



# **City Council Meeting MINUTES**

**Tuesday, November 29, 2022**

**1:30 PM**

**Hybrid Meeting – Council Chambers and Virtually –  
<https://sanjoseca.zoom.us/j/88957084529>**

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



## **\* COVID-19 NOTICE \***

*Consistent with AB 361 and City of San Jose Resolution Nos. 80628, 80659, 80685, 80724 and 80758, Councilmembers may be teleconferencing from remote locations.*

## **• Call to Order and Roll Call**

9:30 a.m. - Closed Session

**22-1734** Closed Session: [See Page 21 for Closed Session Minutes](#)

Absent: Carrasco, Jimenez

1:30 p.m. - Afternoon Session

Present: Councilmembers - Arenas (via Zoom), Carrasco, Cohen(1:45p.m.), Davis, Esparza (via Zoom), Foley, Jimenez, Jones, Mahan, Peralez (via Zoom); Liccardo.

Absent: Councilmembers - All Present.

## **• Pledge of Allegiance**

Mayor Sam Liccardo led the Pledge of Allegiance.

## **• Invocation (District 10)**

Pastor Irene Thompson, Cedric Tsang, and Anquisha Crutcher from Cathedral of Faith Church provided the Invocation through a performance of song and dance.

## **• Orders of the Day**

Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Dava and carried unanimously, the Orders of the Day and the Amended Agenda were approved Item 2.20 “Request to Travel and Excused Absence” added to the Consent Calendar and Item 3.4 “Boards and Commissions Appointments” added. *These additions required a determination by a two-thirds (2/3) vote of the members of the council present at the meeting, or if less than two-thirds (2/3) of the members of the council are present at the meeting, a unanimous vote of those members present that there is a need to take immediate action.* (11-0.)

Public Comment: Blair Beekman offered public comment.

- Closed Session Report

None

## **1. CEREMONIAL ITEMS**

- 1.1 Councilmember Carrasco declared November 2022 as Native American Heritage Month and presented a proclamation to Pedro Perez and Tamara Alvarado to celebrate the history, contributions and diverse cultures of the Native American Community. (Carrasco)
- 1.2 Councilmember Foley declared December 1, 2022 as World AIDS Day and presented a proclamation to Santa Clara County World AIDS day Committee and invited Nicole Altamirano to show support for people living with and affected by HIV and to remember those who lost their lives to AIDS. (Foley)
- 1.3 Councilmember Jimenez presented a commendation to Mario and Emma Ramirez, recognizing their outstanding dedication and commitment to keeping District 2 clean, safe, and litter free. (Jimenez)
- 1.4 Councilmember Peralez presented a commendation to Chris Patterson-Simmons for her endless commitment to supporting our small businesses, serving as the President of the East Santa Clara Business Association for many years and for being a member of the Greater Downtown San José Economic Recovery Task Force. Councilmember Peralez noted the dedicated countless hours to helping to make the City of San José what it is today. (Peralez)

## **2. CONSENT CALENDAR**

Upon motion by Councilmember David Cohen seconded by Councilmember Matt Mahan and carried unanimously, all of the below listed actions were taken as indicated. (11-0.)

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

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

#### **2.2            22-1771            Final Adoption of Ordinances.**

(a) Ordinance No. 30846 - An Ordinance of the City of San José Amending Section 4.46.036 of Chapter 4.46 and Section 4.47.089 of Chapter 4.47 of Title 4 of the San José Municipal Code to Expand the Suspension Program for the Collection of a Portion of Construction Taxes on Downtown High Rise Developments. [Passed for Publication on 11/15/2022 - Item 8.1(d) (22-1666)] (b) Ordinance No. 30847 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.24 Gross Acre, Situated on the West Side of Di Salvo Avenue, Approximately 80 Feet North of Bailey Avenue (179 Di Salvo Avenue) (APN: 274-59-054) from the CO Commercial Office Zoning District to the R-1-8 Single-Family Residence Zoning District. [Passed for Publication on 11/15/2022 - Item 10.1(a) (22-1669)]

Action: **Ordinance No. 30846** and **Ordinance No. 30847** were adopted. (11-0.)

- 2.3            22-1756            Approval of Council Committee Minutes.**  
(a) Regular Transportation and Environment Committee Minutes of October 3, 2022.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action

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

- 2.4            22-1725            Mayor and Council Excused Absence Requests**  
Request for an excused absence for Councilmember Peralez from the Regular City Council Meeting on November 8, 2022 due to family member illness. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Peralez)

Action: The request for excused absence was approved. (11-0.)

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

None provided.

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

None provided.

- 2.7            22-1735            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 to the Board of Administration for the Police and Fire Department Retirement Plan to a fourth term ending November 30, 2026. (b) If a vacancy remains, direct the City Clerk to continue recruitment efforts. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Clerk) [Deferred from 11/15/2022 - Item 2.9 (22-1693)]

Action: The appointment for the Fire Retiree Representative to the Board of Administration for the Police and Fire Department Retirement Plan was approved. (11-0.)

- 2.8            22-1736            Amendment to the San José Municipal Code Section 4.04.020 of Chapter 4.04, Title 4 and Council Policy 7-13 to Conform with California Surplus Land Act.**  
(a) Approve an ordinance amending the San José Municipal Code Section 4.04.020 of Chapter 4.04, Title 4 streamlining current City disposition processes for surplus property or exempt surplus property, and Chapter 4.20 of Title 4 changing the City's procedures for noticing for public sales, the definition of "surplus real property," and other related procedures for the disposition of real property. (b) Adopt a resolution approving amendments to Council Policy 7-13 "Policy for the Sale of Surplus Property with Provisions Relating to Affordable Housing," as adopted April 26, 2016.

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## 2.8 (Cont'd.)

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. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Economic Development and Cultural Affairs)

Action: (a) **Ordinance No. 30848** was passed for publication and (b) **Resolution No. 80771** was adopted. (11-0.)

- 2.9      22-1745      Construction Contingency Increase for the 7731 - Nitrification Clarifier Rehabilitation - Phase 1 Project at the San José-Santa Clara Regional Wastewater Facility.**  
Approve a \$5,200,000 increase to the original construction contingency amount of \$5,237,000 for a revised total contingency amount of \$10,437,000, increasing the not-to-exceed amount of the contract from \$31,421,000 to a total revised contract amount not-to-exceed of \$36,621,000, and a 218 workday time extension to the project substantial completion date for the 7731 - Nitrification Clarifier Rehabilitation - Phase 1 Project. CEQA: Categorically Exempt, File No. PP17-049, CEQA Guidelines Section 15301, Existing Facilities. (Environmental Services/Public Works)

Action: The Construction Contingency Increase for the 7731 – Nitrification Clarifier Rehabilitation – Phase 1 Projected was approved. (11-0.)

- 2.10      22-1737      Amendment to the Purchase Order with Owen Equipment Sales for Sewage Cleaning Machine Rentals.**  
Adopt a resolution authorizing the City Manager to amend purchase order OP 60479 with Owen Equipment Sales (Vancouver, WA) for sewage cleaning machine rentals to increase the total compensation by \$150,000, for a maximum compensation not-to-exceed \$500,000 for the period ending November 30, 2022. 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. 80772** was adopted. (11-0.)

- 2.11      22-1738      Amendment to the Agreement with Ubicquia LLC for a Smart Outdoor Light Management Solution and Purchase Orders with AT&T Mobility for Associated Cellular Services.**  
Adopt a resolution authorizing the City Manager to: (a) Negotiate and execute the First Amendment to the Agreement with Ubicquia LLC (Fort Lauderdale, FL) for the purchase of a Smart Outdoor Lighting Management Solution, including hardware, software, and related services such as implementation, training, warranty, maintenance, and support, to extend the initial term through December 31, 2023, with

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## 2.11 (Cont'd.)

no change in initial term maximum compensation, and negotiate and execute up to nine one-year options for additional hardware, software subscriptions, and related services through December 31, 2032 or as may be adjusted to align with the software renewal term, subject to the appropriation of funds; and (b) Negotiate and execute up to 10 annual open purchase orders for cellular services with AT&T Mobility (Atlanta, GA), including any documentation required to leverage AT&T's cooperative agreement through the National Association of State Procurement Officials, for a maximum compensation not to exceed \$40,000 for the initial term purchase order ending December 31, 2023, 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/Public Works/Information Technology)

Action: **Resolution No. 80773** was adopted. (11-0.)

- 2.12      22-1739      2020 State Homeland Security Grant Program Training and Exercise Funding to the Fire Department.**  
Adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund: (a) Increase the estimate for Revenue from Federal Government by \$67,516; and (b) Establish the State Homeland Security Grant - Fire 2020 City-Wide Expenses appropriations for personal services and non-personal to the Fire Department in the amount of \$67,516. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Fire/City Manager)

Action: **Ordinance No. 30849** and **Resolution No. 80774** were adopted. (11-0.)

- 2.13      22-1740      Master Agreements for Temporary Staffing Services for Planning, Building Plan Check, Building Inspections and Related Services.**  
Adopt a resolution authorizing the City Manager to negotiate and execute Master Agreements and up to four one-year options thereafter with the agencies named in the staff memorandum to provide temporary staffing and to execute amendments and to increase or decrease the maximum compensation of each agreement, not to exceed the aggregate compensation amount of \$4,000,000 annually for all the agreements, and \$2,000,000 annually for any one agency, subject to appropriation of funds. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (new or amended) resulting in no physical changes to the environment. (Planning, Building and Code Enforcement)

Action: **Resolution No. 80775** was adopted. (11-0.)

- 2.14      22-1741      2022-2023 Schedule of Fees and Charges Amendment.**  
Adopt a resolution amending the 2022-2023 Schedule of Fees and Charges (Resolution No. 72737, as amended) to update certain Police Department Fees and Charges and make certain changes thereto, including those covered in the Attachment to the staff memorandum, and superseding Resolution No. 80571. 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. (Police/City Manager)

Action: **Resolution No. 80776** was adopted. (11-0.)

- 2.15      22-1742      Amendment to the San José Municipal Code Title 7 Part 7.10.120 Grooming Business.**  
Approve an ordinance amending the San José Municipal Code Title 7 Part 7.10.120 to amend the Grooming Business definition and requirements to include in-home grooming services. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Public Works)

Action: **Ordinance No. 30850** was passed for publication. (11-0.)

- 2.16      22-1743      Funding Agreement with Santa Clara Valley Transportation Authority for Construction of Safety Enhancements along Vasona Rail Corridor.**  
Adopt a resolution authorizing the City Manager or designee to negotiate and execute the Funding Agreement between the City of San José and Santa Clara Valley Transportation Authority to fund safety enhancements at rail-street crossings on the Vasona Rail Corridor, with the City contribution amount not to exceed \$3,302,612. CEQA: Categorically Exempt, File No. ER20-204, CEQA Guidelines Section 15301, Existing Facilities. Council District 6. (Transportation)

Action: **Resolution No. 80777** was adopted. (11-0.)

- 2.17      22-1761      Retroactive Approval of Various Events Sponsored by Council District 5 as a City Council Sponsored Special Events 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 16, 2022: (a) Retroactively approve the Autumn Litter Harvest event scheduled on October 1, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (b) Retroactively approve the Autumn Fun Fest event scheduled on October 29, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (c) Retroactively approve the Cimarron Park Dumpster Day event scheduled on October 29, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (d) Retroactively approve the Warmsprings Dumpster Day event scheduled on November 5, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (e) Retroactively approve the Delano Manongs Park Ribbon Cutting event scheduled on November 5,

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## 2.17 (Cont'd.)

2022 as a City Council sponsored Special Event and approve the expenditure of funds; (f) Retroactively approve the Pet Vaccination and Wellness event scheduled on November 13, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (g) Retroactively approve the Councilmember Magdalena Carrasco Farewell Address event scheduled on November 12, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (h) Retroactively approve the Arbuckle Dumpster Day event scheduled on November 19, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (i) Approve the Dorsa Miller Dumpster Day event scheduled on December 10, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (j) Approve the Fiesta Navideña event scheduled on December 3, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; (k) Approve the Emma Prusch All Inclusive Playground Groundbreaking event scheduled on December 8, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; and (l) Approve and accept donations from various individuals, businesses, or community groups to support the events. CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Carrasco) [Rules Committee referral 11/16/2022 - Item B.2]

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

- 2.18      22-1766      Retroactive Approval of Holiday Event Series 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 16, 2022: (a) Retroactively approve the Holiday Event Series at Evans Lane Interim Housing and Guadalupe River Park Working Group holiday lunch scheduled on October 29, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; and (b) Approve and accept donations from various individuals, businesses, or community groups to support the event. CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Davis) [Rules Committee referral 11/16/2022 - Item B.3]

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

- 2.19      22-1770      Approval of Free Holiday Tree Giveaway 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 16, 2022: (a) Approve the Free Holiday Tree Giveaway scheduled on December 4, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; and (b) Approve and accept donations from various individuals, businesses, or community groups to support the event. CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Perez) [Rules Committee referral 11/16/2022 - Item B.5]

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



**2.20 22-1777 Request for Travel and Excused Absence.**

(a) Authorize travel and related expenses for Councilmember Matt Mahan to attend the Program for New Mayors Program at Harvard Kennedy School of Government from November 30 - December 2, 2022, in Cambridge, Massachusetts. (Source of Funds: Bloomberg Philanthropies and District 10 Funds and/or Personal Funds) (b) Request for an excused absence from the regular meeting of Smart Cities and Service Improvements Committee on December 1, 2022 due to Authorized City Business to attend the New Mayors Program in Cambridge, Massachusetts. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Mahan)

Action: Travel and related expenses for Councilmember Matt Mahan to attend the Program for New Mayors Program were approved. Excused absence from the regular meeting of Smart Cities and Service Improvements Committee on December 1, 2022 for Councilmember Matt Mahan was approved. (11-0).

### **3. STRATEGIC SUPPORT**

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

None Provided

**3.2 Labor Negotiations Update.**

None provided.

**3.3 22-1744 Retirement Board Public Member Interviews.**

(a) Interview four applicants for appointment to the Public Member Seats of both Retirement Boards; (b) Appoint up to two applicants as a Public Member of the Board of Administration for the Federated Retirement Plan Board to a term ending November 30, 2026; (c) Appoint up to three applicants as a Public Member of the Board of Administration for the Police and Fire Retirement Plan Board to a term ending November 30, 2026; and (d) If a vacancy remains, direct the City Clerk to continue recruitment for any vacant positions. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Clerk)

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

Applicants Eswar Menon, Anurag Chandra, Sunita Ganapati, and Howard Lee offered thanks to the Council for serving and expressed their intentions for serving again.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Pam Foley and carried unanimously, the appointments for the Public Member seats of the Federated Retirement Plan Board and the Board of Administration for the Police and Fire Retirement Plan Board were approved. (10-0-1. Absent: Arenas.)

- 3.4      22-1776      **Boards and Commissions Appointments.**  
Interview and approve the following Boards and Commissions appointments: (a) Civil Service Commission: (1) Member-at-Large Seat: Tom Cochran to a term ending November 30, 2026. (2) Attorney-at-Law Seat: Sharon Hightower to a term ending November 30, 2026. CEQA: Not a Project, File No. PP17-010, City Organization and Administrative Activities resulting in no changes to the physical environment. (City Clerk)

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

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember David Cohen and carried unanimously, Tom Cochran was appointed to the Member-at-Large Seat for the Civil Service Commission to a term ending November 30, 2026 and Sharon Hightower was appointed to the Attorney-at-Law Seat for the Civil Service Commission to a term ending November 30, 2026. (11-0).

## **4. PUBLIC SAFETY SERVICES**

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

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

## **7. NEIGHBORHOOD SERVICES**

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

- 8.1      22-1746      **Public Hearing on the Homeless Housing, Assistance and Prevention Program Application.**  
Conduct a public hearing on the Homeless Housing, Assistance and Prevention Program Round 4 grant application to the State of California's Interagency Council on Homelessness. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Housing)

Housing Department's Director Jacky Morales-Ferrand, Deputy Director Ragan Henninger, and Division Manager Kelly Hemphill provided the presentation and responded to questions.

Mayor Sam Liccardo opened the public hearing.

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

Mayor Sam Liccardo closed the public hearing.

Action: Public Hearing was held. No Actions were taken.

**8.2            22-1747            City Initiatives Roadmap - Emergency Housing System Expansion: Recreational Vehicle Parking Program Analysis.**

(a) Accept the staff report on Recreational Vehicle Parking Program Analysis. (b) Adopt a resolution authorizing the Director of Housing, or their designee, to negotiate and execute an amendment to an existing agreement with Destination: Home, in an amount not to exceed \$200,000, so that their Lived Experience Advisory Board of Santa Clara County can complete a survey and analysis of people experiencing homelessness living in recreational vehicles. 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. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Housing)

Public Comments: Jeff Holmes; Monica Rising; Blair Beekman; Paul Soto; Misrayn Mendoza; Jill Borders; Gail Osmer; Cheryl Imus; Patricia; and Francesca Paist offered public comments.

Action: Upon motion by Councilmember Maya Esparza, seconded by Vice Mayor Chappie Jones and carried unanimously, **Resolution No. 80778** was adopted, including the November 28, 2022 memorandum authored by Councilmember Esparza, “In developing staff’s proposed RV Biowaste pilot and eventual broader program, direction to staff to research and consider policies around non-compliance, including potential requirements or enforcement if the program is not utilized, including towing as a last resort for those RVs that are illegally dumping biowaste”. (11-0.)

**8.3            22-1748            City Initiatives Roadmap - Emergency Housing System Expansion: Quick-Build Emergency Interim Housing.**

(a) Accept the staff report on Site Identification and Operational Considerations for Quick-Build Emergency Interim Housing and approve the following actions: (1) Remove the Noble site from consideration for Emergency Interim Housing; (2) Pursue the Santa Clara Valley Transportation Authority Cerone and Cottle sites while continuing to pursue other identified sites; (3) Implement a subpopulation focus at Emergency Interim Housing sites by level of care needed; and (4) Explore partnerships with healthcare providers, both public and private, to provide onsite medical and other resources for residents at the Emergency Interim Housing sites. (b) As part of the 2023-2024 Proposed Budget development process, in context of the City’s budgetary position and other critical City Council priorities, consider the following approaches to maintain quality of life in neighborhoods surrounding current and future Emergency Interim Housing and Bridge Housing Community sites through the provision of dedicated monitoring, reporting, blight reduction, community engagement and housing resources to communities within a half-mile of existing Emergency Interim Housing/Bridge Housing Community sites, including: (1) Housing outreach vendors to ensure weekly case management style homelessness outreach and associated housing resources for individuals experiencing homelessness; (2) Illegal dumping, graffiti, and vehicle abatement programs to ensure 48-hour removal of illegal dumping and graffiti, and ensure a 2-3 day response time for the vehicle abatement program; (3) Dedicated encampment services to maintain rights of way, provide trash service twice per week, and ensure

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### 8.3 (Cont'd.)

encampments maintain a 12x12 or smaller footprint; (4) Dedicated staff liaison between neighborhoods, City Council Offices and City program staff, including regular attendance at community advisory committees or neighborhood meetings in proximity to emergency interim housing locations; (5) Regularly visit surrounding neighborhoods to monitor and report any illegal dumping, graffiti, vehicle parking issues, and encampment counts; and (6) Create a dashboard reporting on illegal dumping, graffiti, occupied vehicles, police calls for service, and fire (medical, fire, and other) incidents that is updated monthly and available to members of the public, City Council Offices, and City staff. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Housing/Parks, Recreation and Neighborhood Services)

Deputy City Manager Omar Passons; Director of Housing Jacky Morales-Ferrand; Deputy Director Ragan Henninger; Director of Parks, Recreation & Neighborhood Services Jon Cicirelli provided the presentation and responded to questions.

Public Comments: 23 members of the public offered public comments.

**The Council recessed the Afternoon Session at 5:31 p.m. and reconvened at 6:08 p.m. for the Evening Session with all Councilmembers present.**

Public Comments: 106 additional members of the public offered public comments.

Motion: Councilmember David Cohen moved, with Councilmember Dev Davis seconding, his November 29, 2022 memorandum which includes the following:

1. Accept the staff report from the memorandum dated November 16, 2022 and approve staff recommendations a) and b) with the following amendments:
  - a. In staff recommendation a.1 permanently remove the Noble site from consideration for Emergency Interim Housing.
  - b. In staff recommendation a.2 accelerate the timeline for implementation of an EIH at the Cerone site by executing planning and procurement activities concurrently to negotiations with VTA.
  - c. In staff recommendation b) add current and future safe parking sites to the scope of the sites where service enhancements will be considered.
2. Direct the City Manager to continue to evaluate sites in District 4 in the Emergency Interim Housing Alternative Suggested Sites List (attachment A) that could be utilized as a safe parking site and report progress to the council office on an ongoing basis.
3. Direct the City Manager to develop a citywide definition for parkland-chartered status and a process to retroactively declare all PRNS properties that meet the definition as Chartered Parks. Bring the definition and process to the Parks and Recreation Commission for review in calendar Q1 of 2023, and then to council for any council action that is required.

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### 8.3 (Cont'd.)

Mayor Sam Liccardo requested a friendly amendment to Councilmember David Cohen's motion to include Mayor Liccardo's November 29, 2022 memorandum. The friendly amendment was accepted.

1. Accept Councilmember Cohen's memorandum
2. As part of the 2023-2024 Proposed Budget development process, direct staff to present a modified cost estimate for maintaining quality of life in neighborhoods hosting current and future interim housing communities that:
  - a. Reduces the watershed for coverage of enhanced services to ~5 mins/0.25 miles
  - b. Includes "no encampment zones" within a similar radius, such as 1,000 feet
  - c. Repurposes some or all onsite security costs for BHC's and EIH's towards enhanced neighborhood services, as a transition from "security" to "stewardship"
  - d. Considers re-examining expenditures for those staff that either cannot provide visible outcome improvements (e.g. community liaisons) or present challenges with the contemplated tasks (e.g. vehicle abatement)
  - e. Considers employing formerly unhoused residents living in interim housing communities (with appropriate abilities) to help provide some of the contemplated enhanced services at the direction of a managing non-profit, consistent with our "San Jose Bridge" model, e.g.,
    - i. outreach to nearby encampments,
    - ii. cleanup the surrounding neighborhood,
    - iii. neighborhood patrols to notify police of safety concerns, and
    - iv. communication with neighbors, e.g., attending neighborhood meetings.
  - f. Incorporates other learning garnered from the pending Homebase study that can improve operations and reduce costs

Councilmember Raul Peralez requested a friendly amendment as indicated below in "Action". The friendly amendment was accepted.

Action: On a call for the question, the motion carried unanimously, with the Council moving Councilmember David Cohen's November 29, 2022 memorandum, Mayor Sam Liccardo's November 29, 2022 memorandum and a friendly amendment by Councilmember Raul Peralez to include additional language on the MBA requested in Mayor Sam Liccardo's memorandum to direct staff to resubmit an MBA on the analysis of sanctioned encampments and bring the analysis back to the Council next year during the Budget process. (11-0.)

- 8.4            22-1749            PP22-015 - Amendment to Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code for the Parking and Transportation Demand Management Policy Ordinance. - TO BE HEARD CONCURRENTLY WITH ITEM 8.5 AT 6:00 P.M.**
- (a) Approve an ordinance of the City of San José amending Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to: (1) Add Part 9 Transportation Demand Management (TDM) to the retitled Chapter 20.90 Parking, Loading and Transportation Demand Management; (2) Revise tables and text for in Chapter 20.90 to remove parking minimums, modify parking space design standards, and modify parking requirements for bicycle and two-wheeled motorized vehicle parking and remove parking reduction exceptions; (3) Revise tables and text in 20.70 Downtown Zoning Regulations to remove requirements and references to mandatory minimum off-street parking; (4) Remove references to parking requirements in Chapters 20.55, 20.80, 20.150, 20.180, 20.190 and 20.195; (5) Revise and add text to expand/modify processes for issuing outdoor event permits, outdoor vending permits and conversion of existing parking to outdoor use in Chapter 20.80 Specific Use Regulations; and (6) Make other technical, non-substantive, or formatting changes within those section of Title 20 of the San José Municipal Code. (b) Direct staff to continue suspending enforcement until June 30, 2023, of land use permits and provisions of the San José Municipal Code to continue to allow outdoor business operations on private property that have previously registered under and been in compliance with the San José Al Fresco program. 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. Planning Commission recommended approval 11/16/2022 Item 5.b. (9-0-1, Ahluwalia absent). (Planning, Building and Code Enforcement) **TO BE HEARD CONCURRENTLY WITH ITEM 8.5 AT 6:00 P.M.**

**DEFERRED**

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Pam Foley and carried unanimously, the Council deferred Item 8.4 to the June 6, 2022 City Council Meeting. (11-0.)

- 8.5            22-1750            GPT22-006 - Amendment to the City Council Policy 5-1 Transportation Analysis for Affordable Housing Projects. - TO BE HEARD CONCURRENTLY WITH ITEM 8.4 AT 6:00 P.M.**
- Adopt a resolution amending City Council Policy 5-1 entitled “Transportation Analysis Policy” to streamline environmental review under Vehicle Miles Traveled (VMT) for affordable housing projects and market rate projects in designated City Planned Growth Areas, and to provide a process for City Council to consider adopting a Statement of Overriding Consideration under the California Environmental Quality Act (CEQA) for housing projects meeting the land use policies of the General Plan with Significant and Unavoidable Impacts in high VMT areas.

*(Item Continued on the Next Page)*

## 8.5 (Cont'd.)

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. Planning Commission recommended approval for staff's Recommendation and rejection of the Alternative Recommendation from Transportation and Environment Committee, 11/16/2022 Item 5.c. (7-2-1, Casey and Ornelas-Wise opposed, Ahluwalia absent). (Planning, Building and Code Enforcement) TO BE HEARD CONCURRENTLY WITH ITEM 8.4 AT 6:00 P.M.

## DEFERRED

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Pam Foley and carried unanimously, the Council deferred Item 8.5 to the June 6, 2022 City Council Meeting. (11-0.)

# **9. REDEVELOPMENT – SUCCESSOR AGENCY**

## **10. LAND USE**

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

*Land Use Consent Calendar was heard following the Consent Calendar during the Afternoon Council Session.*

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

- 10.1(a) 22-1751 HL22-001 & MA22-001 -Designation of City Landmark and Historical Property for Certain Real Property Located at 485 South 16th Street (Mark and Hazel Hopkins House).**
- (1) Adopt a resolution designating 485 S. 16th Street (Mark and Hazel Hopkins House) (HL22-001) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature in the Naglee Park Conservation Area. (2) Adopt a resolution approving the proposed Historical Property (Mills Act) (MA22-001) Contract for 485 S. 16th Street between the City of San José and the property owner. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation. Council District 3. (Planning, Building and Code Enforcement)

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, (1) **Resolution No. 80779**, designating 485 S. 16th Street (Mark and Hazel Hopkins House) (HL22-001) as a City Landmark, and (2) **Resolution No. 80780**, approving the proposed Historical Property (Mills Act) (MA22-001) Contract for 485 S. 16th Street, were adopted. (11-0.)

**10.1(b) 22-1752 HL22-002 & MA22-002 -Designation of City Landmark and Historical Property for Certain Real Property Located at 777 East William Street (George and Mary Friend House).**

(1) Adopt a resolution to designate 777 East William Street (George and Mary Friend House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature. (2) Adopt a resolution to approve the Historical Property (Mills Act) Contract between the City of San José and property owners Alfred and Erin Linke for the property located at 777 East William Street. CEQA: Exempt per CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation. Council District 3. (Planning, Building and Code Enforcement)

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, (a) **Resolution No. 80781**, designating 777 East William Street (George and Mary Friend House) as a City Landmark, and **Resolution No. 80782**, approving the proposed Historical Property (Mills Act) Contract for 777 East William Street, were adopted. (11-0.)

**END OF CONSENT CALENDAR.**

**10 Land Use – Regular Agenda**

**10.2 22-1753 SP21-031, T21-033, ER21-134 & HP21-007 - Special Use Permit, Vesting Tentative Map, and a Historical Preservation Permit for Certain Real Property Located at 147 East Santa Clara Street, 49-95 North Fourth Street and 128 East St. John Street.**

(a) Adopt a resolution certifying the Icon-Echo Mixed-Use Project Supplemental Environmental Impact Report, and making certain findings concerning significant impacts, mitigation measures, alternatives, and adopting a statement of overriding considerations and a related Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA), as amended. (b) Adopt a resolution approving, subject to conditions, a Special Use Permit to allow the demolition of all existing buildings on site totaling 22,527 square feet and the removal of 39 trees (four ordinance-size and 35 non-ordinance-size with 64 replacement trees) for the construction of a mixed-use project consisting of up to 415 multifamily residential units, 525,000 square feet of commercial space, 8,500 square feet of retail space, and up to ten commercial condominiums with extended construction hours from 7:00 am to 7:00 pm Monday through Saturday on an approximately 2.10-gross acre site. (c) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to reconfigure four parcels into two parcels and allow up to ten commercial condominiums and 415 residential condominiums on an approximately 2.10-gross acre site. (d) Adopt a resolution approving, subject to conditions, a Historic Preservation Permit to allow the demolition of three non-contributing buildings and the construction of a 267-foot-high tower (the Echo) consisting of 415 multifamily residential units within the St. James Square City Landmark District on an approximately 0.44-gross acre site. CEQA: Supplemental

*(Item Continued on the Next Page)*



## 10.2 (Cont'd.)

Environmental Impact Report (SEIR) for the Icon/Echo Project (ER21-134). Historic Landmarks Commission recommended denial 10/5/2022 - Item 3.a (5-0-2; Ayala and Camuso absent) of a Historic Preservation Permit on the grounds that: (a) The findings required under Section 13.48.240 to grant a Historic Preservation Permit cannot be made for the proposed design of the Echo residential tower; and (b) The denial of the Historic Preservation permit would not cause immediate and substantial hardship on the applicant because the new construction in accordance with Chapter 13.48 would be economically infeasible and unreasonable in light of the feasible uses of such property. Planning Commission recommended approval 10/26/2022 Item 5.c (9-0-1, Young absent). Council District 3. (Planning, Building and Code Enforcement)

Department of Planning, Building & Code Enforcement's Director Chris Burton, provided a presentation and responded to questions.

Josh Burroughs, Paul Ring and Peter Solar, Urban Catalyst provided a presentation and spoke to the merits of the project.

Public Comments: Ali Sapirman; Kathryn Hedges, SURJ; Louis Mirante, Vice President of Public Policy with the Bay Area Council; Vince Rocha; Elizabeth Agramont-Justiniano; Tony Mirenda; Aidan Marshall; Victor Gomez; Mike Sodergren; Paul Soto offered public comments.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis, and carried unanimously, (a) **Resolution No. 80783** certifying the Icon-Echo Mixed-Use Project Supplemental Environmental Impact Report, (b) **Resolution No. 80784** approving, subject to conditions, a Special Use Permit, (c) **Resolution No. 80785**, approving, subject to conditions, a Vesting Tentative Map, and (d) **Resolution No. 80786**, approving, subject to conditions, a Historic Preservation Permit were adopted. (11-0).

- 10.3      22-1754      H20-038 & ER20-243 - Site Development Permit for Certain Real Property Located on 409 and 425 South Second Street.**
- (a) Adopt a resolution certifying the Bo Town Mixed Use Project Final Supplemental Environmental Impact Report (SCH No. 2003042127) to the Downtown Strategy 2040 Environmental Impact Report (Resolution No. 78942), and making certain findings concerning significant impacts, mitigation measures, alternatives, Statement of Overriding Considerations, and adopting a related Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA). (b) Adopt a resolution approving, subject to conditions, a Site Development Permit, to allow the demolition of the existing Bo Town Restaurant building, and three accessory buildings totaling approximately 5,283 square feet, and the removal of one ordinance-size tree and one non-ordinance-size tree for the construction of a 30-story mixed residential and commercial building with a total of approximately

*(Item Continued on the Next Page)*

### 10.3 (Cont'd.)

606,526 square feet, including 7,430 gross square feet of ground floor commercial space, 540 residential units with 7,497 square feet of co-working space, 6,141 square feet of residential amenity space, and four levels of below-grade parking, with extended construction hours from 7 a.m. to 10 p.m., Monday to Saturday over a period of approximately 33 months on an approximately 0.75-gross acre site. CEQA: Supplemental Environmental Impact Report to the Downtown Strategy 2040 Environmental Impact Report (Resolution No. 78942). Planning Commission recommended approval 10/26/2022 - Item 5.a. (7-2-1, Barocio and Cantrell opposed, Young absent). (Planning, Building and Code Enforcement)

Department of Planning, Building & Code Enforcement's Director Chris Burton and Principal Planner David Keyon provided a presentation and responded to questions.

Andrew Jacobson, representing Westbank Corp, provided a presentation and spoke to the merits of the project.

Public Comments: Victor Gomez; Mike Sodergren; Alex Shoor; and Paul Soto offered public comments.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Matt Mahan, and carried unanimously, (a) **Resolution. No. 80787** certifying the Bo Town Mixed Use Project Final Supplemental Environmental Impact Report and (b) **Resolution No. 80788** approving, subject to conditions, a Site Development Permit, were adopted. (11-0.)

- 10.4      22-1755      H21-026, HP21-005 & ER21-085 - Site Development Permit (H21-026) and Historic Preservation Permit (HP21-005) for Certain Real Property Located at 142-150 and 130-134 East Santa Clara Street and 17 South Fourth Street APN: 467-23-034, -035, -037).**
- (a) Adopt a resolution certifying the SuZaCo Mixed-Use Project Supplemental Environmental Impact Report, and making certain findings concerning significant impacts, mitigation measures, alternatives, and adopting a statement of overriding considerations and a related Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA), as amended. (b) Adopt a resolution approving, subject to conditions, a Site Development Permit (H21-026/ER21-085) to allow the construction of an approximately 75,251-square foot four-and-six story retail and office building, with an off-site parking arrangement, the partial demolition of 142-150 East Santa Clara Street (City Landmark) building, and the demolition of two buildings within the proposed building footprint, at 130-134 E. Santa Clara Street and 17 S. 4th Street, on an approximately 0.34-gross acre site. (c) Adopt a resolution approving, subject to conditions, a Historic Preservation Permit (HP21-005) to allow the demolition of the roof, two walls and building interior (street-fronting facades to remain) and the removal of the exterior plaster cladding of a City Landmark building at 142-150 East Santa Clara Street and the infill construction of a six-story building on the property.

*(Item Continued on the Next Page)*

## 10.4 (Cont'd.)

CEQA: Supplemental Environmental Impact Report (SEIR) to the Downtown Strategy 2040 Final EIR for the SuZaCo Mixed-Use Project (ER21-085). Historic Landmarks Commission recommended denial 11/2/2022 - Item 3.c (3-2-2, Commissioner Camuso and Janke opposed, Commissioners Ayala and Royer absent) of a Historic Preservation Permit on the grounds that: (a) The findings required under Section 13.48.240 to grant a Historic Preservation Permit cannot be made for the proposed design of the SuZaCo development; and (b) The denial of the Historic Preservation permit would not cause immediate and substantial hardship on the applicant because the new construction in accordance with Chapter 13.48 would be economically infeasible and unreasonable in light of the feasible uses of such property. Planning Commission recommended approval 10/26/2022 - Item 5.b. (7-2-1, Aluwalia and Garcia opposed, Young absent). Council District 3. (Planning, Building and Code Enforcement)

Department of Planning, Building & Code Enforcement's Director Chris Burton, provided a presentation and responded to questions.

Ted McMahon and Steve Stenton, representing Bayview Development, provided a presentation and spoke to the merits of the Project.

Public Comments: Paul Soto; Kathryn Hedges, SURJ; Mike Sodergren; and Victor Gomez offered public comments.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis, and carried unanimously, (a) **Resolution No. 80789** certifying the SuZaCo Mixed-Use Project Supplemental Environmental Impact Report, (b) **Resolution No. 80790** approving, subject to conditions, a Site Development Permit (H21-026/ER21-085), and (c) **Resolution No. 80791** approving, subject to conditions, a Historic Preservation Permit (HP21-005) adopted. (11-0).

## • Open Forum

1. Paul Soto spoke to the Golden State portables porta-pottys that were placed next to a historical landmark.
2. Mike Sodergren, Preservation Action Council, expressed sadness over the burning of the last orchard mansion located on Mitzi Dr. and expressed the need for the city to hold owners responsible for vacant buildings.
3. Alex Shoor, Catalyze SV, spoke to the lateness of the meeting and apologized for speaking to a previous Item during another public comment.

## • Adjournment

The Council of the City of San José adjourned at 10:56 p.m. in honor of Donna Jewett who passed away on September 23, 2022. Donna Jewett was one of the first female officers for the San José Police Department and the first female president of the Willow Glen Lions Club. She was an active San Jose community member and considered her family to be her greatest joy.

Minutes Recorded, Prepared, and Respectfully Submitted by,

A handwritten signature in blue ink, appearing to read 'Toni J. Taber', with a stylized flourish at the end.

Toni J. Taber, CMC  
City Clerk

## SAN JOSÉ CITY COUNCIL CLOSED SESSION

**NOVEMBER 29, 2022**

The Council of the City of San José convened into Closed Session at 9:30 a.m.

This meeting was teleconferenced from remote locations.

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

Absent: Councilmembers - All Present.

Closed Session Item(s) discussed:

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

1. Case Name: Mark Thompson, et al. v City of San Jose, et al  
Name(s) of Partie(s) MARK THOMPSON; RACHELLE IMUS; JEFFREY P. INVOLVED: ECHIVAROV; JOHN ORTIZ; JASON IMUS; SARA HOPE; CHERYL IMUS, CITY OF SAN JOSE; VANESSA BARRESA; SAULEZA; SANDRA MURILLO, AND DOES 1-10, INCLUSIVE  
Court: United States District Court; For the Northern District of California – San Francisco  
Case No.: 3:22-cv-07186-JSC  
  
Amount of Money or Other Relief Sought: Monetary Damages/Injunctive Relief
2. Case Name: City of Long Beach, et al. v Monsanto Company, et al.  
Name(s) of Partie(s) CITY OF LONG BEACH, a municipal corporation; COUNTY INVOLVED: OF LOS ANGELES, a political subdivision; CITY OF CHULA VISTA, a municipal corporation; CITY OF SAN DIEGO, a municipal corporation; CITY OF SAN JOSE, a municipal corporation; CITY OF OAKLAND, a municipal corporation; CITY OF BERKELEY, a municipal corporation; CITY OF SPOKANE, a municipal corporation; CITY OF TACOMA, a municipal corporation; CITY OF PORTLAND, a municipal corporation; PORT OF PORTLAND, a port district of the State of Oregon; BALTIMORE COUNTY, a political subdivision; MAYOR AND CITY COUNCIL OF BALTIMORE; all individually and on behalf of all others similarly situated, MONSANTO COMPANY; SOLUTIA INC., and PHARMACIA LLC, and DOES 1 through 100

Court: United States District Court, Central District of California – Western Division  
Case No.: 2:16-cv-03493-FMO-AS

Amount of Money or Other Relief Sought: Class Action Settlement

3. Case Name: Rosenbaum, Zachary v. City of San Jose, et al.  
Name(s) of Partie(s) Involved: ZACHARY ROSENBAUM, CITY OF SAN JOSE; OFFICERS RYAN FERGUSON #3921; SGT. HATEZNBUEHLER #3899; DUNN #4309; SGT. GUTIERREZ #3359; ANDERSON #3884; TAPIA #4743; VALLEJO #3929; OCHOA #3683 and DOES 1-25  
Court: United States District Court; For the Northern District of California  
Case No.: 5:20-cv-04777-NC  
Amount of Money or Other Relief Sought: Damages according to proof.

#### **B. CONFERENCE 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 matter(s) to be discussed: 1

#### **C. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

1. Property Street Address, Parcel Number, or Other Unique Reference of Property: 1480 Lundy Avenue (245-43-019), San Jose, California 95131  
Negotiating Parties: Nanci Klein on behalf of the City of San Jose; Richard Hardy and Sethena Leiker of Cushman & Wakefield; Allan Frost, John B. Haynes; Janice C. O'Brien; Neal F. Frost, Jr.; Matthew W. Frost  
Under Negotiation: The direction will concern price and terms of payment.  
Likely Range of Value of Property: Negotiated price based on comparable rental values.
2. Property Street Address, Parcel Number, or Other Unique Reference of Property: 1500 Lundy Avenue (245-43-017), San Jose, California 95131

Unique Reference of  
Property:

Negotiating Parties: Nanci Klein on behalf of the City of San Jose; Richard Hardy and Sethena Leiker of Cushman & Wakefield; Allan Frost, John B. Haynes; Janice C. O'Brien; Neal F. Frost, Jr.; Matthew W. Frost

Under Negotiation: The direction will concern price and terms of payment.

Likely Range of Value of  
Property: Negotiated price based on comparable rental values.

3. Property Street Address, Parcel Number, or Other  
Unique Reference of  
Property:

1528 Frost Drive (245-43-020), San Jose, California 95131

Negotiating Parties: Nanci Klein on behalf of the City of San Jose; Richard Hardy and Sethena Leiker of Cushman & Wakefield; Allan Frost, John B. Haynes; Janice C. O'Brien; Neal F. Frost, Jr.; Matthew W. Frost

Under Negotiation: The direction will concern price and terms of payment.

Likely Range of Value of  
Property: Negotiated price based on comparable rental values.

#### **D. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:**

City Negotiator: Jennifer Schembri, Director of Employee Relations

Employee Organizations:

1. Organization or Name and Title of Unrepresented Employees: **Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF)**  
Nature of negotiations: wages/salaries, hours, working conditions, etc.  
Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF)  
How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments/employee-relations/labor-relations-information/bargaining-units-labor-contract-info>  
Telephone – Employee Relations: (408) 535-8150
2. Organization or Name and Title of **San José Police Officers' Association (SJPOA)**

Unrepresented  
Employees:  
Nature of negotiations: wages/salaries, hours, working conditions, etc.  
Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and San José Police's Association

How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments/employee-relations/labor-relations-information/bargaining-units-labor-contract-info>  
Telephone – Employee Relations: (408) 535-8150

By unanimous consent, Council recessed from the Closed Session to reconvene in Regular Open Session at 1:30 p.m. in the Council Chamber.