



City of San José Community Oversight Committee

District 1— Gary Cunningham (C)
District 3— Michelle Brenot
District 5— Enrique Arguello
District 7— Open
District 9— Shruti Chandrasekhar (VC)
Citywide (Labor) — Olivia Navarro
Citywide (Business) — Open
Environmental Issues — Lee Space

Carolyn Bauer —District 2
Jai Srinivasan —District 4
Nicholas Cochran —District 6
Gilberto Torres —District 8
Emily G Esparza —District 10
Open — Public Safety
Open —Citywide (Finance/Accounting)

Meeting Minutes – Final Version
REGULAR MEETING AGENDA
November 7, 2024, 6:00 p.m.

Location:
San José City Hall
200 E. Santa Clara Street, San José, CA
Room T-550

How to observe the MEASURE T COMMUNITY OVERSIGHT COMMISSION

MEETING (No public comment): <https://sanjoseca.zoom.us/j/91602863956>

Webinar ID: 916 0286 3956

Passcode: None

Or One tap mobile :

+12133388477,,91602863956# US (Los Angeles)

+14086380968,,91602863956# US (San Jose)

How to submit written Public Comment before the Meeting: By email to
Clarissa.Michel@sanjoseca.gov by 9:00 a.m. the day of the meeting.

Public comment in person only.

Approved
G.C. Cunningham

I. Call to Order and Roll Call

In Attendance: Gary Cunningham, Michelle Brenot, Nicholas Cochran, Shruti Chandrasekhar, Lee Space, Olivia Navarro, Jai Srinivasan, Emily Esparza, Carolyn Bauer, Enrique Arguello

Absent: Gilberto Torres

II. Orders of the Day

Staff request to move “Review the Measure T Auditors Report” up in agenda

Motion: Gary Cunningham

Moved: Nicholas Cochran

Second: Shruti Chandrasekhar

Unanimously approved

III. Open Forum (*Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate.*)

IV. Consent Calendar

A. Approval of Meeting Minutes from May 9, 2024

Motion: Gary Cunningham

Moved: Nicholas Cochran

Second: Shruti Chandrasekhar

Unanimously approved

V. New Business - Discussion

A. Review the Measure T Auditor’s Report

- Auditor provided detailed walk through of the Auditor’s Report and its findings
- Action Item: Olivia Navarro requested staff provide COC notification of when the next bond issuance goes to council and when it is processed.
- Action items: Carolyn Bauer submitted several questions for staff to address via email of which staff will follow up with a response via email.

VI. Reports and Information Only

A. Chair

- Gary Cunningham provided a reminder to all COC members about the importance of responding to emails, reviewing documents by the provided deadlines given.
- Olivia Navarro provided brief details about her and Enrique’s attendance at FS 32 groundbreaking ceremony. Emphasized the importance for the committee to attend future ceremonies sent out by city staff.

B. Director

- No report

C. Council Liaison

- No Report

D. Staff and Organizations

- No updates but staff did reiterate Gary's comments regarding responding to emails so staff are aware if members have had the chance to review documents and emails that are sent out prior to Measure T COC meetings.

VII. Old Business

A. Review Action Items from May 9, 2024

- City staff completed all action items in follow up email staff sent 5/15/24

VIII. New Business – Action/Discussion

A. Presentation on latest Measure T Status Report

- Action item: Send copy of the report via email to COC members
- Staff presented.
- Action item: For future presentations, staff to add completion dates to projects listed.
- FS 23
 - a. Nick Cochran: We are doing CEQA review and we are planning to spend \$4m on the land but have no idea where the other \$15m is coming from. So this was Carolyn's question which is why are we doing all the work, committing staff time, doing the CEQA review, and spending money on land but have no idea where the \$15m is coming from? How is this going to work?
 - b. Staff response: In the prior Measure T report we did identify those issues stating we would defund FS 23 and focus on the land acquisition because there were other priorities within the Public Safety program and we knew there would be shortfalls with all the cost escalation and with money in the reserves we would proceed with all other projects that we currently have within the program, reassess, and hopefully hold that money for construction and then we'll have to see what the costs are at that time.
 - c. Nick Cochran: I just want to understand the \$4m and the priority of land which brings me to an earlier question I have about the Reserves expenditures.
 - d. Gary Cunningham: It would be nice to get that land dedicated to becoming a FS only once the land is acquired. So, the land doesn't just sit there. To me there is no commitment ensuring the land will become a FS.
 - e. Staff response: If you recall for other bonds for safety around 2002 same thing happened for FS 37 where the land sat for some time but then when Measure T came around it provided the funding for its construction.
 - f. Olivia Navarro: Who ordered the CEQA?
 - g. Staff response: its apart of the land acquisition process, state requirement providing environmental clearance and any hazard materials clearance.
 - h. Olivia Navarro: In terms of earmarking, it for a fire station or safety and language there specific to this?
 - i. Staff response: Yes, only for a fire station and language for this is in the CEQA documents.
 - j. Shruti Chandrasekhar: Can we see the Public Safety as a separate table? It's been moved around a lot.
 - k. Staff response: Staff will provide detailed report of the Public Safety Reserves expenditures by October 18th

l. Bridges

- (1) Is there a list of the bridges that have been done and those in the queue to be completed?
- (2) Staff response: Action item: Yes, we will gather a list and map with all bridges that have been repaired.

m. Charcot Phase II:

- (1) Shruti Chandrasekhar: For Charcot is all spending on hold?
- (2) Staff response: No. So we are finishing design and wait for grant money or see if any money is left over.

n. Public Art:

- (1) Olivia Navarro: I love the art and everything but are they local artists?
- (2) Staff response: Action item: We can look into the selection process and follow up with more information.

~~B. Review the Measure T Auditor's Report~~

C. Review the Measure T COC Matrix

- Staff provided brief explanation of the matrix
- Carolyn Bauer: Add note "except land acquisition" for FS 32 to make more sense.
 - a. Staff response: Sure thing we will update that now.
- Nick Cochran: So the \$12.3M got moved to the reserves?
- Staff response: Yes
- Nick Cochran: So what would be helpful is to have a table for reserves with what was taken out so we can reconcile. The net line for public safety should equal the number of what's in the Council report but this would help with our reports.
- Staff response: The matrix is a live document so that's why net line does not match report at this time. Staff will provide detailed table of the Public Safety Reserves expenditures.
- Shruti Chandrasekhar: For FS 37, what are the expenses you are continuing to hold? Invoices that weren't paid?
- Staff response: Its in post construction, closing books and processing all remaining invoices.
- Nick Cochran: So reserves cant move in between categories?
- Staff response: Not for Public Safety. That reserve is only to support Public Safety projects only.
- Gary Cunningham: At some point we asked for last year, a list of prioritized projects for when money runs out. Was that ever completed.
- Nick Cochran: I think we were just concerned that we don't end up with half done fire stations.
- Staff response: The key here is that we are mostly in construction already for all projects.
- Olivia Navarro: I walk a lot and talk to the community and maybe we can get better at communications with the public utility companies because they are coming back in and digging up the freshly paved streets.
- Staff response: It happens but not often. There are times when they have to do it as emergencies. We have pavement policies for this.

- Olivia Navarro: Can you send me the language on that? What can constituents do if that happens? Is there a possibility that when they do the work if possible that when they have the H things it can say “this is with Measure T”
- Staff response: Action item: We will follow up and ask DOT for more information about the process. What also will help is if you send me any specific information I can forward it over to the right person and provide you contacts.
- Gary Cunningham: New version of matrix will be sent out but, in the meantime, please review the matrix.
- Action item: City staff to address Carolyn’s comments in the document and send out version 2 of the Matrix by November 18, 2024.

D. Review the Key Schedule of Events

- Action Item: Staff will update COC meeting from January 9th to January 8th, 2024. Final version of Key Schedule of Events will be sent out to the committee via email.

IX. Future Meeting Schedules and Other Related Agenda Items

A. Next meeting scheduled for January

- Wednesday, January 8, 2024
- Staff notified committee that given the last Measure T status update report was on the consent calendar with no presentation to Council staff expectation is the same for the COC report to Council.
- Gary Cunningham and Nick Cochran requested to discuss further with DPW Director.
- This is to be discussed further.

X. Adjournment

Adjourned at 8:35pm

The [Code of Conduct](#) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view. The City of San José is committed to open and honest government and strives to consistently meet the community’s expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Committee, Board or Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the <https://www.sanjoseca.gov/your-government/departments-offices/public-works/measure-t-community-oversight-committee>.

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All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Public Works Department, 200 East Santa Clara Street, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the commission meeting may not be the final documents approved by the commission. Contact Office of the City Clerk for the final document.

The MEASURE T COMMUNITY OVERSIGHT COMMITTEE meets two/three times a year in May and November at 6:00 p.m., with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 294-9337 (TTY) as soon as possible, but at least three business days before the meeting.

Please direct correspondence and questions to:

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