



# **City Council Meeting MINUTES**

**Tuesday, November 17, 2020**

**1:30 PM**

**Virtual Meeting <https://sanjoseca.zoom.us/j/91325378626>**

SAM LICCARDO, MAYOR  
CHAPPIE JONES, VICE MAYOR, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
RAUL PERALEZ, DISTRICT 3  
LAN DIEP, DISTRICT 4  
MAGDALENA CARRASCO, DISTRICT 5  
DEV DAVIS, DISTRICT 6  
MAYA ESPARZA, DISTRICT 7  
SYLVIA ARENAS, DISTRICT 8  
PAM FOLEY, DISTRICT 9  
JOHNNY KHAMIS, DISTRICT 10



## MINUTES OF THE CITY COUNCIL

NOVEMBER 17, 2020

*Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the City Council meeting was not physically open to the public. Public comments were accepted via eComment, email, by phone and webinar.*

The Council meeting was teleconferenced from remote locations.

**20-1452**                      **CLOSED SESSION: [See Page 15 for Closed Session Minutes](#)**

**The Council of the City of San José reconvened to Open Session at 1:30 p.m.**

Present: Councilmembers    -    Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, Esparza, Peralez, Foley; Liccardo.

Absent: Councilmembers    -    All Present.

6:00 p.m. - Evening Session - CANCELLED

\* The previously scheduled Evening Session was cancelled.

- **Pledge of Allegiance**

**Mayor Sam Liccardo led the Pledge of Allegiance.**

- **Invocation (District 10)**

**Father Samer Youssef, the Antiochian Orthodox Church of the Redeemer, provided the Invocation.**

- **Orders of the Day**

Upon motion by Councilmember Pam Foley, seconded by Councilmember Sylvia Arenas and carried unanimously, the Orders of the Day and the Amended Agenda were approved, with Item 6.3 deferred to December 1, 2020. (11-0.)

**Mayor Sam Liccardo indicated this meeting would be adjourned in honor of Alofa Talivaa, former President of the Sierra Neighborhood, and Councilmembers Maya Esparza and Magdalena Carrasco honored her with a tribute.**

- **Closed Session Report**

None provided.

## **1. CEREMONIAL ITEMS**

None provided.

## **2. CONSENT CALENDAR**

Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Pam Foley and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (10-0-1. Absent: Liccardo.)

Public Comments: Blair Beekman addressed the proposed EIR for the airport, Measure B funding and Vision Zero.

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

None provided.

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

None provided.

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

None provided.

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

None provided.

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

None provided.

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

None provided.

### **2.7     20-1434     Approval of La Raza Historical Society of Santa Clara Valley's Application for a Restoration Project of Chiechi House at History Park San José.**

Adopt a resolution approving La Raza Historical Society of Santa Clara Valley's application to the County of Santa Clara's Historical Grant Program for the restoration project of Chiechi House at History Park San José. CEQA: Categorically Exempt, File No. PP18-097, CEQA Guidelines Section 15301 Existing Facilities. Council District 7. (Economic Development)

Action: **Resolution No. 79785** regarding the La Raza Historical Society of Santa Clara Valley Restoration Project was adopted. (11-0.)

**2.8      20-1435      Approval of IRCC- Viet Museum’s Application for a Restoration Project of Greenewalt House at History Park San José.**

Adopt a resolution approving IRCC - Viet Museum's application to the County of Santa Clara's Historical Heritage Grant Program for the restoration project of Greenewalt House at History Park San José.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
Council District 7. (Economic Development)

Councilmember Maya Esparza expressed gratitude for the County’s grant for Restoration Project of Chiechi House at History Park San José and for the restoration project of the Greenewalt House at History Park San José with its many detailed exhibits.

Action: **Resolution No. 79786** regarding the IRCC- Viet Museum Restoration Project was adopted. (11-0.)

**2.9      20-1436      Agreements with Environmental Systems Research Institute, Inc., for Geographic Information System Software.**

Adopt a resolution authorizing the City Manager to:

- (a) Execute Purchase Orders with Environmental Systems Research Institute, Inc. (Redlands, CA) pursuant to Enterprise and Master License agreements for the purchase of ArcGIS Geographic Information System software licenses, including related maintenance and support services, for an initial three-year term beginning December 31, 2020 through December 30, 2023 with a maximum compensation not to exceed \$1,500,000 for the initial three-year term, subject to the appropriation of funds;
- (b) Negotiate and execute amendments to the Enterprise and Master License agreements for any unanticipated changes and to extend the agreements for up to two additional three-year terms through December 30, 2029, subject to the annual appropriation of funds; and
- (c) Execute Purchase Orders pursuant to amended Enterprise and Master License agreements through December 30, 2029, subject to the appropriation of funds.

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

Action: **Resolution No. 79787** regarding the Agreements with Environmental Systems Research Institute, Inc., was adopted. (11-0.)

**2.10 20-1460 Actions Related to COVID-19 Purchase Orders for Shower and Laundry Trailers, Portable Restrooms and Hand Washing Stations, and Temporary Fencing Rental Services for City Homeless Shelters.**

Adopt a resolution authorizing the City Manager to:

- (a) Execute purchase orders with AAA Mobile Solutions, Inc. (Visalia, CA) and NorCal Portable Services (San José, CA) for shower and laundry trailers, portable restrooms and hand washing stations, and temporary fencing rental services for the Public Works Department for an initial term starting on or about November 18, 2020 and ending on or about April 30, 2021, for an amount not to exceed \$1,031,250; and
- (b) Exercise up to four (4) one-year options to extend the term of the purchase orders with the last option year ending on or about April 30, 2025, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-008, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Finance)

[Rules Committee referral 11/4/2020- Item A.1.a]

Action: **Resolution No. 79788** regarding Actions Related Purchase Orders with AAA Mobile Solutions and NorCal Portable Services was adopted. (11-0.)

**2.11 20-1461 Ratify Purchase Orders for Shower and Laundry Trailers and Plumbing Services for City Homeless Shelters.**

Adopt a resolution:

- (a) Ratifying an amendment to a COVID-19 purchase order with AAA Mobile Solutions, Inc. (Visalia, CA) for shower and laundry trailer rental services to extend the term of the purchase order from October 1, 2020 to November 30, 2020 and increase compensation by \$400,000, for a revised maximum compensation not to exceed \$1,512,438;
- (b) Ratifying an amendment to a COVID-19 purchase order with Ciari Plumbing for plumbing services to extend the term of the purchase order from June 17, 2020 to November 30, 2020 and increase compensation by \$100,000, for a revised maximum compensation not to exceed \$420,000; and
- (c) Authorizing the City Manager to extend the term of the purchase orders through December 30, 2020 if required, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-008, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Finance) [Rules Committee referral 11/4/2020- Item A.1.a]

Action: **Resolution No. 79789** regarding Purchase Orders for Shower and Laundry Trailers and Plumbing Services for City Homeless Shelters was adopted. (11-0.)

**2.12 20-1437 Report on Request for Proposal for Medical Advisor Services with Optional Nurse Services.**

(a) Accept the Fire Department report on the Request for Proposal for Medical Advisor Services with Optional Registered Nurse Services.

(b) Adopt a resolution authorizing the City Manager to:

(1) Negotiate and execute an agreement with Stanford Health Care to provide medical advisor services for an initial three-year term beginning on or about December 1, 2020 through November 30, 2023 for a maximum compensation not to exceed \$495,000 for the initial term (\$165,000 annually), subject to the appropriation of funds;

(b) (2) Negotiate and execute amendments as required to add, delete, or modify services to address seasonal variations, budgetary constraints, or unanticipated changes in demand, subject to the appropriation of funds; and

(3) Exercise up to 2 one-year options to extend the term of the agreement through November 30, 2025, subject to the appropriation of funds.

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

Action: The Fire Department Report was accepted, and (b) **Resolution No. 79790** regarding execution of an agreement with Stanford Health Care was adopted. (11-0.)

**2.13 20-1433 Approval of National Prematurity Awareness Month Community Event 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 October 28, 2020:

(a) Approve the National Prematurity Awareness Month to be recognized by the City Council on Tuesday, November 17, 2020 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Approve and accept donations from various individuals, businesses or community groups to support the event.

(Arenas) [Rules Committee referral 10/28/2020- Item G.1.c]

Councilmember Sylvia Arenas offered support to this cause, citing her own experiences, and including a renewal of commitment in addressing inequalities and racial disparity. She offered appreciation to Hope Services and showed a brief video.

Action: The City Council Sponsored Special Event was approved. (11-0.)

**2.14 20-1468 Approval of the International Day for the Elimination of Violence Against Women 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 on November 4, 2020:

- (a) Approve the International Day for the Elimination of Violence Against Women scheduled on November 25, 2020 as a City Council sponsored Special Event and approve the expenditure of funds.
  - (b) Approve and accept donations from various individuals, businesses or community groups to support the event.
- (Arenas) [Rules Committee referral 11/4/2020- Item G.1.d]

Councilmember Sylvia Arenas and Councilmember Magdalena Carrasco spoke to eliminating violence against women and standing with ZONTA – eClub of Silicon Valley, and offered a video on empowering women through service and advocacy.

Public Comments: (1) Tessa Woodmansee spoke on violence against women. (2) Blair Beekman spoke to a need for consideration for all.

Action: The City Council Sponsored Special Event was approved. (11-0.)

### **3. STRATEGIC SUPPORT**

#### **3.1 Report of the City Manager, David Sykes (Verbal Report)**

- 20-1438**
- (a) City Manager’s COVID 19 Update (Verbal Report)
  - (b) City Manager’s Report on Other City Matters (Verbal Report)

Deputy City Manager/Director of Economic Development Kim Walesh honored members of the Census Team as “Unsung Heroes” for their amazing efforts and record-breaking results during the 2020 Census.

Chief of Staff, Office of the City Manager, Lee Wilcox, offered the EOC update, and Police Lt. Steve Donohue provided crime statistics. Colin Heyne, Emergency Public Information Officer; Chelsea Palacio, Emergency Public Information Officer - Creative Manager; and Carolina Camarena, Emergency Public Information Officer provided the Strategic Communications Plan. The EOC Budget Rebalancing Update and 2021 Funding Strategies were provided by Assistant Director of Finance, Luz Confresi-Howe and Budget Director Jim Shannon. City Manager, David Sykes concluded with a discussion of the City’s Road Map, indicating a special meeting could be convened in February 2021 to further define these priorities.

Extensive Council discussion followed, and staff responded to questions.

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

None provided.

**3.3 20-1439 Extension of Proclamation of Local Emergency Related to COVID-19. - TO BE HEARD AFTER ITEM 3.1**

Adopt a resolution finding the continued existence of a local emergency and extending the March 6, 2020 Director of Emergency Services' proclamation of a local emergency resulting from community spread of the coronavirus, also known as COVID-19, in the City of San José.

CEQA: Statutorily Exempt, CEQA Guidelines Section 15269, Emergency Projects Undertaken for Specific Actions Necessary to Prevent or Mitigate an Emergency. (City Manager)

***Heard following Item 3.1.***

Public Comments: (1) Tessa Woodmansee stressed a need for established protocols and better communication. (2) Blair Beekman spoke on the state of the pandemic and his hope for funding needs.

Action: Upon motion by Councilmember Maya Esparza, seconded by Councilmember Pam Foley and carried unanimously, **Resolution No. 79791** extending the Proclamation of Local Emergency Related to COVID-19 was adopted. (11-0.)

**3.4 20-1440 Annual Intergovernmental Relations Report.**

(a) Accept the Annual Intergovernmental Relations Report; and  
(b) Reaffirm all City positions summarized in the Intergovernmental Relations Priority Legislation Log.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)

***HEARD CONCURRENTLY WITH ITEM 3.5***

Public Comments: (1) Tessa Woodmansee spoke to hypocrisy in government. (2) Blair Beekman advocated for high ideals, due process and Vision Zero. (3) Linda Hutchins-Knowles spoke against allowing the fossil fuel industry bailouts and the need for the New Green Deal.

Action: Upon motion by Councilmember Lan Diep, seconded by Councilmember Sylvia Arenas and carried unanimously, the Annual Intergovernmental Relations Report was accepted, and City positions were reaffirmed. (11-0.)

**3.5 20-1441 2021 Legislative Program and the Top Legislative Priorities.**

Adopt the 2021 Legislative Program and the top legislative priorities for 2021.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager)

***HEARD CONCURRENTLY WITH ITEM 3.4***

Action: Upon motion by Councilmember Lan Diep, seconded by Councilmember Sylvia Arenas and carried unanimously, the 2021 Legislative Program and the top legislative priorities for 2021 were adopted. (11-0.)



*Council recessed at 6:11 p.m. and reconvened at 7 p.m. with all Councilmembers present.*

**3.6      20-1442      Master Agreements with SmartWAVE Technologies LLC, Infinity Communications & Consulting, Inc., and Studio 151, LLC to Support Community WiFi Program.**

Adopt a resolution authorizing the City Manager to negotiate and execute the following master agreements for the design and support of WiFi infrastructure:

(a) SmartWAVE Technologies LLC from the date of execution to December 31, 2023 in an amount not to exceed \$1,000,000 for projects funded by Community Development Block Grant (“CDBG”) funds;

(b) Infinity Communications & Consulting, Inc. from the date of execution to December 31, 2023, in an amount not to exceed \$600,000 for projects funded by CDBG funds;

(c) SmartWAVE Technologies LLC from the date of execution to December 31, 2023 in an amount not to exceed \$1,500,000 for projects funded by the General Fund;

(d) Infinity Communications & Consulting, Inc. from the date of execution to December 31, 2023, in an amount not to exceed \$600,000 for projects funded by the General Fund; and

(e) Studio 151, LLC, from the date of execution to December 31, 2023, in an amount not to exceed \$600,000 for projects funded by the General Fund.

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

Public Comments: Tessa Woodmansee addressed reducing the digital divide and offering tech support to those underserved. Blair Beekman spoke on 4g and 5g technology and potential harmful effects. Trustee Lorena Chavez, Maimona Berta and Ms. Wong expressed importance to communities and offered support to the WiFi infrastructure project.

Action: Upon motion by Councilmember Maya Esparza, seconded by Councilmember Sergio Jimenez and carried unanimously, **Resolution No. 79792** executing master agreements for the design and support of WiFi infrastructure was adopted. (11-0.)

**3.7      20-1519      Actions Related to the Collective Impact Grant Program Food and Necessities Distribution by Community Based Organizations.**

Adopt a resolution authorizing the City Manager to:

(a) Negotiate and execute a grant agreement with the YMCA of Silicon Valley (San José) for an initial term retroactive to October 15, 2020 and ending on or about December 30, 2020 in the amount of \$332,799 with maximum compensation for all agreements in the Collective Impact Grant Program not to exceed \$3,476,780; and

*(Item Continued on the Next Page)*

### 3.7 (Cont'd.)

(b) Negotiate and execute amendments and change orders for any unanticipated changes including increasing aggregate amounts exceeding \$320,000, subject to the appropriation of funds.

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

[Deferred from 11/10/2020 - Item 3.3 (20-1378)]

Public Comments: Tessa Woodmansee urged sustainable practices.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Sylvia Arenas and carried unanimously, **Resolution No. 79793** regarding actions related to the Collective Impact Grant Program Food and Necessities Distribution by Community Based Organizations was adopted. (11-0.)

## **4. PUBLIC SAFETY SERVICES**

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

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

### **6.1 20-1443 2021 Power Mix and Rates.**

Adopt a resolution:

(a) Establishing a power mix of at least 40% renewable energy for San José Clean Energy's (SJCE) GreenSource base product beginning January 1, 2021, provided that:

(1) In 2021 GreenSource is priced at an initial 0.25% discount, with flexibility to vary the discount between 0.0% and 1.0%, for all customers relative to Pacific Gas and Electric Company's (PG&E) generation rates after accounting for the franchise fee surcharge and the Power Charge Indifference Adjustment; and

(2) SJCE's 100% renewable energy TotalGreen product will continue to be 0.5-1 cent per kWh higher than GreenSource.

(b) Authorizing the City Manager or his designee to prepare and submit an Advice Letter to the California Public Utilities Commission to administer the Disadvantaged Communities-Green Tariff program.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Community Energy)

Director, Community Energy Department, Lori Mitchell and Zach Struyk, Assistant Director at San José Clean Energy, offered a presentation and responded to questions.

*(Item Continued on the Next Page)*

## 6.1 (Cont'd.)

Public Comments: (1) Tessa Woodmansee championed a carbon-free future. (2) Victor Niemeyer expressed concerns regarding expenses. (3) Blair Beekman spoke to a sustainable future.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Raul Peralez and carried unanimously, **Resolution No. 79794** regarding actions related to 2021 Power Mix and Rates was adopted. (11-0.)

## 6.2 20-1444 **Master Consultant Agreements with Project Controls Joint Venture LLC and PMA Consultants LLC for Construction Management Controls Services for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.**

Approve Master Consultant Agreements with Project Controls Joint Venture LLC and PMA Consultants LLC for construction management controls services for various capital improvement projects at the San José- Santa Clara Regional Wastewater Facility from the date of execution through June 30, 2026 in amounts not to exceed \$6,000,000 each, subject to the appropriation of funds.

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

Public Comments: Tessa Woodmansee advocated for water conservation.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, Master Consultant Agreements with Project Controls Joint Venture LLC and PMA Consultants LLC were approved. (11-0.)

## 6.3 20-1445 **Updated Natural Gas Infrastructure Prohibition Ordinance.**

Approve an ordinance amending Chapter 17.845 of Title 17 of the San José Municipal Code to amend Sections 17.845.010, 17.845.020, 17.845.030, 17.845.040, 17.845.050, and 17.845.060 and add Section 17.845.045 to prohibit natural gas infrastructure in newly constructed buildings effective on August 1, 2021 to:

- (a) Cover all new construction building types;
- (b) Add an exception for Hospitals; and
- (c) Allow limited exemptions on or before December 31, 2022 for:
  - (1) Food Service Establishments; and
  - (2) Manufacturing and Industrial Facilities.

CEQA: Categorically Exempt, File No. ER20-202, CEQA Guideline Section 15308 Actions by Regulatory Agencies for Protection of the Environment. (Environmental Services/Planning, Building and Code Enforcement)

Action: Item 6.3 was deferred until December 1, 2020 per Orders of the Day.

#### 6.4 20-1448 Climate Smart San José Plan Semi-Annual Update.

As recommended by the Transportation and Environment Committee on October 5, 2020, accept the update on Climate Smart San José activities.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Environmental Services/Community Energy/Transportation/Planning, Building and Code Enforcement) [Transportation and Environment Committee referral 10/5/2020 Item (d)2]

Director, Environmental Services, Kerrie Romanow and staff provided a presentation.

Public Comments: Tessa Woodmansee, Blair Beekman, Alex Shoor (Catalyze SV) and Linda Hutchins-Knowles offered support, including a need for mass transit and fewer cars on the road. Josh Quigley expressed a need to adapt to existing climate risks and the need for urban greening.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sergio Jimenez and carried unanimously, the update was accepted, with the inclusion of the joint memorandum from Mayor Sam Liccardo, Councilmember Dev Davis, Councilmember Sergio Jimenez and Councilmember Raul Peralez, dated November 13, 2020 to accept the Climate Smart San José status update with the following recommendations:

1. Through the budget process, return to Council with a long-term strategy to fund staffing for Climate Smart San José implementation. This direction should align with prior Council direction to pursue philanthropic and regional, state, and federal funding – to ensure our climate action work persists beyond the American Cities Climate Challenge grant timeline. Work with the Mayor’s Office of Strategic Partnerships and other partners to identify and pursue foundation funding opportunities.
2. Pursue agency funding (BAAQMD, MTC, and CARB among others), and/or other revenue, to support a Transportation Demand Management coordinator to manage the City employee transportation benefits program, and make campaigns to reduce single occupancy commute trips within the City of San José’s employee population, and that of other San José based large employers.
3. Explore the development of a zero-emission neighborhood (ZEN) pilot focused on the nexus of climate and equity where we can rapidly design and demonstrate whole neighborhood climate mitigation and adaptation strategies that are scalable in neighborhoods throughout the city. This effort should include:
  - a. Review of similar programs in other cities, funding sources, and impacts and lessons learned;
  - b. An approach for community engagement that leverages the Climate Smart Community Engagement Roadmap adopted in June 2020 that includes equity-focused strategies for residents, community-based organizations, and businesses;
  - c. A neighborhood that has historically suffered disproportionate impact from environmental pollution, e.g., pollutants from a nearby industrial zone, airport, or freeway;

*(Item Continued on the Next Page)*

## **6.4 (Cont'd.)**

d. Explicitly include the development of a neighborhood microgrid with sufficient scale to provide resilience against PSPS, wildfire, and other emergencies that interrupt electricity transmission or distribution for a significant duration.

4. Explore leveraging the recent Climate Action Corps partnership with the Governor's Office—announced earlier this Fall—to support community engagement and data management efforts for Climate Smart San José implementation, and climate adaptation and mitigation strategies – like tree planting to address urban heat island effects and provide green storm water infrastructure, and providing energy-savings measures for low-income families. Further, collaborate with the Mayor's Office to explore partnerships with San José State University, local community colleges and career oriented high schools to offer opportunities for service learning students to volunteer and participate in local climate action work that is being led by the Climate Action Corps fellows throughout the city.

(11-0.)

## **7. NEIGHBORHOOD SERVICES**

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

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

## **10. LAND USE**

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

No Land Use items on Consent Calendar.

**END OF CONSENT CALENDAR**

## 10 Land Use - Regular Agenda

### 10.2 20-1449 **H19-039 & T19-033 - Appeal Hearing for Site Development Permit and Tentative Map Permit for Real Property Located at 6805 Almaden Road.**

(a) Conduct an Administrative Hearing to consider the Appeals of the Planning Director's approvals of (i) the Tentative Subdivision Map File No. T19-033, and (ii) the Site Development Permit File No. H19-039.

The Tentative Subdivision Map approves the subdivision of one parcel into six parcels on an approximately 1.3-gross acre site; while the Site Development Permit approves the demolition of an approximately 2,154-square foot single-family residence, a detached secondary unit, multiple sheds, and a swimming pool for the construction of six single-family homes, and the removal of 13 ordinance sized trees located on the West side of Almaden Road, approximately 150 feet northerly of Corvallis Drive (6805 Almaden Road).

(b) Adopt a resolution denying the permit appeal and approving, subject to conditions, Tentative Map File No. T19-033, to subdivide one lot into six lots on an approximately 1.3-gross acre site located on the West side of Almaden Road, approximately 150 feet northerly of Corvallis Drive (6805 Almaden Road).

(c) Adopt a resolution denying the permit appeal and approving, subject to conditions, Site Development Permit File No. H19-039, to allow the demolition of an approximately 2,154-square foot single-family residence, a detached secondary unit, multiple sheds, and a swimming pool for the construction of six single-family homes, the removal of 13 ordinance sized trees on an approximately 1.3- gross acre site located on the West side of Almaden Road, approximately 150 feet northerly of Corvallis Drive (6805 Almaden Road).

CEQA: Exempt pursuant to CEQA Guidelines 15332 for Infill Development Projects. Council District 10. (Planning, Building and Code Enforcement)

Rosalynn Hughey, Director, Planning, Building and Code Enforcement offered a presentation. She indicated that the applicant and the appellant reached an agreement on this issue, thereby a supplemental memorandum was released today indicating the adaptations.

An Administrative Hearing was held.

Public Comments: Appellant Lance Darbe provided comments on the permit appeal.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Pam Foley and carried unanimously, (b) **Resolution No. 79795** denying the permit appeal and approving, subject to conditions, Tentative Map File No. T19-033; and (c) **Resolution No. 79796** denying the permit appeal and approving, subject to conditions, Site Development Permit File No. H19-039 were adopted. (11-0.)

**10.3 20-1450 PDC18-021 & PD18-016 - Planned Development Zoning and Planned Development Permit for Real Property Located at 1661, 1663, 1665 Alum Rock Avenue.**

(a) Adopt a resolution adopting the Little Portugal Gateway Mixed-Use Project Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Plan, for which an Initial Study was prepared, all in accordance with the California Environmental Quality Act, as amended.

(b) Approve an ordinance rezoning a 0.9 gross acre site on that certain real property located on the north side of Alum Rock Avenue at 1661, 1663, 1665 Alum Rock Avenue from CG Commercial General, CP Commercial Pedestrian, and R2 Two-Family Residence zoning districts to the CP(PD) Planned Development Zoning District.

(c) Adopt a resolution approving a Planned Development Permit to allow demolition of existing on-site residential buildings and construction of a six-story, mixed-use development consisting of 123 apartment units and 13,650 square feet of ground-floor retail space with two underground parking levels on an approximately 0.9-gross acre site located at 1661, 1663, 1665 Alum Rock Avenue.

CEQA: Little Portugal Gateway Mixed-Use Project Mitigated Negative Declaration. Council District 5. Planning Commission recommends approval (7-0). (Planning, Building and Code Enforcement)

Rosalynn Hughey, Director, Planning, Building and Code Enforcement offered a presentation.

Public Comment: Applicant's representative Shaivali Desai offered a presentation in support of the project. Alex Shoor (Catalyze SV) made suggestions on the City's approach to this project. Opi Ravi Jagan, Mike Priolo, Polly Tsai, and David Amaral expressed support, applauding its attributes, including mixed-use standards and its sensitivity to the cultural aspect of a little Portugal.

Action: Upon motion by Councilmember Magdalena Carrasco seconded by Councilmember Sylvia Arenas and carried unanimously, (a) **Resolution No. 79797** adopting the Little Portugal Gateway Mixed-Use Project Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Plan was adopted; (b) **Ordinance No. 30500** rezoning a 0.9 gross acre site on property located on the north side of Alum Rock Avenue was passed for publication; and (c) **Resolution No. 79798** approving a Planned Development Permit to allow demolition of existing on-site residential buildings and construction of mixed-use development, was adopted. (11-0.)

**OPEN GENERAL PLAN HEARING (2020 SECOND CYCLE)**

**10.4          20-1451          GPT20-002 & PP20-012 - General Plan Text Amendment for Greenhouse Gas Reduction Strategy Update.**

(a) Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto in conformance with CEQA; and

(b) Adopt a resolution approving (1) amendments to Appendix 8 of the Envision San José 2040 General Plan by replacing the existing Greenhouse Gas Reduction Strategy with the updated 2030 Greenhouse Gas Reduction Strategy; and (2) the General Plan Text Amendments to revise Policy IP-3.7 and delete Action IP-3.10 of Chapter 7 of the Envision San José 2040 General Plan.

CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto in conformance with CEQA. Planning Commission recommends approval (7-0). (Planning, Building and Code Enforcement)

Environmental Principal Planner, David Keyon, provided a presentation.

Public Comments: Alex Shoor (Catalyze SV) and Blair Beekman offered support and advocated for renewable energy and carbon-free goals.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Lan Diep and carried unanimously, (a) **Resolution No. 79799** and (b) **Resolution No. 79800** regarding GPT20-002 & PP20-012 - General Plan Text Amendment for Greenhouse Gas Reduction Strategies were adopted. (10-0-1. Absent: Carrasco.)

**CLOSE GENERAL PLAN HEARING (2020 SECOND CYCLE)**

**• Open Forum**

1. Blair Beekman spoke regarding the SAAG meeting process and the Google project.
2. Elaine from D6 urged the City to unite in a coordinated effort to deal with the rising cases of domestic violence and suggested using CARES Act money to aid in this crisis.



## • Adjournment

The Council of the City of San José adjourned at 10 p.m. in memory of Alofa Talivaa, former President of the Sierra Neighborhood Association, and longtime community organizer and advocate for communities on the East Side. From her involvement and engagement in the Story and King developments to Lobue Park and countless other amenities, Alofa fought tirelessly to improve our City, and she leaves behind a lasting legacy in a grateful community. Alofa will be missed as a beloved wife, mother, and grandmother to her grandchildren, Feta, Hipa, Bruce, McKay, Kataleia, Tanoa, and Kairo.

Minutes Recorded, Prepared and Respectfully Submitted by,

Toni J. Taber, CMC  
City Clerk

rmk/11-17-20 MIN

## CLOSED SESSION MINUTES

**TUESDAY, NOVEMBER 17, 2020**

The Council of the City of San José convened into Closed Session at 9:31 a.m.  
The Session was teleconferenced from remote locations.

Present: Councilmembers - Arenas, Carrasco, Diep, Jimenez, Jones, Khamis, Esparza, Perez, Esparza, Foley; Liccardo.

Absent: Councilmembers - All present.

### **A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):**

1. Case Name: Schumacher vs. City, et al.

Name(s) of Parties(s) Jacob Schumacher, art individual, City of San Jose; County  
Involved: of Santa Clara: State of California, and DOES 1 - 25

Court: Superior Court of California, County of Santa Clara

Case No.: 1 9CV347642

Amount of Money or Damages according to proof  
Other Relief Sought:

2. Case Name: Sutter's Place, Inc. dba Bay 101 v. City

Name(s) of Parties(s) SUTTER'S PLACE, INC. dba BAY 101; CITY OF SAN  
Involved: JOSE; the DIVISION OF GAMING CONTROL

Court: Superior Court of California, County of Santa Clara

Case No.: 1-13-CV-258057

Amount of Money or Damages according to proof  
Other Relief Sought:

3. Case Name: City v. Silicon Quest International, Inc.

Name(s) of Parties(s) CITY OF SAN JOSE; SILICON QUEST INTERNATIONAL,  
Involved: INC., a California Corporation, MYW HOLDINGS, LLC, a California Limited

Court: Superior Court of California; County of Santa Clara

Case No.: 18CV334631

Amount of Money or Damages according to proof  
Other Relief Sought:

4. Case Name: Seibert v. City of San Jose, et al.

Name(s) of GRANT SEIBERT, CITY OF SAN JOSE, SAN JOSE CIVIL

Parties(s) Involved: SERVICE COMMISSION, DEBRA FIGONE AS SAN JOSE CITY MANGER, ALEX GURZA AS SAN JOSE DIRECTOR OF EMPLOYEE RELATIONS, WILLIAM MCDONALD AS FIRE CHIEF FOR SAN JOSE FIRE DEPARTMENT

Court: Court of Appeal, Sixth Appellate District

Case No.: H040268

Amount of Money or Other Relief Sought: Damages according to proof

5. Case Name: Wallace, et al. v. City

Name(s) of Parties(s) Involved: DARREN WALLACE; KEITH HART; MARK LEEDS, and other employees similarly situated; CITY OF SAN JOSE

Court: U.S. Court of Appeals; Ninth Circuit; San Francisco Division

Case No.: 18-16083

Amount of Money or Other Relief Sought: Damages according to proof

6. Case Name: Barnett, et al. v. City

Name(s) of Parties(s) Involved: DAVID BARNETT, DAVID LANG, KARREN AUGUSTINE, ALONZO OCHOA; CITY OF SAN JOSE

Court: U.S. District Court; Northern District of California; San Francisco Division

Case No.: 3:18-cv-01383-JD

Amount of Money or Other Relief Sought: Damages according to proof

7. Case Name: Anderson, et al. v. City of San José & San José City Council

Name(s) of Parties(s) Involved: SARAH ANDERSON, JOANA CRUZ, URBAN HABITAT PROGRAM AND HOUSING CALIFORNIA, CITY OF SAN JOSÉ, a governmental entity, SAN JOSÉ CITY COUNCIL, and DOES 1-50

Court: Superior Court of California, County of Santa Clara

Case No.: 16-CV-297950

Amount of Money or Other Relief Sought: Damages according to proof

8. Case Name: Hotop, et. al v. City  
Name(s) of Parties(s) DEAN HOTOP; KEN SCHNEEBELI; JEFF ZELL;  
Involved: SHERMAN ZELL; LOIS ZELL; LOUISE PETER; SEIGI  
TADOKORO; PAT CREMA; SEAN RHINEHART;  
SHUCHUN HUANG; JAMES CAMPAGNA; SAL RUIZ;  
ISAAC AGAM; SMALL PROPERTY OWNERS  
ASSOCIATION-SAN JOSE; STEVE MAHL; LLOYD KIP,  
ROBERTA MOORE; DENG LUI; SHASTA CHEN;  
XIAODONG LI; ZHONGHUA PEI; XIAOCONG YE; CITY  
OF SAN JOSE  
Court: U.S. Court of Appeals; Ninth Circuit  
Case No.: 18-16995  
Amount of Money or Damages according to proof  
Other Relief Sought:
9. Case Name: Schneebeli, et al v. City  
Name(s) of Parties(s) KEN SCHNEEBELI; JEFF ZELL; STEVE MAHL; SMALL  
Involved: PROPERTY OWNERS ASSOCIATION-SAN JOSE; CITY  
OF SAN JOSE  
Court: U.S. District Court; Ninth Circuit  
Case No.: 19-15585  
Amount of Money or Damages according to proof  
Other Relief Sought:
10. Case Name: San Jose Tenant's Association v. City  
Name(s) of Parties(s) SAN JOSE TENANT'S ASSOCIATION; CITY OF SAN  
Involved: JOSE  
Court: U.S. District Court; Ninth Circuit  
Case No.: D.C. No. 5:18-cv-06800-LHK  
Amount of Money or Damages according to proof  
Other Relief Sought:
11. Case Name: Faz v. City, et al.  
Name(s) of Parties(s) GLENDELIA FAZ; CITY OF SAN JOSE and DOES 1-100  
Involved:  
Court: Superior Court of California; County of Santa Clara  
Case No.: 18-CV334698  
Amount of Money or Damages according to proof  
Other Relief Sought:

12. Case Name: Rodriguez v. City, et al.  
Name(s) of Parties(s) Involved: JACINTO RODRIGUEZ; CITY OF SAN JOSE; CITY OF SAN JOSE DEPARTMENT OF PARKS, RECREATION AND NEIGHBORHOOD SERVICES; and DOES 1-25  
Court: Superior Court of California, County of Santa Clara  
Case No.: 18-CV-325784  
Amount of Money or Other Relief Sought: Damages according to proof
13. Case Name: City v. Coachella Valley Church, et al.  
Name(s) of Parties(s) Involved: CITY OF SAN JOSE; COACHELLA VALLEY CHURCH; COACHELLA VALLEY CHURCH, a corporation, REVERE GROUP, LLC; TSARS, LLC; VIKTORIA FOXX, an individual; PEOPLE OF THE STATE OF CALIFORNIA; CITY ATTORNEY OF SAN JOSE; CITY OF SAN JOSE  
Court: Superior Court of California; County of Santa Clara  
Case No.: 17CV320176  
Amount of Money or Other Relief Sought: Damages according to proof
14. Case Name: Villas at Santana Park Homeowners Association v. City of San Jose, et al.  
Name(s) of Parties(s) Involved: CITY OF SAN JOSE; FRIT SAN JOSE TOWN & COUNTRY VILLAGE, LLC  
Court: California Court of Appeals; Sixth Appellate District  
Case No.: H045644  
Amount of Money or Other Relief Sought: Damages according to proof
15. Case Name: Willow Glen Trestle Conservancy v. City, et al.  
Name(s) of Parties(s) Involved: WILLOW GLEN TRESTLE CONSERVANCY; CITY OF SAN JOSE, CITY OF SAN JOSE DEPARTMENT OF PUBLIC WORKS; and DOES 1-5  
Court: Superior Court of California, County of Santa Clara, Unlimited Jurisdiction

Case No.: 20-CV-367292  
Amount of Money or  
Other Relief  
Sought: Petition for Writ of Mandamus

16. Case Name: Citizens for Free Speech and Equal Justice LLC v. City  
Name(s) of Parties(s) Involved: CITIZENS FOR FREE SPEECH AND EQUAL JUSTICE LLC; CITY OF SAN JOSE  
Court: U.S. District Court; County of Santa Clara; San Jose Division  
Case No.: 5:20-cv-03905-VKD  
Amount of Money or  
Other Relief  
Sought: Damages according to proof
17. Case Name: City v. Agnes Lopes  
Name(s) of Parties(s) Involved: CITY OF SAN JOSE; AGNES LOPES, an individual; THE AGNES LOPES TRUST, by and through trustee Agnes Lopes  
Court: Superior Court of California; County of Santa Clara  
Case No.: 19CV348656  
Amount of Money or  
Other Relief  
Sought: Damages according to proof
18. Case Name: City v. Nious Bebla and Doris Gewargis, et al.  
Name(s) of Parties(s) Involved: CITY OF SAN JOSE; NIOUS BEBLA, an individual; and DORIS GEWARGIS, an individual; and DOES 1-10, inclusive  
Court: Superior Court of California; County of Santa Clara  
Case No.: 18CV334432  
Amount of Money or  
Other Relief  
Sought: Damages according to proof
19. Case Name: Bohren v. City, et al.  
Name(s) of Parties(s) Involved: KEITH BOHREN, AKA ROXANNE; CITY OF SAN JOSE; SAN JOSE POLICE DEPARTMENT; OFFICER AVILA, COUNTY OF

Involved: SANTA CLARA  
Court: U.S. District Court; District of Northern California  
Case No.: 5:20-cv-04529-BLF  
Amount of Damages according to proof  
Money or  
Other Relief  
Sought:

- 20.** Case Name: Bosworth, et al. v. City, et al.  
Name(s) of JESSE BOSWORTH, NANCY BOSWORTH, and ELIZABETH  
Parties(s) CAMPBELL; CITY OF SAN JOSE; JENNIFER CLEAR; ROBERT  
Involved: FINNIE; MARIO TATOM; JUAN CEBALLOS; ROLANDO EGURA;  
ERIN ARA  
Court: U.S. District Court; Northern District of California  
Case No.: 5:18-cv-05459 NC  
Amount of Damages according to proof  
Money or  
Other Relief  
Sought:
- 21.** Case Name: Johnson v. City, et al.  
Name(s) of ANDREW LEE JOHNSON; CITY OF SAN JOSE; COUNTY OF  
Parties(s) SANTA CLARA; DEPUTY RUBAN; MATTHEW REEVES; DEPUTY  
Involved: DOMINGUEZ; JEREH LUBRIN; JONATHAN BENSON; MARCO  
MONZON; JAMIE LEE HALL; TRENT TESSLER  
Court: U.S. District Court; District of Northern California  
Case No.: 5:18-cv-06264 NC  
Amount of Damages according to proof  
Money or  
Other Relief  
Sought:
- 22.** Case Name: Bowles v. City, et al.  
Name(s) of JOHN BOWLES, CITY OF SAN JOSE, TODD YO, WILLIAM  
Parties(s) WOLFE, ERICK ENDERLE  
Involved:  
Court: U.S. District Court, Northern District of California  
Case No.: 5:19-cv-01027-NC  
Amount of Damages according to proof  
Money or  
Other Relief

Sought:

**23.**

Case Name: Cotti, et al. v. City, et al.

Name(s) of Parties(s) Involved: ALICE COTTI; VLADIMIR SERDYUKOV; COUNTY OF SANTA CLARA; SANTA CLARA COUNTY BOARD OF SUPERVISORS; SANTA CLARA DEPARTMENT OF FAMILY AND CHILDREN'S SERVICES; SOCIAL SERVICES AGENCY; CITY OF SAN JOSE; SAN JOSE POLICE DEPARTMENT; BRAEDEN SULLIVAN; VALLEY MEDICAL; JESSICA LUM; STEVEN FRICK; JAMES GAMBLE; REBEKA'S CHILDREN SERVICES; WILL LIGHTBOURNE; JUVENILE DEPENDENCY COURT OF SANTA CLARA; POLICE DOE; SARAH GERHART; PA CHANG; ELIZABETH KERRIGAN; BARRY GRIGSBY; FRANCESCA RUE; AMY CHOI; NIKOLAS ARNOLD; PHU NGUYEN

Court: U.S. District Court of Appeals; Ninth Circuit

Case No.: 5:18-CV-02980-BLF

Amount of Money or Other Relief Sought: Damages according to proof

**24.**

Case Name: Diamond SJ Enterprise Inc. v. City

Name(s) of Parties(s) Involved: DIAMOND SJ ENTERPRISE INC.;

Court: Superior Court of California; County of Santa Clara

Case No.: 18CV324818

Amount of Money or Other Relief Sought: Damages according to proof

**25.**

Case Name: Jane Doe v. University of Santa Clara, et al.,

Name(s) of Parties(s) Involved: JANE DOE, SANTA CLARA UNIVERSITY, a private corporation; CITY OF SAN JOSE POLICE DEPARTMENT, a public entity; HUNG BUI, an individual; and DOES 1-100, inclusive;

Court: Superior Court of California; County of Santa Clara

Case No.: 20CV369814

Amount of Money or Other Relief Sought: Damages according to proof



- 26.** Case Name: Dominguez, Jessica, et al., v. City of San Jose, et al.,  
Name(s) of Parties(s) Involved: JESSICA DOMINGUEZ, INDIVIDUALLY AND AS GUARDIAN AD LITEM FOR JACOB DOMINGUEZ, JORDAN DOMINGUEZ AND JALIAH DOMINGUEZ, CITY OF SAN JOSE, SAN JOSE POLICE DEPARTMENT, MICHAEL PINA, and DOE POLICE OFFICERS 2 through 5,  
Court: U.S. District Court, Northern District of California  
Case No.: 5:18-cv-04826-BLF  
Amount of Money or Other Relief Sought: Damages according to proof
- 27.** Case Name: Garden City, Inc., et al., v. Hon. Catherine A. Gallagher (Ret.)  
Name(s) of Parties(s) Involved: GARDEN CITY, INC., ALAN KAKIMOTO and MARIA HAGEN, HON. CATHERINE A. GALLAGHER (Ret.), THE CITY OF SAN JOSE DIVISION OF GAMING CONTROL  
Court: Superior Court of California; County of Santa Clara  
Case No.: 18CV333197  
Amount of Money or Other Relief Sought: Damages according to proof
- 28.** Case Name: Haidar v. City, et al.,  
Name(s) of Parties(s) Involved: NABIL HAIDAR, CITY OF SAN JOSE, SAN JOSE POLICE DEPARTMENT, EDGARDO GARCIA, JOHNSON FONG, ROBERT LABARBERA, ANTHONY MATA, STEWART DAVIES, THOMAS BARNARD, and DOES 1-50, inclusive  
Court: Superior Court of California; County of Santa Clara  
Case No.: 18CV335617  
Amount of Money or Other Relief Sought: Damages according to proof
- 29.** Case Name: Hernandez v. City  
Name(s) of Parties(s) Involved: JUAN HERNANDEZ, an individual; NATHAN VELASQUEZ, an individual; FRANK VELASQUEZ, an individual; RACHEL CASEY, an individual; MARK DOERING, an individual; MARY DOERING, an individual; BARBARA ARIGONI, an individual; DUSTIN HAINES-SCRODIN, an individual; ANDREW ZAMBETTI, an individual; CHRISTINA WONG, an individual; CRAIG PARSONS, an individual; I.P., a minor individual; GREG HYVER, an individual; and TODD BROOME, an individual, on behalf of themselves and all others similarly

situated, CITY OF SAN JOSE, a municipal corporation;  
SAM LICCARDO, sued in his individual capacity;  
EDGARDO GARCIA, sued in his individual capacity;  
ANTHONY YI, an individual; H.A., a minor individual;  
S.M., a minor individual; and DOES 1-38, individuals,

Court: U.S. District Court; District of Northern California

Case No.: 5:16-cv-03957 LHK

Amount of Money or Damages according to proof  
Other Relief Sought:

**30.** Case Name: Kettmann, et al., v. City, et al.

Name(s) of Parties(s) ANDREW KETTMANN, by and through his Guardian ad  
Involved: Litem, LARRY KETTMANN, CITY OF SAN JOSE and  
DOES 1-50,inclusive

Court: U.S. District Court, Northern District of California

Case No.: 19-cv-07925-NC

Amount of Money or Damages according to proof  
Other Relief Sought:

**31.** Case Name: Martin v. City, et al.

Name(s) of Parties(s) ANDY MARTIN; CITY OF SAN JOSE; ALEXANDRE  
Involved: VIEIRA-RIBEIRO

Court: U.S. District Court; District of Northern California

Case No.: 3:19-cv-01227 EMC

Amount of Money or Damages according to proof  
Other Relief Sought:

**32.** Case Name: Estate of Nunez, et al. v. City of San Jose

Name(s) of Parties(s) CITY OF SAN JOSE, MICHAEL SANTOS and ANTHONY  
Involved: VIZZUSI; TONY NUNEZ, individually and as a successor-  
in-interest to Decedent ANTHONY NUNEZ and THE  
ESTATE OF ANTHONY NUNEZ

Court: U.S. District Court, Northern District of California

Case No.: 17-CV-03860-LHK

Amount of Money or Damages according to proof  
Other Relief Sought:

**33.** Case Name: Robinson v. City of San Jose, et al.,

Name(s) of Parties(s) NICHOLAS ROBINSON, CITY OF SAN JOSE, RYAN  
Involved: DOTE, JAIME MARIE KULIK, NICHOLAS PETTERSON,  
and DOES 1 through 20 inclusive

Court: U.S. District Court, Northern District of California

Case No.: 5:19-cv-06768-NC

Amount of Money or Damages according to proof  
Other Relief Sought:

**34.** Case Name: Rodriguez, et al., v. City, et al.,

Name(s) of Parties(s) LORI RODRIGUEZ; SECOND AMENDMENT  
Involved: FOUNDATION, INC.; and CALIFORNIA GUN RIGHTS  
FOUNDATION, CITY OF SAN JOSE; SAN JOSE  
POLICE DEPARTMENT; and STEVEN VALENTINE,

Court: Supreme Court of the United States

Case No.: 19-1057

Amount of Money or Damages according to proof  
Other Relief Sought:

**35.** Case Name: Rubalcava v. City, et al.,

Name(s) of Parties(s) LIONEL RUBALCAVA, AN INDIVIDUAL, CITY OF SAN  
Involved: JOSE, COUNTY OF SANTA CLARA, JOSEPH PEREZ,  
RAFAEL NIEVES, RAMON AVALOS, RON BALDAL,  
STEVEN SPILLMAN, TOPUI FONUA, LIEUTENANT  
TIBBET, EDGARDO GARCIA, MICHAEL BROWN, RICH  
TORRES, SERGEANT HAFLEY, DOUGLAS KALEAS,  
AND BRIAN GEER

Court: U.S. District Court, Northern District of California

Case No.: 5:20-cv-04191-BLF

Amount of Money or Damages according to proof  
Other Relief Sought:

**36.** Case Name: Sanderlin, et al., v City, et al.

Name(s) of Parties(s) DERRICK SANDERLIN, CAYLA SANDERLIN, BREANNA  
Involved: CONTRERAS, PIETRO DI DONATO, SHANTE THOMAS,  
ADIRA SHARKEY, JOSEPH STUKES, CITY OF SAN  
JOSE, EDGARDO GARCIA, JASON DWYER,  
CHRISTOPHER SCIBA, JONATHAN BYERS, JARED  
YUEN

Court: U.S. District Court, Northern District of California

- Case No.: 20-cv-04824
- Amount of Money or Damages according to proof  
Other Relief Sought:
- 37.** Case Name: San Jose Mercury News LLC v. City, et al.
- Name(s) of Parties(s) SAN JOSE MERCURY NEWS, LLC, CITY OF SAN JOSE;  
Involved: SAN JOSE POLICE DEPARTMENT; EDGARDO GARCIA,  
IN HIS CAPACITY AS CHIEF OF POLICE, SAN JOSE  
POLICE DEPARTMENT; and DOES 1-20
- Court: Superior Court of California; County of Santa Clara
- Case No.: 20-CV-368449
- Amount of Money or Damages according to proof  
Other Relief Sought:
- 38.** Case Name: Santa Cruz, Marissa and Paea I'suva Tukuafu v. City of San  
Jose; [FNU] Thompson; Saul Sepeda, et al.
- Name(s) of Parties(s) MARISSA SANTA CRUZ; PAEA I'SUVA TUKUAFU; CITY  
OF SAN JOSE; [FNU] THOMPSON; SAUL SEPEDA; and  
DOES 1-10, inclusive
- Court: US District Court Northern District of California
- Case No: 5:20-cv-00351-NC
- Amount of Money or Damages according to proof  
Other Relief Sought:
- 39.** Case Name: Calonge, et al., v. City of San Jose; et al.
- Name(s) of Parties(s) FRANCISCO CALONGE, individually and as the  
Involved: Successor-in-Interest to THE ESTATE OF FRANCIS  
CALONGE, CITY OF SAN JOSE, a Municipal  
Corporation organized under the laws of the State of  
California, EDWARD CAB RONI, an individual, and  
DOES 1-20, inclusive,
- Court: Superior Court of California; County of Santa Clara
- Case No.: 20CV368733
- Amount of Money or Damages according to proof  
Other Relief Sought:
- 40.** Case Name: Vasquez, et al., v. City, et al.
- Name(s) of Parties(s) MARIA ELENA VASQUEZ, individually and as co-  
Involved: successor-in-interest to Decedent JENNIFER VASQUEZ;  
JOSE DE JESUS RAMOS, individually and as co-  
successor-in-interest to Decedent JENNIFER VASQUEZ,  
CITY OF SAN JOSE, a municipal corporation; MARCO  
MERCADO, in his individual as a law enforcement officer  
for the San Jose Police Department; MITCHELL  
STIMSON, in his individual as a law enforcement officer

for the San Jose Police Department; ELISCO ANAYA, in his individual as a law enforcement officer for the San Jose Police Department; MARK KOSKA, in his individual as a law enforcement officer for the San Jose Police Department; and DOES 1-50, inclusive.

Court: US District Court Northern District of California

Case No.: 5:19-cv-8441-EJD

Amount of Money or Damages according to proof  
Other Relief Sought:

The Closed Session was adjourned at 10:14 and resumed in Open Session at 1:30 p.m.