated document, which was created by the City Clerk’s office, contains a listing of the community members along with the date of submission. The subject line for each of the emails was “11/29/22 Agenda Item 8.5 Council Policy 5-1: Reject the Alternative Recommendation”. This cover letter is provided to summarize the content of the emails.

A summary of the public comments is as follows:

“I ask that you join hundreds of community members and the Planning Commission by following the Planning Department staff recommendation for updating Transportation Analysis Policy 5-1 while rejecting the Alternative Recommendation that would facilitate development on Private Recreation and Open Space land. Send a clear message that one developer’s interest in one potential redevelopment project should not drive the direction of Citywide policy.

I object to the proposed Alternative Recommendation because it is inconsistent with the city’s General Plan and would facilitate development of huge parcels of open space without a community visioning process, such as is currently being provided for multiple other large parcels in San Jose.

The most immediate and obvious beneficiary of this harmful policy would be the owners of the 114 acre former Pleasant Hills Golf Course site, which presents an unparalleled opportunity to gain publicly accessible open space for local communities as part of a community-centered visioning process for future development of the site. If the Council would like to consider allowing this site to redevelop, the city should lead a transparent community engagement process to determine how the development of the site could meet the needs of its future residents, the larger community, and the city.”

Sincerely,
Juan Estrada
Advocacy Associate and Organizer
Green Foothills

Date Submitted	Name	City	State	Zip
11/22/2022	Mena, Moises	Woodside	CA	94062
11/22/2022	Zeidenstein, Kathryn	San Jose	CA	95124
11/22/2022	Frizzell, Jim	San Jose	CA	95127
11/22/2022	Waldera, Wanda	San Jose	CA	95112
11/22/2022	Karnos, Kristine	San Jose	CA	95124
11/22/2022	Masterson, Michael	San Jose	CA	95148
11/22/2022	Gonsalves, Carole	San Jose	CA	95120
11/22/2022	BURCHINAL, JANET	San Jose	CA	95125
11/22/2022	Tover, Silvia	San Jose	CA	95139
11/22/2022	Tover, Tyrone	San Jose	CA	95139
11/22/2022	Campbell, Allan	San Jose	CA	95132
11/22/2022	Lombardi, Robert	San Jose	CA	95139
11/22/2022	Van Loon, Chloe	San Jose	CA	95117
11/22/2022	Lacy, Judith	San Jose	CA	95118
11/22/2022	Carlson, Susan	San Jose	CA	95130
11/22/2022	Buck, Lynn	San Jose	CA	95136
11/22/2022	Kras, Christine	San Jose	CA	95148
11/22/2022	Vargas, Stephanie	San Jose	CA	95133
11/22/2022	Rust, Audrey C.	San Jose	CA	95112
11/22/2022	Kras, Lawrence	San Jose	CA	95148
11/22/2022	Salinas, Lorena	San Jose	CA	95123
11/22/2022	Bambhania-Modha, Hita	San Jose	CA	95139
11/22/2022	Pacheco, Gina	San Jose	CA	95148
11/22/2022	Mclaughlin, Mary	San Jose	CA	95127
11/22/2022	Smith, Marilynn	San Jose	CA	95127
11/22/2022	Ellis, Ann	San Jose	CA	95124
11/22/2022	Bowlby, Lorie	San Jose	CA	95125
11/22/2022	Luiso, Mark	San Jose	CA	95118
11/22/2022	Manuel, Marilyn	San Jose	CA	95138
11/22/2022	Redfern, Erin	San Jose	CA	95117
11/22/2022	Henzel, William	San Jose	CA	95127
11/22/2022	Julien, Deborah	San Jose	CA	95136
11/22/2022	Hill, Julie	San Jose	CA	95118
11/22/2022	Morgan-Hickey, Diana	San Jose	CA	95129
11/22/2022	Roberts, Jennifer	San Jose	CA	95136
11/22/2022	Beggs, Mike	San Jose	CA	95112
11/22/2022	Mitchem, Virginie	San Jose	CA	95132
11/22/2022	Acomb, Denise	San Jose	CA	95120
11/22/2022	Estrada, Juan	San Jose	CA	95127
11/22/2022	Laszlo-Rath, Hannah	San Jose	CA	95126
11/22/2022	Anima, Melva	San Jose	CA	95148
11/22/2022	Smedberg, Virginia	Palo Alto	CA	94301
11/22/2022	Smedberg, Virginia	Palo Alto	CA	94301

11/22/2022	Mena, Arlette	San Jose	CA	95148
11/23/2022	Shrum, Rick	San Jose	CA	95136
11/23/2022	bruni, steven	San Jose	CA	95138
11/23/2022	Pelose, Meg	San Jose	CA	95126
11/23/2022	Camacho, Frida	San Jose	CA	95116
11/23/2022	Von Runnen, Ed	San Jose	CA	95119
11/23/2022	Reese, Robert	San Jose	CA	95135
11/23/2022	Tomasic, Sue Ellen	San Jose	CA	95127
11/23/2022	Marquez, Linda	San Jose	CA	95125
11/23/2022	MacKay, Kenneth	San Jose	CA	95116
11/23/2022	Fioretta, John	San Jose	CA	95112
11/23/2022	Butler-Graham, Susan	San Jose	CA	95125
11/23/2022	Dyer, Kathy	San Jose	CA	95123
11/23/2022	MacIntosh, Chris	Menlo Park	CA	94026
11/23/2022	Sherman, Theresa	San Jose	CA	95117
11/23/2022	Tchetchetkina, Marina	San Jose	CA	95129
11/23/2022	Caballero, Andrea	San Jose	CA	95127
11/23/2022	Reyes, Colleen McCarthy	San Jose	CA	95126
11/23/2022	Jandik, Dolores	Campbell	CA	95008
11/25/2022	Blevins, Patricia Margaret	San Jose	CA	95118
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11/28/2022	Berkowitz, Allan	San Jose	CA	95125
11/24/2022	Black, Carlin	San Jose	CA	95129
11/27/2022	Kutilek, Michael	San Jose	CA	95112
11/25/2022	THorne, Darlene	San Jose	CA	95111
11/27/2022	Howlett, Julia	San Jose	CA	95112
11/25/2022	Harnar, Christine	San Jose	CA	95148
11/27/2022	Gamaza, Jacqueline	San Jose	CA	95135
11/25/2022	Simpkins, Adrian	San Jose	CA	95135
11/25/2022	Leinwand, Allen	San Jose	CA	95124
11/25/2022	Villa, Toby	San Jose	CA	95148
11/28/2022	Blair, Sandy	San Jose	CA	95138
11/25/2022	Meece, Eric	San Jose	CA	95124
11/25/2022	Pollard, Lewis	San Jose	CA	95136
11/25/2022	Curnyn, Katie	San Jose	CA	95134
11/25/2022	Bedard, Lisa	San Jose	CA	95136
11/25/2022	Barboza, Lisa	San Jose	CA	95129
11/25/2022	Hammerstad, Charles	San Jose	CA	95120
11/25/2022	Wandry, Keith	San Jose	CA	95128
11/27/2022	Strouse, Sandi	San Jose	CA	95126
11/25/2022	Blair, Kristen	San Jose	CA	95139
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11/25/2022	Iverson, Jane	San Jose	CA	95136
11/25/2022	Emery, Maryann	San Jose	CA	95129

11/25/2022	Piepenbrink, Elizabeth	Campbell	CA	95009
11/25/2022	Sherman, Theresa	San Jose	CA	95117
11/25/2022	PELKING, HOLLY	San Jose	CA	95127
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11/25/2022	Smith, Karen	San Jose	CA	95112
11/25/2022	McDonald, Claude	San Jose	CA	95120
11/25/2022	Korp, Susan	San Jose	CA	95120
11/25/2022	Pollock, Penny	San Jose	CA	95127
11/25/2022	Allingham, Chris	San Jose	CA	95138
11/25/2022	Cook, David	San Jose	CA	95135
11/25/2022	Farber, Marion	San Jose	CA	95120
11/28/2022	Tate, Elizabeth	San Jose	CA	95120
11/28/2022	Victorine, Alie	San Jose	CA	95111
11/25/2022	Leonard, Meredith	San Jose	CA	95139
11/27/2022	Kumar, Arvind	San Jose	CA	95148
11/26/2022	Guimarin, Elizabeth	Campbell	CA	95008
11/23/2022	Lione, Ramona	San Jose	CA	95128
11/26/2022	Mora, Fernando	San Jose	CA	95116
11/25/2022	Hanami, Karen	San Jose	CA	95120
11/25/2022	Golden, Kevin	San Jose	CA	95128
11/25/2022	Muller Pereira, Carlos	San Jose	CA	95125
11/28/2022	Newburn, Carolyn	San Jose	CA	95117
11/25/2022	Blamer, Leann	Campbell	CA	95008
11/28/2022	Hennessy, Maria	San Jose	CA	95112
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11/26/2022	Zahorsky, Rena	San Jose	CA	95112
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11/25/2022	Anderson, Susan	San Jose	CA	95120
11/27/2022	Griliuone, Patricia	San Jose	CA	95136
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11/25/2022	Blain, Helen	San Jose	CA	95119
11/26/2022	Moynahan, Susan	San Jose	CA	95119
11/25/2022	Umstattd, Rick	San Jose	CA	95130
11/25/2022	Cotten, Vernon	San Jose	CA	95134
11/25/2022	Hartung, Emma	San Jose	CA	95116
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11/28/2022	Wilder, Mary Jane	San Jose	CA	95132
11/28/2022	Schoenenberger, Rebecca	San Jose	CA	95112
11/25/2022	Haines, Annette	San Jose	CA	95123
11/28/2022	Straub, Carolyn	San Jose	CA	95111
11/25/2022	Nobbmann, Sylvia	San Jose	CA	95125

11/25/2022	Foran, Anne	San Jose	CA	95123
11/28/2022	Coleman, Bobbi J.	San Jose	CA	95126
11/27/2022	Mitchell, Pat	San Jose	CA	95112
11/28/2022	Monroe, Ann	San Jose	CA	95125
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11/25/2022	Kirk, Rodney	San Jose	CA	95148
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11/28/2022	Schneebeli, Ken	San Jose	CA	95112
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11/26/2022	Wong, Julia	San Jose	CA	95125
11/25/2022	Carlson, Susan	San Jose	CA	95130
11/23/2022	Parks, Eileen	San Jose	CA	95127
11/24/2022	Gallardo, Rebecca	San Jose	CA	95127
11/25/2022	Alice, Alice	San Jose	CA	95119
11/25/2022	Oviedo, Gloria	San Jose	CA	95121
11/25/2022	Newman, Tammy	San Jose	CA	95139
11/25/2022	Martin, Mary E	San Jose	CA	95135

11/25/2022	Singh, M	San Jose	CA	95113
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11/26/2022	Funtes, Alejandro	San Jose	CA	95148
11/26/2022	Deras, Rocio	San Jose	CA	95127
11/28/2022	Solnik, Ray	San Jose	CA	95125
11/28/2022	Duino, Michela	San Jose	CA	95127
11/28/2022	King, Megan	San Jose	CA	95127
11/28/2022	Nelson, Michelle	San Jose	CA	95148
11/28/2022	Myers, Henry	San Jose	CA	95148
11/28/2022	Nelson, Olivia	San Jose	CA	95148
11/28/2022	Alcumbrac, Kieran	San Jose	CA	95139
11/28/2022	Krenzin, Jennifer	San Jose	CA	95138
11/28/2022	Ciraulo, David	San Jose	CA	95148
11/29/2022	McPherson, Andrea	San Jose	CA	95117
11/28/2022	Stephenson, Karen	San Jose	CA	95128
11/29/2022	Villa, Toby	San Jose	CA	95148
11/28/2022	Whitney, Gina	San Jose	CA	95139
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11/28/2022	Trapasso Simon, Patricia	San Jose	CA	95148
11/28/2022	Mostoufi, Yuliya	San Jose	CA	95123
11/28/2022	Linder, Patty	San Jose	CA	95136
11/28/2022	Rivera, Tina	San Jose	CA	95127
11/28/2022	Derringer, Catherine J	San Jose	CA	95123
11/28/2022	Fishman, Ted	San Jose	CA	95123
11/28/2022	Moss, Diana	San Jose	CA	95125
11/29/2022	Chivers, Carol	San Jose	CA	95148
11/28/2022	Petkiewicz, Jim	San Jose	CA	95125
11/28/2022	Brackett, Joan	San Jose	CA	95120
11/28/2022	Byars, Keith	San Jose	CA	95129
11/28/2022	Wall, Kathy	San Jose	CA	95123
11/28/2022	Cabot, Colleen	San Jose	CA	95132
11/28/2022	Carr, Brian	San Jose	CA	95124
11/29/2022	Lee, Wesley	San Jose	CA	95135
11/28/2022	Ventura, Andria	San Jose	CA	95125
11/28/2022	Zack, Christine	Campbell	CA	95008
11/28/2022	Trivisonno, Susan	San Jose	CA	95135
11/28/2022	Friedrichs, Karen	San Jose	CA	95138
11/28/2022	Davidson, Dean	San Jose	CA	95148
11/28/2022	Oie, Karen	San Jose	CA	95125
11/28/2022	Swanson, Gloria	San Jose	CA	95124
11/28/2022	Vargas, Miguel	San Jose	CA	95112
11/29/2022	Hackett, Rosalie	San Jose	CA	95124
11/28/2022	Niederer, Christal	San Jose	CA	95123

11/29/2022	Carroll, Charles	San Jose	CA	95123
11/28/2022	Penn, Sean	San Jose	CA	95123
11/29/2022	Hayes, Kim	San Jose	CA	95139
11/28/2022	Petkiewicz, Margaret	San Jose	CA	95125
11/29/2022	Zlotoff, Mary	San Jose	CA	95113
11/28/2022	Bakker, Wate	San Jose	CA	95135
11/28/2022	Curran, Lisa	San Jose	CA	95138
11/28/2022	Velasco, Marco	San Jose	CA	95116
11/28/2022	Guzman, Israel	San Jose	CA	95120
11/28/2022	Acosta, Alejandro	Hayward	CA	94541
11/28/2022	Williams, Julie	San Jose	CA	95123
11/29/2022	Weisenburger, Roslyn	San Jose	CA	95119
11/29/2022	Gagliardi Skinner, Peggy	San Jose	CA	95139
11/28/2022	Celaya, Anthony	San Jose	CA	95112
11/28/2022	Andrews, Patricia	Gilroy	CA	95020
11/29/2022	Grasty, Wm. Derek	San Jose	CA	95127
11/29/2022	Shah, Aarti	San Jose	CA	95148
11/29/2022	Benson, William	San Jose	CA	95126
11/28/2022	Degraw, Chris	San Jose	CA	95120
11/28/2022	Redfern, Thomas	San Jose	CA	95125
11/29/2022	Menge, Lisa	San Jose	CA	95136
11/28/2022	Young, Michele	San Jose	CA	95110
11/28/2022	Graham, Kelly	San Jose	CA	95125
11/29/2022	Sundberg, Sandra	San Jose	CA	95148
11/28/2022	McHenry, Stephen	San Jose	CA	95111
11/28/2022	Schilling, Karl	San Jose	CA	95138
11/28/2022	Guzman, Mario	San Jose	CA	95112
11/28/2022	Spreadbury, Mimi	San Jose	CA	95156
11/28/2022	Valverde, Leonard	San Jose	CA	95148
11/28/2022	Guerrero, Patricia	San Jose	CA	95126
11/28/2022	Burrows, Matthew	Half Moon Bay	CA	94019
11/28/2022	Soth, Emily	Mountain View	CA	94043
11/28/2022	Batista, Natasha	San Francisco	CA	94115
11/28/2022	Liao, Karina	San Jose	CA	95148
11/28/2022	Ilagan, Jerome	Morgan Hill	CA	95037
11/28/2022	Kreifels, Jacqueline J	San Jose	CA	95148
11/28/2022	Hausman, Judy	San Jose	CA	95148
11/28/2022	Franklin, Eric	San Jose	CA	95139
11/28/2022	Morejohn, Linda	San Jose	CA	95127
11/28/2022	Huynh, Mary	San Jose	CA	95148
11/28/2022	Hariharan, Maha	San Jose	CA	95148
11/28/2022	Walter, Gary	San Jose	CA	95148
11/28/2022	Banuelos, Cristal	San Jose	CA	95148
11/28/2022	Flores, Maria	San Jose	CA	95148

11/28/2022	Alvarez, Elida	San Jose	CA	95148
11/28/2022	brar, Gurbaksh	San Jose	CA	95148
11/28/2022	Cruz, Avery	San Jose	CA	95127
11/28/2022	Duvall, Jae	San Jose	CA	95148
11/28/2022	Cady, Richard	San Jose	CA	95148
11/28/2022	Coward, Jordan	San Jose	CA	95148
11/28/2022	Zaha, Jason	San Jose	CA	95148
11/28/2022	Hart, Jocelyn	San Jose	CA	95148
11/29/2022	Schneider, Paul	San Jose	CA	95148
11/29/2022	Ragsac, Marlon	San Jose	CA	95148
11/29/2022	christensen, carol	San Jose	CA	95148
11/29/2022	Govek, Rosalie	San Jose	CA	95148
11/29/2022	Yarwasky, Donna	San Jose	CA	95148
11/29/2022	Palacios, Yolanda	San Jose	CA	95148
11/29/2022	Adodra, Surendra	San Jose	CA	95148
11/29/2022	De La Rosa, Cirilo	San Jose	CA	95148
11/29/2022	Patel, Ashwin	San Jose	CA	95148
11/29/2022	Moya, Maria	San Jose	CA	95148
11/29/2022	Salcedo, Gilbert	San Jose	CA	95127
11/29/2022	Berbick, Ryan	San Jose	CA	95148
11/29/2022	Jeska, Vicki	San Jose	CA	95148
11/29/2022	Ramirez, Debbie	San Jose	CA	95148
11/29/2022	Nguyen, Manh	San Jose	CA	95151
11/29/2022	Johnston, Jeffrey	San Jose	CA	95148
11/29/2022	Byam, David	San Jose	CA	95148
11/29/2022	Byam, Sharon	San Jose	CA	95148
11/29/2022	Alviso, John	San Jose	CA	95127
11/29/2022	Sanchez, Evelyn	San Jose	CA	95148
11/29/2022	Neal, Linda	San Jose	CA	95148
11/29/2022	McClory, Jerome	San Jose	CA	95148
11/29/2022	Calkins, Sara	San Jose	CA	95127
11/29/2022	Soares, Rosie	San Jose	CA	95148
11/29/2022	Torres, Bertha	San Jose	CA	95148
11/29/2022	Sandoval, Irma	San Jose	CA	95148
11/29/2022	kirk, rod	San Jose	CA	95148
11/29/2022	Mendoza, Richard	San Jose	CA	95148
11/29/2022	LeBeck, Brenda	San Jose	CA	95127
11/29/2022	Velez, Octavio	San Jose	CA	95148
11/29/2022	Campbell, Kent	San Jose	CA	95148
11/29/2022	Arya, Ranju	San Jose	CA	95148
11/29/2022	Rowan, Patrick	San Jose	CA	95148
11/29/2022	Andra, Sreenivas	San Jose	CA	95148
11/29/2022	Holtz, Liz	San Jose	CA	95148
11/29/2022	Quinonez, Claudia	San Jose	CA	95148

Matteoni
O'Laughlin
& Hechtman
LAWYERS

November 29, 2022

Norman E. Matteoni
Peggy M. O'Laughlin
Bradley M. Matteoni
Barton G. Hechtman
Gerry Houlihan

Via Email Only

Hon. Mayor Sam Liccardo
and Members of the San Jose City Council
San Jose City Hall
200 Santa Clara Street, 18th Floor
San Jose, CA 95113

Re: **Council Policy 5-1**
November 29, 2022 Council Agenda

Dear Mr. Mayor and Members of the Council:

This office is land use counsel for Lakeside Community, LLC. On its behalf, I write today in support of the amendment of Policy 5 - 1 recommended by the T & E Committee and, as proposed in the Memorandum from Councilmembers Davis and Peralez dated November 23, 2022.

I also write to object to any consideration or discussion by the City Council at the November 29th Council meeting of a unique process applicable to the potential future redevelopment of the Pleasant Hills Golf Course, as urged in Mayor Liccardo's Memorandum dated November 28, 2022. That topic falls entirely outside of the issue presented to the Council regarding Policy 5 - 1 as described in Agenda item 8.5 for the November 29, 2022 Council meeting and in the public Notice distributed regarding the November 29 hearing for that Policy amendment. Any effort to utilize this agenda item regarding Policy 5 - 1 to initiate any type of unique process regarding the redevelopment of Pleasant Hills Golf Course would therefore violate the Brown Act (Government Code Section 54954.2(a)(1); see also *San Joaquin Raptor Rescue Ctr. v. County of Merced* (2013) 216 Cal.App.4th 1167, 1176 and *Hernandez v. Town of Apple Valley* (2017) 7 Cal.App.5th 194, 207-209).

Lakeside Community, LLC felt compelled to state this objection given the references to a future Pleasant Hills Golf Course project in the Staff Report, at Planning Commission and now in the Mayor's

848 The Alameda
San Jose, CA 95126
ph. 408.293.4300
fax. 408.293.4004
www.matteoni.com

Memorandum. That topic must be properly agendized and noticed for a future Council meeting, if ever, to allow the public and interested parties a full opportunity to comment on its merits or deficiencies.

Furthermore, Lakeside Community, LLC has not filed any specific project yet as part of a zoning application and is committed to doing so only after engaging the community in a meaningful way to get community input. It intends to follow Council direction as recommended by Councilmembers Devora Davis and Raul Peralez and to satisfy Public Outreach Policy 6-30 as recommended in the staff report. This will occur as part of a zoning and specific project application that can be heard concurrently with a General Plan amendment application at a future date.

We ask that the City Council adopt the preferred T & E Committee recommended amendment to Council Policy 5 - 1 as proposed by Councilmembers Raul Peralez and Devora Davis.

Very truly yours,

[redacted]

Barton G. Hechtman

BGH/jlc

Cc: City Clerk,
City Attorney
Lakeside Community, LLC

Matteoni
O'Laughlin
& Hechtman
LAWYERS

Norman E. Matteoni
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November 29, 2022

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Cc: City Clerk,
City Attorney
Lakeside Community, LLC