CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

MINUTES OF THE CITY COUNCIL

SAN JOSÉ, CALIFORNIA **TUESDAY, NOVEMBER 27, 2018**

The Council of the City of San José convened in Regular Session at 9:35 a.m. in the Council Chambers at City Hall.

9:30 a.m.- Closed Session, Call to Order in Council Chambers
Absent Councilmembers: Arenas.

1:32 p.m.- Regular Session, Council Chambers, City Hall
Absent Councilmembers: None.

6:06 p.m.- Evening Session, Council Chambers, City Hall
Absent Councilmembers: None.

CLOSED SESSION

Upon motion unanimously adopted, Council recessed at 9:35 a.m. to a Closed Session in Room W133; (A) to Confer with Legal Counsel, Anticipated Litigation, pursuant to Section 54956.9(d)(4) of the Government Code: Number of matters to be discussed: 2; (B) to Confer with Legal Counsel, Anticipated Litigation: Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and (e)(1) of the Government Code: Number of matters to be discussed: 2; (C) Confer with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): City of San José v. JUM Global, LLC; Names Of Partie(s) Involved: City of San José; JUM Global, LLC; Court: U.S. District Court, Northern District of California, San José Division; Case No. 16-CV-01462 VKD; Amount of Money or Other Relief Sought: Damages according to proof; (D) to Confer with Real Property Designated Representatives Pursuant to Government Code Section 54956.8: Property Street Address, Parcel Number, or other Unique Reference of Property: City: 12.38 acres adjacent to Hellyer Avenue between Silicon Valley Boulevard and Piercy Road; County: Two (2) sixty foot (60') strips of land located adjacent to Martial Cottle Park along Branham Lane between Snell Avenue and Vista Park Drive and along Snell Avenue between Branham Lane and Chenowith Avenue; Negotiating Parties: Nanci Klein for the City of San José and Tim Heffington and Jayme Dickson for Santa Clara County; Under Negotiation: The direction will concern price and terms of payment.

By unanimous consent, Council recessed from Closed Session at 10:15 a.m.; Council reconvened to Regular Session at 1:32 p.m. in the Council Chambers.

Access the video, the agenda and related reports for this meeting by visiting the City's website at http://www.sanjoseca.gov/city or http:/www.sanjoseca.gov/civiccentertv. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.

Present: Councilmembers: Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, Nguyen, Peralez, Rocha; Liccardo.

Absent Councilmembers: All Present.

INVOCATION (District 8)

Choir members from the Manna and Salwa Community of the Transfiguration Church in San José provided the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Sam Liccardo led the Pledge of Allegiance.

ORDERS OF THE DAY

Upon motion by Councilmember Don Rocha, seconded by Councilmember Chappie Jones, and carried unanimously, the Orders of the Day and the Amended Agenda were approved, with Item 2.9 deferred until December 4, 2018. (10-0-1. Absent: Carrasco.)

CEREMONIAL ITEMS

1.1 Mayor Sam Liccardo and Councilmember Sylvia Arenas provided a commendation for Sikh Awareness and Appreciation Month. (Arenas)

1.2 Mayor Sam Liccardo and Councilmember Sylvia Arenas provided a commendation for National Prematurity Awareness Month. (Arenas)

1.3 Mayor Sam Liccardo and Councilmember Raul Peralez presented a proclamation to recognize December 1, 2018 as Worlds AIDS Day in the City of San José. (Peralez)

1.4 Mayor Sam Liccardo and Councilmember Sergio Jimenez presented a commendation to the Ledesma School Safety Patrol student and parent volunteers for making Drop Off / Pick Up procedures significantly safer. (Jimenez)
Heard in the Evening

1.5 Mayor Sam Liccardo and Councilmember Donald Rocha presented a commendation to the San José Peace Ambassadors for their efforts in promoting nonviolent communication and crowd maintenance at local demonstrations and first amendment rights events. (Rocha)
Heard in the Evening

1.6 Mayor Sam Liccardo and Vice Mayor Magdalena Carrasco presented a commendation to Mary Jimenez Fierros. (Carrasco)
Heard in the Evening

CONSENT CALENDAR

Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

2.1 18-1533 Approval of City Council Minutes.

(a) Regular City Council Meeting Minutes of June 26, 2018.
CEQA: Not a Project, File No. PP17-009

Documents Filed: Regular City Council Meeting Minutes of June 26, 2018.

Action: The City Council Minutes were approved. (11-0.)

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

(a) 18-1532 Approval of Council Committee Minutes.

(a) Regular Public Safety, Finance & Strategic Support Committee Meeting Minutes of September 20, 2018.
(b) Regular Rules and Open Government Committee Meeting Minutes of October 10, 2018.
(c) Regular Neighborhood Services & Education Committee Meeting Minutes of October 11, 2018.

Documents Filed: (1) Public Safety, Finance & Strategic Support Committee Meeting Minutes of September 20, 2018; (2) Rules and Open Government Committee Meeting Minutes, dated October 10, 2018; (3) Neighborhood Services & Education Committee Meeting Minutes, dated October 11, 2018.

Action: The Council Committee Meeting Minutes were approved. (11-0.)

2.4 18-1534 Mayor and Council Excused Absence Requests.

Request for an excused absence for Mayor Liccardo for the Regular Meeting of Rules and Open Government Committee Meeting on Wednesday, November 14, 2018 and Wednesday, November 28, 2018, due to authorized city business.

Documents Filed: Memorandum from Mayor Sam Liccardo, dated November 5, 2018, requesting approval of an excused absence due to authorized City business.

Action: The excused absence for Mayor Sam Liccardo was approved. (11-0.)

2.5 City Council Travel Reports.

Mayor Sam Liccardo reported on the conference he attended on mobility and transit in Sonoma, California for the Metropolitan Transportation Commission.

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Dev Davis and carried unanimously, the travel report was accepted. (11-0.)

2.6 Report from the Council Liaison to the Retirement Boards.

Councilmember Johnny Khamis discussed the Federated Board Meeting held on November 15, 2018.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the report was accepted. (11-0.)

2.7 18-1547 Appointment to the Fire Retiree Seat on the Board of Administration for the Police and Fire Retirement Plan.

a. Appoint Richard Santos as the Fire Retiree Representative for a third term ending November 30, 2022 with the support of the Board of Administration for the Police and Fire Retirement Plan,.
b. In the alternative, if the Council does not appoint and a vacancy remains, direct the City Clerk to continue recruitment efforts.
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (City Clerk)

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated November 16, 2018, providing recommendations to the Fire Retiree Seat on the Board of Administration for the Police and Fire Retirement Plan.

Action: Richard Santos was appointed as the Fire Retiree Representative for a third term ending November 30, 2022. (11-0.)

2.8 18-1548 Amendment to the Ordinance Allowing the Employee Repayment of Tier 1 Rehire Amortization Costs.

Approve an ordinance to amend various sections of Chapter 3.28 and Chapter 3.36 of Title 3, of the San José Municipal Code regarding Tier 1 Rehire Amortization Pension Costs to clarify certain provisions of the Alternative Pension Reform Settlement Framework Agreement with the City's employee bargaining unit.
CEQA: Not a Project, File No. PP17-010, (City Manager)

Documents Filed: Memorandum from Director of Employee Relations/Human Resources, Jennifer Schembri, dated November 14, 2018, recommending approval of an ordinance.

Action: Ordinance No. 30183, entitled "An Ordinance of the City of San José Amending Various Sections of Chapters 3.28 and 3.36 of Title 3 of the San José Municipal Code to Implement the Terms of the Alternative Pension Reform Settlement Framework Agreement with City Employee Bargaining Groups", was adopted. (11-0.)

2.9 18-1549 Amendment to the Agreement with H.T. Harvey and Associates for Park and Trail Projects.

Approve the First Amendment to the agreement between the City of San José and H.T. Harvey and Associates for a Master Consultant Agreement providing mitigation, monitoring, maintenance and reporting for park and trail projects. This amendment will extend the term of the agreement from December 31, 2023 to December 31, 2027, and increase the maximum total compensation by $1,125,000 from $2,000,000 to $3,125,000.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Parks, Recreation and Neighborhood Services)

Documents Filed: Memorandum from Assistant Director of Public Works John Cicirelli, dated November 15, 2018, recommending approval of a First Amendment.

Action: Deferred to 12/4/18 per Orders of the Day. (11-0.)

2.10 18-1550 Amendment to a Master Agreement with URS Corporation Americas/AECOM Technical Services, Inc. for Professional Environmental Consulting Services for Various City Facility Projects.

Approve the First Amendment of the Master Agreement with URS Corporation Americas (CPMS Contract No. 7467-3) to do the following:

(a) Consent to the assignment of the Master Agreement to AECOM Technical Services, Inc., a California corporation (ATS) retroactive to October 17, 2014; and

(b) Extend the term of the contract from December 31, 2018 to December 31, 2020, to allow ATS to complete work on the Watson Park Improvement Project.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Public Works)

Documents Filed: City Council Action Request from Director of Public Works, Matt Cano, dated November 14, 2018, recommending approval of a First Amendment to a Master Agreement.

Action: The Amendment to a Master Agreement with URS Corporation Americas/AECOM Technical Services, Inc., was approved.
(11-0.)

2.11 18-1551 Amendment to a Master Agreement with David J. Powers & Associates, Inc. for Professional Environmental Consulting Services for Various City Facility Projects.

Approve the First Amendment to the Master Agreement with David J. Powers & Associates, Inc. (CPMS Contract No. 7467-1) extending the term from December 31, 2018 to December 31, 2020 to allow the consultant to complete work on the Environmental Impact Report for the Saint James Park Capital Vision Project. (Public Works)

Documents Filed: City Council Action Request from Director of Public Works, Matt Cano, dated November 13, 2018, recommending approval of a First Amendment to a Master Agreement.

Action: The Amendment to a Master Agreement with David J. Powers & Associates, Inc., was approved. (11-0.)

2.12 18-1552 Actions Related to the Transportation Fund for Clean Air Agreement with the Santa Clara Valley Transportation Authority.

(a) Adopt a resolution authorizing the City Manager or designee to execute a Transportation Fund for Clean Air grant agreement with the Santa Clara Valley Transportation Authority in an amount not to exceed $754,423.

(b) Adopt the following 2018-2019 Funding Source Resolution and Appropriation Ordinance amendments in the Building and Structure Construction Tax Fund:

(1) Increase the estimate for Revenue from Local Agencies by $664,000; and

(2) Establish the TFCA Signal Retiming appropriation to the Department of Transportation in the amount of $664,000.

CEQA: Categorically Exempt, CEQA Guidelines Section 15301 Existing Facilities, File No. PP18-029. (Transportation/City Manager)

Documents Filed: Joint memorandum from John Ristow, Deputy Director of Department of Transportation and Budget Director Margaret McCahan, dated November 9, 2018, recommending adoption of a resolution and adoption of an appropriation ordinance and funding sources resolution amendment.

Action: Resolution No. 78866, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager or Designee to Execute a Transportation Fund for Clean Air Grant Agreement with the Santa Clara Valley Transportation Authority in an Amount Not to Exceed $754,423"; Resolution No. 78867, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 78672 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2018-2019 to Adjust Revenues in the Building and Structure Construction Tax Fund"; and Ordinance No. 30184, entitled "An Ordinance of the City of San José, Amending Ordinance No. 30124 to Appropriate Moneys in the Building and Structure Construction Tax Fund for the TFCA Signal Retiming; Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", was adopted. (11-0.)

2.13 18-1570 Retroactive Approval of Project Hope Program Kick-Off Event & Resources Fair Sponsored by Council District 8 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 November 14, 2018:
1. Retroactively approve the Project Hope Program Kick-Off Event & Resource Fair scheduled on October 27, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Arenas)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Project Hope Program Kick-Off Event and Resources Fair sponsored by District 8 as a City Council Sponsored Special Event was retroactively approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.14 18-1571 Retroactive Approval of South Bay Clean Creeks Coalition Team 222 Cleanup 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 November 14, 2018:
1. Retroactively approve the South Bay Clean Creeks Coalition Team 222 Clean Up Event scheduled on November 10, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Mayor Liccardo)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The South Bay Clean Creeks Coalition Team 222 Cleanup as a City Council Sponsored Special Event was retroactively approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.15 18-1572 Retroactive Approval of the October 30, 2018 Interfaith Community Vigil and Gathering 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 November 14, 2018:
1. Retroactively approve the Interfaith Community Vigil and Gathering scheduled on October 30, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Mayor Liccardo)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The October 30, 2018 Interfaith Community Vigil and Gathering as a City Council Sponsored Special Event was retroactively approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.16 18-1573 Retroactive Approval of Veteran's Day Observance Sponsored by Council District 10 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 November 14, 2018:
1. Retroactively approve the Veterans' Day Parade scheduled on November 11, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Khamis)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Veteran’s Day Observance Sponsored by Council District 10 as a City Council Sponsored Special Event was retroactively approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.17 18-1574 Retroactive Approval of the POW! WOW! San José Flag Raising 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 November 14, 2018:
1. Retroactively approve the POW! WOW! San José Flag Raising scheduled on October 18, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Peralez)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The POW! WOW! San José Flag Raising Sponsored by Council District 3 as a City Council Sponsored Special Event was retroactively approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved.
(11-0.)

2.18 18-1575 Retroactive Approval of Trash Talk Sponsored by Council District 6 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 November 14, 2018:
1. Retroactively approve the Trash Talk scheduled on November 16, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Davis)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Trash Talk Event Sponsored by Council District 6 as a City Council Sponsored Special Event was retroactively approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved.
(11-0.)

2.19 18-1576 Retroactive Approval of District 6 Faith Leaders Luncheon Sponsored by Council District 6 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 November 14, 2018:
1. Retroactively approve the District 6 Faith Leaders Luncheon scheduled on November 8, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Davis)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The District 6 Faith Leaders Luncheon Sponsored by Council District 6 as a City Council Sponsored Special Event was retroactively approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.20 18-1577 Approval of the Purchase of Fiesta Navidena Materials Sponsored by Council District 5 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 November 14, 2018:
1. Approve the Fiesta Navidena Celebration scheduled on December 7, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Vice Mayor Carrasco)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: Purchase of Fiesta Navidena Materials Sponsored by Council District 5 as a City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.21 18-1578 Approval of the World AIDS Day Flag Raising Ceremony 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 November 14, 2018:
1. Approve the Worlds AIDS Day Flag Raising Ceremony scheduled on November 29, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Peralez)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: The World AIDS Day Flag Raising Ceremony Sponsored by Council District 3 as a City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.22 18-1579 Retroactive Approval of the Light Up the Night for Domestic Violence at City Hall Sponsored by Council District 5 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 November 14, 2018:
1. Retroactively approve of the Light Up the Night for Domestic Violence at City Hall scheduled on October 2, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. 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. (Vice Mayor Carrasco)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 14, 2018, transmitting the recommendations of the Rules and Open Government Committee.

Action: Light Up the Night for Domestic Violence at City Hall Sponsored by Council District 5 as a City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved.
(11-0.)

STRATEGIC SUPPORT

3.3 18-1553 Statement of Policy and Questions for the Prospective Director of Human Resources.

Adopt a Statement of Policy and City Council Questions related to the selection of a prospective Director of Human Resources as described in the memorandum to Council, in compliance with City Charter Section 411.1.
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (City Manager)

Documents Filed: Memorandum from City Manager, David Sykes, dated November 15, 2018, recommending adoption of statement of policy.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Sylvia Arenas and carried unanimously, the Statement of Policy was adopted, and three additional questions were added for the Prospective Director of Human Resources:
(1) What unique strategies would you employ to encourage the best and brightest to come work for the City of San José? (Mayor)
(2) What policies and procedures would you implement to make the City of San José a family-friendly employer? (Arenas)
(3) Cities are large, complex organizations resistant to change. What have you done at other cities to combat that? (Arenas)
(11-0.)

3.4 18-1526 Legal Definition of Sex Under Title IX.

As recommended by the Rules and Open Government Committee on October 31, 2018:
1. Direct the City Attorney to analyze the Department of Health and Human Services effort to establish a new legal definition of sex under Title IX; and to come back to Rules with a report of a potential federal policy change and the effect on the City of San José, our employees, and residents.
2. Adopt a resolution opposing any policy change in Title IX that rolls back civil rights protections for the Transgender Community. Deliver a letter to the largest federal agencies that enforce some part of Title IX: Secretary of Health and Human Services Alex Azar, Secretary of Education Betsy DeVos, Secretary of Labor Alex Acosta, Attorney General Jeff Sessions, and Roger Severino, Director of the Office for Civil Rights at the U.S. Department of Health and Human Services.
CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Vice Mayor Carrasco)
[Rules Committee referral 10/31/18 - Item G.1.c]

3.4 (Cont'd.)

Documents Filed: (1) Memorandum from Vice Mayor Magdalena Carrasco, dated October 25, 2018, recommending adoption of a resolution with additional direction to staff. (2) Letters from the public: Assembly Member Evan Low, dated November 27, 2018; Assembly Member Ash Kalra, and BAYMEC, dated October 31, 2018; and Working Partnerships USA; Rainbow Chamber of Silicon Valley; SOMOS Mayfair, and Silicon Valley Pride, each dated October 30, 2018, and an email from Raymond Mueller, District 5.

Public Comments: Offering support to the proposal as outlined in the Vice Mayor's memorandum, were the following: Gabrielle Antolovich (Billy DeFrank Community Center), Stacy Hatfield, Maribel Martinez (Office of LGBTQ Affairs), Cassie Mancini (for Assemblymember Evan Low), Blair Beekman, Roxanne, Jeffrey Buchanan (Working Partnerships USA) and Paul Escobar (BAYMEC).

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Tam Nguyen and carried unanimously, Resolution No. 78868, entitled: "A Resolution of the Council of the City of San José Opposing any Policy Change in Title IX that Rolls Back Civil Rights Protections for the Transgender Community", was adopted, including Vice Mayor Magdalena Carrasco memorandum dated October 25, 2018, to:
1. Direct the City Attorney to analyze the Department of Health and Human Services effort to establish a new legal definition of sex under Title IX; and to come back to Rules with a report of a potential federal policy change and the effect on the City of San Jose, our employees, and residents.
2. Adopt a resolution opposing any policy change in Title IX that rolls back civil rights protections for the Transgender Community. Deliver a letter to the largest federal agencies that enforce some part of Title IX: Secretary of Health and Human Services Alex Azar, Secretary of Education Betsy De Vos, Secretary of Labor Alex Acosta, Attorney General Jeff Sessions, and Roger Severino, Director of the Office for Civil Rights at the U.S. Department of Health and Human Services.
(11-0.)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 18-1554 AB932 - Authority for City of San José.

Direct the Administration to include within the Council's 2019 Legislative Program the pursuit of state legislation to streamline building and zoning approval processes and other applicable standards and laws to allow the City of San José to establish and operate sanctioned encampments, consistent with the authority granted to other California jurisdictions through AB 932.
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Housing/City Manager)
[Rules & Open Government Committee referral 9/19/18 - Item G.2]

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated November 14, 2018, providing the joint memorandum from Chief of Staff, Office of the City Manager, Lee Wilcox and Director of Housing Jacky Morales-Ferrand, dated November 16, 2018 regarding AB 932.

4.1 (Cont'd.)

Public Comments: Robert Aguirre offered support to the proposal.

Chief of Staff, Office of the City Manager, Lee Wilcox and Director of Housing Jacky Morales-Ferrand responded to questions from Council.

Mayor Sam Liccardo noted that he could not support the proposal, that the City should be focusing on staff hours and on housing people. Councilmember Johnny Khamis offered that a notification to neighbors should be required.

Action: Upon motion by Councilmember Chappie Jones, seconded by Vice Mayor Magdalena Carrasco and carried, the Administration was directed to include within the Council's 2019 Legislative Program the pursuit of state legislation to streamline building and zoning approval processes and other applicable standards and laws to allow the City of San José to establish and operate sanctioned encampments, consistent with the authority granted to other California jurisdictions through AB 932.
(8-3. Noes: Diep, Khamis, Liccardo.)

4.2 18-1555 Small Project Inclusionary Housing. - DEFERRED

As recommended by the Community and Economic Development Committee on September 24, 2018, provide recommendations on the design of the structure of an inclusionary housing program imposed on new developments with three to nineteen homes.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action, and File No. PP17-002, Consultant Services for design, study, inspection, or other professional services with no commitment to future action. (Housing)
[Community and Economic Development Committee referral 9/24/18 - Item (d)4]

Documents Filed: Memorandum from City Clerk Toni J. Taber, November 14, 2018, transmitting the recommendations for deferral by the Rules and Open Government Committee.

Action: Deferred to early 2019 per the Rules and Open Government Committee.

4.3 18-1556 Audit of Homeless Assistance Program and Annual Report on Homeless Programs and New Funding Opportunities.

As recommended by the Neighborhood Services & Education Committee on November 8, 2018:
1.Accept the audit of homeless assistance programs.
(b) Accept the annual homeless report and discuss the proposed community wide funding priorities and expenditure plan for the Homeless Emergency Aid Program (SB850).
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Auditor/Housing)

4.3 (Cont'd.)

Note: this item was bifurcated into items (a) and (b) and with a separate vote for the Commercial Linkage Fee.

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo and Councilmembers Jimenez, Peralez and Rocha, dated November 21, 2018. (2) Joint memorandum from Mayor Sam Liccardo and Councilmembers Jones and Davis, dated November 21, 2018. (3) Joint memorandum from Vice Mayor Magdalena Carrasco and Councilmember Raul Peralez, dated November 21, 2018. (4) Memorandum from Councilmember Lan Diep dated November 26, 2018. (5) Memorandum from Councilmember Sergio Jimenez, dated November 26, 2018. (6) Memorandum from Vice Mayor Magdalena Carrasco, dated November 27, 2018. (7) Memorandum from Councilmember Sylvia Arenas, dated November 27, 2018. (8) Memorandum from Councilmember Donald Rocha, dated November 27, 2018. (9) Memorandum from City Clerk Toni J. Taber, CMC, dated November 14, 2018, providing recommendations from the Neighborhood Services and Education Committee. (10) Supplemental memorandum from Director of Housing Jacky Morales-Ferrand, dated November 21, 2018, providing an update on the proposed expenditure plan.

Mayor Sam Liccardo recommended that this item be bifurcated into two sections, with acceptance of the audit to be heard separately.

City Auditor Sharon Erickson provided results of the audit. City Manager, David Sykes provided comments, and Chief of Staff, Office of the City Manager, Lee Wilcox, continued with recommendations and discussion of the cross-agency collaboration team. Director of Housing Jacky Morales-Ferrand addressed audit findings, and Director of Policy & Budget, Ragan Heninger continued with a discussion of the Emergency Aid Program.

Public Comments: Forty-two members of the public offered comments, recommendations and personal experiences regarding homelessness and the need for increased funding, the need for crises intervention and opposition to "sweeps".

The Council meeting recessed at 5:20 p.m. and reconvened at 6:06 p.m. with all Council Members present. Evening Ceremonial Items were heard, and the Council resumed discussion and action on Item 4.3.

Motion – Item 4.3(a): Vice Mayor Magdalena Carrasco moved her memorandum dated November 27, 2018. The motion was seconded by Councilmember Dev Davis.

Councilmember Sylvia Arenas proposed a friendly amendment, to include the joint memorandum from Mayor Sam Liccardo, Councilmembers Jimenez, Peralez, and Rocha, dated November 21, 2018. Councilmember Raul Peralez moved approval of four of the memoranda as indicated below. The friendly amendments were accepted by Vice Mayor Magdalena Carrasco and Councilmember Dev Davis.

The audit (Item 4.3a) was accepted including memoranda as follows:

Memorandum from Vice Mayor Magdalena Carrasco, dated November 27, 2018:
"Demonstrate the coordination between the departments and external agencies in the development of the updated Abatement Program Guidelines and bring back the MOA's to City Council in January. Direct the City Manager's Office as part of the update to the Abatement

4.3 (Cont'd.)

Program Guidelines and amend the Memorandum of Agreements with Tucker Construction and the Santa Clara Valley Water District and any other abatement partner to comply with legal requirements."

Memorandum from Councilmember Raul Peralez, dated November 8, 2018:
"Accept the Audit Report of Homeless Assistance Programs and (1) Direct the City Manager's Office to provide an update on Homeless Task Force; (2) Explore inter-departmental approach alongside current regional Homeless Task Force."

Joint memorandum from Mayor Sam Liccardo, Councilmembers Jimenez, Peralez, and Rocha, dated November 21, 2018:
(1) Accept the Audit of Homeless Assistance Programs and the City Manager's response. (2) Direct the City Manager's Office to develop an enterprise-wide homelessness response workplan by Spring 2019, including the following: (a) Description of activities planned by each responsible department as well as a timeline for such activities; (b) Discussion of ongoing efforts to formalize the newly initiated cross agency collaborative efforts with the County of Santa Clara; (c) Discussion of activities included in the plan focused on efforts to develop interim housing solutions; and (d) Target dates for formal reporting to City Council. (3) Add to Audit recommendation #2: Work with the Mayor's Office of Technology and Innovation and the City Manager's Innovation Office to assess what resources would be required to develop a San Jose-based equivalent of "Link-SF" to better disseminate critical information to homeless residents (see p. 33), and to enable the CoC to better gather data to assess needs. Such development may require grant funding and creative resourcing, such as partnering with Joint Venture: Silicon Valley's Silicon Valley Talent Partnership, the Unleash Your Geek competition, or SJSU; (4) Add to Audit Recommendations #4 & 5: Clarify what the legal requirements the City must comply with that have compelled the substantial increase in creek encampment abatements, with specific reference to (1) the ruling and threat of daily fines from a State of California environmental regulatory agency in 2014, and (2) the BayKeeper settlement and Court Order regarding water quality standards. Report findings to Council and the public, so that the policy of creek encampment abatement can be clearly assessed, and if necessary, the appropriate agencies responsible for the mandate can be requested to fund its compliance; (5) Add to Audit recommendation #5 (c) a recommendation to track when and why homeless residents decline referrals, including why residents decline shelter placements (e.g., for such reasons as rules or other restrictions).

And the memorandum from Councilmember Lan Diep, dated November 26, 2018:
"Accept the Auditor's recommendations and direct the City Manager to: (1) Reassess the City's homeless abatement efforts to determine whether abatement should be an interdepartmental responsibility; and (2) If it is determined that a single department should be primarily responsible for abatement efforts, then reassess which department is best suited to do it."
(11-0.)

Upon motion by Councilmember Raul Peralez and seconded by Councilmember Sergio Jimenez, this item was further bifurcated, to hear Commercial Linkage Fee item separately:
Motion: Councilmember Raul Peralez moved the memorandum he cosigned with Vice Mayor Magdalena Carrasco, dated November 21, 2018 to agendize the September 10, 2018 memorandum from Mayor Sam Liccardo to hold a discussion on the Commercial Linkage Fee before the end of the calendar year. The motion was seconded by Councilmember Sergio Jimenez.

4.3 (Cont'd.)

Councilmember Johnny Khamis indicated he could not support the motion on the floor. Councilmember Lan Diep offered that he did not see the urgency in this action and could not support.

Action: On a call for the question, the motion carried, and the September 10, 2018 memorandum from Mayor Sam Liccardo regarding bringing the Commercial Linkage Fee (CLF) for City Council discussion before the end of the calendar year was accepted.
(6-4-1. Noes: Davis, Diep, Jones, Khamis. Absent: Nguyen.)

Motion – Item 4.3(b): Councilmember Raul Peralez moved acceptance of the annual homeless report and discussion of the proposed community-wide funding priorities and expenditure plan for the Homeless Emergency Aid Program, including the memorandum from Councilmember Sergio Jimenez, dated November 26, 2018; the joint memorandum from Mayor Sam Liccardo, and Councilmembers Jones and Davis, dated November 21, 2018; the memorandum from Councilmember Sylvia Arenas, dated November 27, 2018; the memorandum from Vice Mayor Magdalena Carrasco and Councilmember Raul Peralez, dated November 21, 2018: "Accept the Annual Homeless Report and Homeless Emergency Assistance Program", and Part "B" of the memorandum from Councilmember Donald Rocha, dated November 26, 2018. Councilmember Sergio Jimenez seconded the motion.

Councilmember Sylvia Arenas offered a friendly amendment, to strike Item B from her memorandum and, additionally, include "Change the approach towards homeless youth to a Transitional Housing Program rather than a rapid rehousing". The friendly amendment was accepted.

Action: On a call for the question, the motion carried unanimously, and the annual homeless report (Item 4.3b) was accepted, including memoranda as follows:

Memorandum from Councilmember Sergio Jimenez, dated November 26, 2018, to (1) Accept the recommendation by Vice Mayor Carrasco and Councilmember Peralez regarding the Commercial Linkage Fee (CLF) for full Council discussion by the end of the calendar year. (2) Direct the Housing Department and the Office of Economic Development to approach Google about allowing the temporary use of one or more of their recently purchased properties for the purposes of creating additional shelter beds within San Jose. (3) Recommend the following parameters to guide the negotiations with Google: (a) Temporary use should be for no less than two years; (b) Shelter should be year-round; (c) Leasing of property from Google should be negotiated at the least possible cost to the City; (d) Google's agreement to lease property to the City will not count towards their anticipated community benefit contributions; (3) There should be a definitive end date for use of property, and the City should lead the closure; (f) Provide an update to the Council regarding these negotiations on or before the December 11, 2018 Council meeting.

Memorandum from Mayor Sam Liccardo, and Councilmembers Jones and Davis, dated November 21, 2018:
(1) Accept staff's recommended Homeless Emergency Assistance Program (HEAP) expenditure plan, with one modification: Direct the City Manager - as a component of the Crisis Response approach - to develop a plan to establish a Humane Public Toilet Program as part of the Crisis Response approach, located initially near river or creek-side homeless encampments, that would: (a) Add additional hours, including in the evening, to current City bathrooms - such as at frequently-used community centers or parks; (b) Add portable toilet banks, with trash bins, at such encampment hotspots, on a pilot basis; (c) Explore innovative toilet technology - such as self-cleaning and/or compost toilets; (d) Add job opportunities to the City's new Transitional Jobs

Program that would allow people experiencing homelessness to be paid to restock, clean, and tend open bathrooms; (e) Be funded with $200,000 of HEAP funding, to be reallocated from the motel voucher expenditure plan. The City Manager should reach out to the Santa Clara Valley Water District to propose cost-sharing for the project, and should consider other potential sources for more permanent funding, such as storm sewer fees; (2) Return to NSE twice a year with reports on progress on the HEAP expenditure plan. (3) Future Annual Homeless Reports and HEAP reports should provide apples-to-apples metrics that enable the Council to better understand where best to invest each marginal dollar to maximize benefit to recipients and minimize hardship, e.g., dollars-expended per-individual-moving-to-permanent-housing. (a) The comparisons should include some historic perspective to help us better understand how we've been spending money in the past, and to see how variations and tweaks in programs may help us see dollars used more effectively to help more people. (b) Metrics may differ based on the general category of strategy (e.g., "housing-based solutions," " interim housing," etc.), but should enable Council and public to understand if we're maximizing our scarce dollars within that broad strategy. Where metrics cannot adequately capture progress, or where too speculative, (e.g., "lives saved due to safety to exposure to winter elements"), simply designate that there is no suitable metric.

Memorandum from Councilmember Sylvia Arenas, dated November 27, 2018, *with modifications as indicated*:
Accept memo by Mayor Liccardo and Councilmembers Jones and Davis regarding Homeless Emergency Assistance Program (HEAP) funding and future Annual Homeless Reports and add the following recommendations:
(1) Ensure that San Jose emergency homeless assistance programs support families with children or dependent family members:
a. Include the systematic tracking of programs that provide services to families as part of all future metrics collected;
~~b. In aggregate, require that 50% of HEAP funding serve homeless families with children or homeless youth, and report back to Council about the feasibility of expanding this requirement to homelessness emergency services more broadly;~~
c. Incorporate McKinney-Vento child homelessness data into all geographic analysis for site selection of future programming, including but not limited to those expanded through HEAP;
d. Require that each contract expanded under HEAP not contain any stipulations that would exclude children or dependent family members from accessing services;
e. ~~Require~~ *Explore the idea* that HEAP grantees coordinate with Kid Connection system of care as a condition for any expanded, amended, or future contracts providing services to families with children. (2) Before executing any contract expansion, conduct evaluations of each contract eligible for HEAP funding and issue an informational memo to Council; (3) Bring forward proposals in the 2019-2020 budget process that support data and performance based strategies.

The memorandum from Vice Mayor Magdalena Carrasco and Councilmember Raul Peralez, dated November 21, 2018: "Accept the Annual Homeless Report and Homeless Emergency Assistance Program."

(Item Continued on the Next Page)

4.3 (Cont'd.)

The memorandum from Councilmember Donald Rocha, dated November 26, 2018, Part "B":

B. Direct city staff to use funding in current contracts to allow HomeFirst and LifeMoves to fund and execute OWL and Safe Parking program expansions earlier than HEAP funding would arrive (Expansion currently proposed would take place by March/April of 2019).

In addition to Council memoranda,
Change the approach towards homeless youth to a Transitional Housing Program rather than a rapid rehousing.

(9-0-2. Absent: Nguyen, Rocha.)

4.4 18-1558 Declaration of a Continued Shelter Crisis, Designating Facilities for Overnight Warming Center Activation, and Funding Award to HomeFirst Services of Santa Clara County for Overnight Warming Location Activation.

(a) Adopt a resolution declaring the continued existence of a shelter crisis in the City of San José pursuant to, and in accordance with, the provisions of California Government Code section 8698 et seq. and designating the following four city-owned facilities to be occupied as overnight warming facilities by homeless individuals and families during the crisis:

(1) Bascom Community Center, 1000 S. Bascom Avenue, San José, CA 95128;

(2) Leininger Community Center, 1300 Senter Road, San José, CA 95112;

(3) Alum Rock Library, 3090 Alum Rock Ave, San José, CA 95127; and

(4) Roosevelt Community Center, 901 E Santa Clara St, San José, CA 95116.

(b) Adopt a resolution authorizing the Director of Housing to negotiate and execute an Agreement with HomeFirst Services of Santa Clara County in the amount of up to $350,000 to operate the Overnight Warming Locations during inclement weather in the 2018-2019 cold weather season.

CEQA: Categorically Exempt, CEQA Guidelines Section 15301 Existing Facilities, File No. PP18-093. Council Districts 3, 5, 6 & 7. (Housing)

Documents Filed: Memorandum from Director of Housing Jacky Morales-Ferrand, dated November 8, 2018, recommending adoption of resolutions.

Public Comments: Expressing concerns regarding disparity and the means of collecting school district data, were: Aurelia Sanchez, Karen Gillette, Gail Osmer, Robert Aguirre, Blair Beekman, Phil Mastercola, Lance Carter and Shaun Cartwright.

Council discussion followed, with additional direction given to staff to return to Council with an info memo regarding any issues with the use of the Leininger Community Center site.

4.4 (Cont'd.)

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis and carried unanimously, Resolution No. 78869, entitled: "A Resolution of the Council of the City of San José Declaring the Continued Existence of a Shelter Crisis in the City of San José Pursuant to, and in Accordance with the Provisions of California Government Code Section 8698 et seq. and Designating Four City-Owned Facilities to be Occupied as Overnight Warming Facilities by Homeless Individuals and Families During the Crisis"; and Resolution No. 78870, entitled: "A Resolution of the Council of the City of San José Authorizing the Director of Housing to Negotiate and Execute an Agreement with HomeFirst Services of Santa Clara County in the Amount Not to Exceed $350,000 to Operate the Overnight Warming Locations During Inclement Weather in the 2018-2019 Cold Weather Season", were adopted, with Staff directed to return to Council with an info memo regarding any issues with the use of the Leininger Community Center site. (9-0-2. Absent: Nguyen, Rocha.)

4.5 18-1559 Actions Related to the Ground Leasing of 934-949 Locust Street to County of Santa Clara for Affordable Housing Purposes and Approval of the Proposed Rehabilitation of the Existing Facilities.

Hold a Public Hearing, accept the staff report, and adopt a resolution:
(a) Accepting the summary of costs and findings of the Summary Report Pursuant to Section 33433 of the California Health and Safety Code for the disposition of a property located at 934-949 Locust Street with existing affordable housing to the County of Santa Clara under the terms and conditions of the proposed Ground Lease for a term of up to 15 years and approving the Ground Lease in substantially final form;
(b) Authorizing the Director of Housing or her designee, to set the specific business terms and negotiate and execute documents and document amendments related to the Ground Lease, the County of Santa Clara project, and the City CDBG-funded $1,200,000 rehabilitation of the existing housing.
CEQA: Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File No. PP18-074. (Housing)

Documents Filed: (1) Memorandum from Memorandum from Vice Mayor Magdalena Carrasco, dated November 26, 2018. (2) Memorandum from Councilmember Raul Peralez, dated November 27, 2018. (3) Memorandum from Director of Housing Jacky Morales-Ferrand, dated November 13, 2018, recommending adoption of a resolution.

Mayor Sam Liccardo opened the public hearing.

Public Comments: Maribel Martinez (LGBTQ Affairs for Santa Clara County) spoke on the assurance that LGBTQ community members experiencing homelessness have a place to feel safe, and Roxanne encouraged inclusion of the transgender community.

Mayor Sam Liccardo closed the public hearing.

Motion: Councilmember Raul Peralez moved approval of staff recommendations including his memorandum dated November 27, 2018 and the memorandum authored by Vice Mayor Magdalena Carrasco, dated November 26, 2018.

4.5 (Cont'd.)

Action: On a call for the question, the motion carried unanimously, and Resolution No. 78871, entitled: "A Resolution of the Council of the City of San José (1) Accepting the Summary Report Pursuant to Section 33433 of the California Health and Safety Code for the Ground Leasing of 937-943 Locust Street to the County of Santa Clara for Up to Fifteen (15) Years, Approving the Ground Lease in Substantially Final Form; Making Certain Findings Pursuant to the California Health and Safety Code Section 33433; (2) Authorizing the Director of Housing to Negotiate and Execute Documents and Amendments Related to the Ground Lease, the Project, and the City Community Block Grant-Funded $1.2 Million Rehabilitation of the Existing Affordable Housing" was adopted, including the memorandum from Vice Mayor Magdalena Carrasco dated November 26, 2017, and the memorandum from Councilmember Raul Peralez, dated November 27, 2018, were accepted, approving the Staff recommendations.
(11-0.)

4.6 18-1569 Actions Related to the Property Exchange Agreement with the County of Santa Clara to Facilitate Roadway Improvements on Branham Lane and Snell Avenue to Improve Bicycle, Pedestrian and Vehicular Safety Adjacent to Marshall Cottle Park.

Adopt a resolution to authorize the City Manager to negotiate and execute a Property Exchange Agreement with the County of Santa Clara, whereby the County will grant to the City easement rights on approximately 8.78-acres of County property around Martial Cottle Park to be used for roadway improvements along Branham Lane and Snell Avenue in exchange for approximately 12.38-acres of City-owned land along Hellyer Avenue, which City-owned land shall be subject to a deed restriction for park and open space and shall allow for a City maintained retention pond.
CEQA: Not a Project, File No. PP17-033, Agreements/Contracts resulting in no physical changes to the environment. Council District 10. (Transportation/Economic Development)

Documents Filed: Joint memorandum from John Ristow, Deputy Director of Department of Transportation and Deputy City Manager/Director of Economic Development Kim Walesh, dated November 13, 2018, recommending adoption of a resolution.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, Resolution No. 78872, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to Negotiate and Execute a Property Exchange Agreement with the County of Santa Clara Whereby the County Will Grant to the City Easement Rights on Approximately 8.78 Acres of County Property Adjacent to Martial Cottle Park to be Used for Roadway Purposes Along Branham Lane and Snell Avenue in Exchange for Approximately 12.38 Acres of City-Owned Land Along Hellyer Avenue, Which City-Owned Land Shall be Subject to Deed Restrictions for Park and Open Space and Shall Allow for a City-Maintained Retention Pond", was adopted. (9-0-2. Absent: Nguyen, Rocha.)

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 18-1560 Shared Micro-Mobility. - DEFERRED

As recommended by the Transportation and Environmental Committee on August 13, 2018, accept the background information report from City staff on shared micro - mobility - dockless bikes, electric-assist bikes, and electric scooters - in and around Downtown San José, and provide feedback to staff on a proposed regulatory framework.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Transportation)
[Transportation and Environmental Committee referral 8/13/18 - Item D.1]
[Deferred from 9/25/18 - Item 6.3 (18-1273); 10/16/18 - Item 6.1 (18-1377)]

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated November 14, 2018, providing recommendations from the Transportation and Environment Committee to defer this item to December 11, 2018.

Action: *Deferred to 12/11/18 per Administration.*

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY

8.1 18-1561 Actions Related to the Grant Funding Received from the U.S. Department of Justice.

(a) Adopt a resolution authorizing the City Manager to negotiate and execute an agreement for grant awards received from the U.S. Department of Justice in the amount of $2,571,825.
(b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
(1) Increase the estimate for Revenue from Federal Government by $2,571,825;
(2) Establish a OVW Improving Criminal Justice Response Program City-wide appropriation to the Police Department in the amount of $810,272;

(Item continued on the next page)

8.1 (Cont'd.)

(b) (3) Establish a NCS-X Implementation Program City-wide appropriation to the Police Department in the amount of $168,156;

(4) Establish a Justice and Mental Health Collaboration Program City-wide appropriation to the Police Department in the amount of $750,000;

(5) Establish an Internet Crimes Against Children Task Force - Forensic Analyst Capacity Hiring Program City-wide appropriation to the Police Department in the amount of $200,000;

(6) Establish a Bulletproof Vest Partnership City-wide appropriation to the Police Department in the amount of $193,704; and

(7) Increase the City-wide Internet Crimes Against Children Task Force Invited Awards appropriation in the amount of $449,693.

CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application; and File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Police/City Manager)

Documents Filed: Joint memorandum from Chief of Police Edgardo Garcia and Budget Director Margaret McCahan, dated November 6, 2018, recommending adoption of a resolution and adoption of an appropriation ordinance and funding sources resolution amendments.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Carrasco and carried unanimously, Resolution No. 78873, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to Negotiate and Execute Agreements for Fiscal Year 2018 Grant Awards Received from the U.S. Department of Justice in an Amount Not to Exceed $2,571,825, and all Other Documents Necessary to Effectuate the Grants"; Resolution No. 78874, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 78672 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2018-2019 to Adjust Revenues in the General Fund"; and Ordinance No. 30185, entitled "An Ordinance of the City of San José Amending Ordinance No. 30124 to Appropriate Moneys in the General Fund for Grant Awards Received from the U.S. Department of Justice; Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", was adopted. (9-0-2. Absent: Nguyen, Rocha.)

8.2 18-1562 Actions Related to the Spending Plan for the Supplemental Law Enforcement Services Fund.

(a) Approve the proposed 2018-2020 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant in the amount of $1,597,819 and authorize the Chief of Police to amend the Spending Plan in conformity to the budget priorities set out in the staff memorandum to Council and in the event State Supplemental Law Enforcement Services Grant payments are less or more than expected.

(b) Approve the revised 2017-2019 Spending Plan for the Supplemental Law Enforcement Services Grant in the amount of $2,380,698.

8.2 (Cont'd.)

(c) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Supplemental Law Enforcement Services Fund:
(c) (1) Increase the estimate for Revenue from State of California by $928,756;
(2) Increase the appropriation to the Police Department for the SLES Grant 2017-2019 in the amount of $780,192; and
(3) Establish an appropriation to the Police Department for the SLES Grant 2018-2020 in the amount of $148,564.
CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment, and File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application. (Police/City Manager)

Documents Filed: Joint memorandum from Chief of Police Edgardo Garcia and Budget Director Margaret McCahan, dated November 6, 2018, recommending approval of proposed spending plans and adoption of an appropriation ordinance and funding sources resolution amendments.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis and carried unanimously, Resolution No. 78875, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 78672 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2018-2019 to Adjust Revenues in the Supplemental Law Enforcement Services (SLES) Fund"; and Ordinance No. 30186, entitled "An Ordinance of the City of San José Amending Ordinance No. 30124 to Appropriate Moneys in the Supplemental Law Enforcement Services (SLES) Fund for the SLES Grant 2017-2019 and SLES Grant 2018-2020; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", were adopted. (9-0-2. Absent: Nguyen, Rocha.)

8.3 18-1563 Actions Related to the Agreement with the City and County of San Francisco for Allocation of the 2018 Urban Areas Security Initiative Grant Funds.

(a) Adopt a resolution authorizing the City Manager to execute an Agreement between the City of San José and the City and County of San Francisco, acting as fiscal agent for the Bay Area Urban Areas Security Initiative, to accept the 2018 Bay Area Urban Areas Security Initiative grant allocation in the amount of $1,455,716, and to negotiate and execute additional amendments and related documents without further City Council action.
(b) Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:
(1) Establish a City-Wide Expenses appropriation to the Police Department for the Urban Areas Security Initiative Grant - Police 2018 in the amount of $295,000;
(2) Establish a City-Wide Expenses appropriation to the City Manager's Office/Office of Emergency Management (OEM) for the Urban Areas Security Initiative Grant - OEM 2018 in the amount of $465,122;

8.3 (Cont'd.)

(3) Establish a City-Wide Expenses appropriation to the Fire Department for the Urban Areas Security Initiative Grant - Fire 2018 in the amount of $62,000; and
(b) (4) Increase the estimate for Revenue from Federal Government by $822,122.
CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application. (Police/Fire/Emergency Services/City Manager)

Documents Filed: Joint memorandum from Chief of Police Edgardo Garcia, Fire Chief Robert Sapien, Jr., Director of the Office of Emergency Management, Ray Riordan, and Budget Director Margaret McCahan, dated November 14, 2018, recommending approval of execution of an agreement and adoption of an appropriation ordinance and funding sources resolution amendments.

Public Comments: Blair Beekman offered comments regarding Urban Shield.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Raul Peralez and carried unanimously, Resolution No. 78876, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to Execute an Agreement Between the City of San José and the City and County of San Francisco, Acting as Fiscal Agent for the Bay Area Urban Areas Security Initiative (UASI), to Accept the 2018 UASI Grant Allocation in the Amount of $1,455,716 and to Negotiate and Execute Additional Amendments and Related Documents Without Further City Council Action"; Resolution No. 78877, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 78672 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2018-2019 to Adjust Revenues in the General Fund"; and Ordinance No. 30187, to Appropriate Moneys in the General Fund for the Urban Areas Security Initiative Grants; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", were adopted. (9-0-2. Absent: Nguyen, Rocha.

8.4 18-1580 General Obligation Bond (Measure T, Public Safety and Infrastructure Bond).

As recommended by the Rules and Open Government Committee on November 14, 2018:
Direct the City Manager to:
1. Revise Proposed General Obligation Bond Project Categories (included as Attachment A to the City Manager's September 11, 2018 Memorandum) to read as follows:
• Preserve "Build Fire Station 37" as a priority project
• Supplant "Rebuild/relocate or build two Fire Stations, including property acquisition" with:
- "Build at least two new fire stations, including property acquisition, or conversion of existing City land," and
- "Rebuild/ relocate fire stations 8 and 23, including property acquisition or conversion of existing City land."
• Supplant "Public Safety Headquarters Infrastructure Needs" with "Police Headquarters Infrastructure Needs"

8.4 (Cont'd.)

2. Pursuant to the 2015 SJFD Strategic Business Plan, accelerate the development of a Facilities Master Plan that addresses fire station location, along with staffing and budget impacts, within 12 months (Goal #2, 9.4 Infrastructure and Support). The Facilities Master Plan should include specific timelines for the construction and rehabilitation of each of the new and rehabilitated fire stations called for under Measure T.
3. Within 60 days of the certification of the election results, return to Council with:
i. A timeline for the implementation and funding of staffing/operations of Fire Station 37, with commencement of construction within 18 months.
ii. Timeline of construction of the next new fire station, with the purchase of land for the next new fire station within 24 months, and design and construction thereafter.
CEQA: Not a Project. File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Mayor Liccardo)
[Rules Committee referral 11/14/18 - Item G.3]

Documents Filed: Supplemental memorandum from Director of Public Works, Matt Cano, dated November 20, 2018, provided updated information.

Public Comment: Blair Beekman offered appreciation for staffs' work.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Raul Peralez and carried unanimously, General Obligation Bond (Measure T, Public Safety and Infrastructure Bond) recommendations were accepted. (9-0-2. Absent: Nguyen, Rocha.)

9. REDEVELOPMENT – SUCCESSOR AGENCY

9.1 18-1564 Purchase and Sale Agreement for the Jose Theatre Property Located at 62 South Second Street.

Successor Agency Board approve a Purchase and Sale Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San José, as seller and Monterey & Third Associates LLC, as buyer to allow the sale of 62 South 2nd Street for a purchase price of $2,139,000.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
Council District 3. (Successor Agency)

9.1 (Cont'.d)

Documents Filed: Memorandum from Successor Agency Managing Director Richard A. Keit, dated November 15, 2018, recommending approval of an Agreement.

Action: Upon motion by Councilmember Raul Peralez, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the Purchase and Sale Agreement for the Jose Theatre Property Located at 62 South Second Street was approved. (9-0-2. Absent: Nguyen, Rocha.)

10. LAND USE

10.1 Land Use on Consent Calendar

(a) 18-1565 C17-012 - Conforming Rezoning for Real Property Located at 295 East Virginia Street.

(a) Adopt a resolution adopting the Virginia Studios Project Mitigated Negative Declaration, for which an Initial Study was prepared, and adopting a related Mitigation Monitoring and Reporting Program, all in accordance to the California Environmental Quality Act, as amended.
(b) Consideration of an ordinance of the City of San José rezoning a 1.72-gross acre site, located at 295 East Virginia Street from A(PD) Planned Development Zoning District to the R-M Multiple Residence Zoning District.
CEQA: Mitigated Negative Declaration for the Virginia Studios Project, File No. C17-012. Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)
C17-012 - Council District 3

Documents Filed: City Council Staff Report for File No. C17-012 from Planning Commission Secretary, Rosalynn Hughey, dated November 15, 2018 transmitting recommendations.

Councilmember Raul Peralez pulled Item 10.1(a) to comment on parking issues.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Johnny Khamis and carried unanimously, Resolution No. 78878, entitled: "A Resolution of the Council of the City of San José Adopting the Virginia Studios Project Mitigated Negative Declaration, for Which an Initial Study was Prepared, all in Accordance with the California Environmental Quality Act, as Amended, and Adopting a Related Mitigation Monitoring and Reporting Program", was adopted, and Ordinance No. 30188, entitled "An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.72-Gross Acres, Situated at the Northwest Corner of the Intersection of Virginia Street and 7th Street (295 East Virginia Street) (APN: 472-25-092), from the A(PD) Planned Development Zoning District to the R-M Multiple Residence Zoning District", was passed for publication.
(8-0-3. Absent: Arenas, Nguyen, Rocha.)

(b) 18-1566 PDC17-023 and PD17-017 - Planned Development Rezoning and Planned Development Permit for Real Property Located at 330 South Winchester Boulevard. - DROP

(a) Consideration of an ordinance of the City of San José rezoning Lot 3A, Lot 4, Lot 6A, and Lot 12 in Santana Row from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to allow late night use (12:00 a.m. - 6:00 a.m.).
(b) Adopt a resolution approving a Planned Development Permit, subject to conditions, to allow late night use between the hours of 12:00 a.m. and 2:00 a.m. for an existing restaurant (Roots and Rye).
CEQA: Addendum to the Final Environmental Impact Report for the Santana Row Planned Development Rezoning Project (Resolution No. 77532) and Addenda thereto, File Nos. PDC17-023 and PD17-017.
Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)
PDC17-023 & PD17-017 - Council District 6
Dropped – to be Renoticed.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 18-1567 PP18-086 - Amendment to Title 4 (Revenue, Finance and Business Tax) and Title 20 (Zoning Ordinance) of the San José Municipal Code.

Consideration of an ordinance of the City of San José amending Title 4 (Revenue, Finance, and Business Taxes) and Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to amend Section 4.88.100 of Chapter 4.88 to extend the expiration date of the Urban Agriculture Incentive Zone to January 1, 2029; amend San José Municipal Code Section 20.30.100 to add Secondary Units as a permitted use in the R-M Multiple Residence Zone; amend San José Municipal Code Section 20.30.200 to add a new Note 6 to Table 20-60 to cross-reference the existing Code section for side setback exceptions; amend San José Municipal Code Section 20.40.100 to add Child Day Care incidental to an existing school site, or a permitted on-site church/religious assembly use, involving no Building additions or changes, as a permitted use in the PQP Zoning District, and to amend Note 6 for Table 20-90, to add certain 100% affordable housing projects as a permitted use; amend San José Municipal Code Section 20.50.100, to substitute catering facility for caterer and outdoor storage for storage in Table 20-110; add a new section, 20.50.125 establishing incidental office use as a permitted use, in the LI and HI Zoning Districts and defining such incidental office use and establishing parking establishments and change an incorrectly referenced code section; amend

10.2 (Cont'd.)

criteria for such; amend San José Municipal Code Section 20.55.300 to include the CIC and TEC zoning districts; amend San José Municipal Code Section 20.70.510 to clarify types of establishments included as retail commercial San José Municipal Code Section 20.90.130 to correct the required single-family driveway length to 18 feet; amend San José Municipal Code Section 20.90.210 for clarity as to required parking for structures or uses existing as of November 10, 1965; and amend San José Municipal Code Section 20.100.1300 to allow exceptions to be granted for an increase of up to ten feet in the general zoning district maximum height limitations for elevator shafts and stairwells; and add new San José Municipal Code Sections 20.200.181 and 20.200.261 defining Catering Facility and Construction/Corporation Yard and to make other technical, non-substantive, or formatting changes within those sections.
CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto; Downtown Strategy 2000 FEIR, Resolution No. 72767, and Addenda thereto; North San José Development Policies FEIR, Resolution No. 72768, and Addenda thereto; and Diridon Station Area Plan FEIR, Resolution No. 77096 and Addenda thereto (collectively, the "Final Program EIRs"). Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs. Planning Commission recommends approval (7-0-0). (Planning, Building and Code Enforcement)
PP18-086 – Citywide

Documents Filed: (1) Memorandum from Councilmember Raul Peralez, dated November 26, 2018, offering additional direction to staff recommendations. (2) Memorandum from Planning Commission Secretary, Rosalynn Hughey, dated November 13, 2018 transmitting the Planning Commission recommendations. (3) Memorandum from Rosalynn Hughey, Director, Planning, Building and Code Enforcement, dated October 24, 2018, with recommendations and draft for an ordinance with proposed Title 4 and Title 20 Amendments.

Public Comments: Dennis Randall and Erik Schoennauer expressed support and spoke on the need to upgrade specifications. Blair Beekman offered suggestions.

Rosalynn Hughey, Director, Planning, Building and Code Enforcement discussed parapet issues and the need to change the language with "up to 17'" as indicated below in "Action".

10.2 (Cont'd.)

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, Ordinance No. 30190**,** entitled "An Ordinance of the City of San José Amending Section 4.88.100 of Title 4 and Sections 20.30.100, 20.30.200, 20.40.100, 20.50.100, 20.55.300, 20.70.510, 20.90.130, 20.90.210, and 20.100.1300 of Title 20 and Adding Sections 20.50.125, 20.200.181 and 20.200.261 to Title 20 of the San José Municipal Code to Clarify That Secondary Units are a Permitted Use in the Residential Multiple Family Zoning District, Clarify Incidental Child Day Care as a Permitted Use in the PQP Zoning District, Add Certain 100% Affordable Housing as a Conditional Or Special Use in a Mixed Use Development in an Urban Village In The Commercial Zoning District, Substitute Catering Facility For Caterer as a Permitted Use in the Commercial Zoning District, Clarify the Standards for Incidental Office Use as a Permitted Use in the Light Industrial and Heavy Industrial Zoning Districts, Add Stairwells And Elevator Shafts as Uses Eligible for Exception From General Zoning District Height Limits, Add New Definitions of Catering Facility and Construction/Corporation Yard and Make Other Technical, Formatting, Minor Modification, or Non-Substantive Changes Within Title 20 of the San Jose Municipal Code passed for publication, *including the change of language permitting elevator shafts and stairwells to exceed the general zoning district height by up to 17 feet, rather than 10 feet.*
(7-0-4. Absent: Arenas, Carrasco, Nguyen, Rocha.)

10.3 18-1568 PP18-090 - Amendment to Title 23 of the San José Municipal Code (Sign Code).

Consideration of an ordinance of the City of San José amending Title 23 (Sign Code) (File No. PP18-090) to:
(a) Amend Chapter 23.04, Part 1, Commercial and Industrial Zoning Districts and Neighborhood Business Districts, to add new section 23.04.036, "Business Center Signs," to allow freeway facing on-site signs for sites located within the North San José Development Policy Signage Area, that are developed with destination entertainment or office uses; to add the definition of "Destination Entertainment Facility" and "Business Center" to Chapter 23.02; and
(b) Make other non-substantive, ministerial, technical, or typographical changes to various Sections of said Chapters 23.02 and 23.04 of the Sign Code.
CEQA: Determination of Consistency with the Final Program EIR for the North San José Development Policies Update (Resolution No. 72768) and Addenda thereto, and the Envision San José 2040 General Plan EIR (Resolution No. 76041) and Supplemental EIR to the Envision San José General Plan EIR (Resolution No. 77617), and Addenda thereto. Director of Planning, Building and Code Enforcement recommends approval. (Planning, Building and Code Enforcement)
PP18-090 – Citywide

Documents Filed: (1) Memorandum from Councilmember Lan Diep, dated November 21, 2018, offering support to staffs' recommendations with additional direction. (2) Memorandum from Rosalynn Hughey, Director, Planning, Building and Code Enforcement, dated November 13, 2018, offering recommendations providing draft sign code changes.

10.3 (Cont'd.)

Erik Schoennauer, the Schoennauer Company, encouraged Council's support.

Councilmember Lan Diep moved his memorandum dated November 21, 2018. The motion failed for lack of a second.

Motion: Councilmember Raul Peralez moved his memorandum. Councilmember Sergio Jimenez seconded the motion.

Councilmember Lan Diep offered a friendly amendment, with staff to go back and identify the possibilities of expansion. The friendly amendment was respectfully declined.

Substitute Motion: Councilmember Lan Diep moved his memorandum dated November 21, 2018. Councilmember Johnny Khamis seconded the motion.

Further discussion followed, and Councilmember Lan Diep pulled his substitute motion.

Councilmember Raul Peralez modified his motion to include Lan Diep's memorandum of November 21, 2018, with recommendations as indicated below in "Action". Councilmember Sergio Jimenez agreed to the amendment to the motion.

Action: On a call for the question, Ordinance No. 30189, entitled "An Ordinance of the City of San José Adding Sections 23.02.094, 23.02.096, And 23.02.145 To Chapter 23.02, Amending Section 23.02.106 of Chapter 23.02, and Adding Section 23.04.036 to Chapter 23.04 of Title 23 of the San Jose Municipal Code Related To Business Center Signs", was passed for publication, including the memorandum from Councilmember Lan Diep, dated November 21, 2018, accepting staff recommendations with additional direction to: (1) Identify sites where freeway-facing on-site signs would be appropriate north of the North San Jose Development Policy Signage Area, on the other side of HWY 237; and (2) Bring forward recommendations to Council at a future quarterly code update to allow for freeway-facing on-site signs that are part of developments with destination entertainment or office uses, north of HWY 237. And the memorandum from Councilmember Raul Peralez, dated November 27, 2018, accepting staff recommendations and (1) Directing staff to align requirements with the current Council Priority work item on Off-Site Programmable Electronic Signs, specifically:
a. In regard to Sign Illumination:
(i) Modify the tilt requirement to al low an alternative use of technology for mitigation if available (Phase 2)
(ii) Remove the restriction on white or bright backgrounds or change from a restriction to guidance (Phase 2)
(iii) Change the hours of non-operation to between 12:00 a.m. and 5:00 a.m (Phase 2)
b. Require applicants to ensure that all projects support the City's VisionZero Strategy and make adjustments, if needed, to maintain traffic safety.
(9-0-2. Absent: Nguyen, Rocha.)

OPEN FORUM

1. Blair offered observations on commercial linkage fees and the need for more frequent dialog on housing.
2. Alice Cruz presented a pending code enforcement issue she is experiencing. She was referred to Chief of Staff, Office of the City Manager, Lee Wilcox.
3. A constituent offered criticism of certain meeting protocol, members of the City's security staff, and lack of a validation machine at the bottom of chambers.

ADJOURNMENT

The Council meeting of the City of San José was adjourned at 9:37 p.m. in memory of "Big Tony" Pietro Martino who passed away on September 25, 2018. Anthony moved his young family to the Strawberry Park neighborhood in San José in 1974 and became an excellent resource to his neighbors. Anthony was President of the Italian Men's Club of San José where he worked with a number of charities in the community. Anthony was committed to his family, his community, and his country throughout his life and will be missed by many.

Minutes Recorded, Prepared and Respectfully Submitted by,

draft

Toni J. Taber, CMC
City Clerk

rmk/11-27-18 MIN