

## MINUTES OF THE CITY COUNCIL

**SAN JOSÉ, CALIFORNIA**

**TUESDAY, MARCH 6, 2018**

The Council of the City of San José convened in Regular Session at 9:34 a.m. in the Council Chambers at City Hall.

Present: Councilmembers - Arenas, Davis, Diep, Jimenez, Jones, Khamis, Nguyen, Peralez (10:15), Rocha (10:00); Liccardo.

Absent: Councilmembers - Carrasco.

### CLOSED SESSION

Upon motion unanimously adopted, Council recessed at 9:38 a.m. to a Closed Session in Room W133; (A) To confer with Legal Counsel – Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2) and (e)(1): Matter(s) to be discussed: 1 (one); (B) To confer with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): (1) *Jacquez v. City, et al.*; Names Of Partie(s) Involved: Gloria Jacquez, individually; R.J., a minor, by and through his guardian *ad litem* Monica Mendoza, individually and as a successor-in-interest to Decedent Richard Jacquez; City of San José, Jacob Morris, and Does 1-50; Court: United States District Court, Northern District of California, San José Division; Case No.16-CV-0530-NC; 16-CV-05343-NC; Amount of Money or Other Relief Sought: Damages according to proof; (C) to Confer with Labor Negotiator Pursuant to Government Code Section 54957.6: City Negotiator: Jennifer Schembri, Director of Employee Relations; Employee Organizations: (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and ABMEI; (2) Association of Engineers & Architects (AEA); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AEA. (3) Association of Maintenance Supervisory Personnel (AMSP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AMSP. (4) City Association of Management Personnel Agreement (CAMP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CAMP. (5) Confidential Employees’ Organization, AFSCME Local 101 (CEO); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of

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

## **CLOSED SESSION (Cont'd.)**

Agreement between City of San José and CEO; (6) International Association of Firefighters, Local 230 (IAFF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Association of Firefighters. (7) International Brotherhood of Electrical Workers (IBEW); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and IBEW; (8) 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 between City of San José and MEF; (9) International Union of Operating Engineers, Local No. 3 (OE#3); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Union of Operating Engineers, Local No. 3. (10) San José Police Officers' Association (SJPOA); 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 Association; (11) Association of Legal Professionals of San José (ALP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Web: <http://www.sanjoseca.gov/?nid=186>; Telephone for Employee Relations: 408-535-8150.

By unanimous consent, Council recessed from the Closed Session at 11:25 a.m., to be continued in Closed Session on Thursday, March 8, 2018; Council reconvened to Regular Session at 1:35 p.m. in the Council Chambers.

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

Absent: Councilmembers - Carrasco. (Excused)

## **INVOCATION**

Mike Mendoza, a woodwind player/teacher based in the San José area played a medley of “Somewhere Over the Rainbow” and “What a Wonderful World” on the saxophone.

## **PLEDGE OF ALLEGIANCE**

Mayor Sam Liccardo led the Pledge of Allegiance, accompanied by students from Holy Spirit Elementary School.

## **ORDERS OF THE DAY**

Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Orders of the Day and the Amended Agenda were approved. (10-0-1. Absent: Carrasco.)

## CEREMONIAL ITEMS

- 1.1 Mayor Sam Liccardo and Councilmember Raul Peralez presented a proclamation recognizing the month of March as Pediatric Cancer Awareness Month in the City of San José. (Peralez)
- 1.2 Mayor Sam Liccardo and Councilmembers Dev Davis and Sylvia Arenas presented a proclamation recognizing March 2018 as Women's History Month in the City of San José. (Arenas/Carrasco/Davis)

## CONSENT CALENDAR

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

### 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.

Mayor Sam Liccardo reported on the trip he took to Washington D.C., advocating with the Silicon Valley Leadership Group on immigration issues.

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

None provided.

- 2.7 **18-216** Adopt a resolution to amend the City of San José Pay Plan effective March 11, 2018, to retitle the Wastewater Facility Manager (3615) (formerly Wastewater Facility Operations Manager) classification, with an annual pay range of approximately \$98,909.04 - \$151,068.99.

Documents Filed: Memorandum from Director, Human Resources, Caroline Krewson, dated February 16, 2018, recommending adoption of a resolution.

Action: Resolution No. 78522, entitled: "A Resolution of the Council of the City of San José Amending the City of San José Pay Plan", was adopted. (10-0-1. Absent: Carrasco.)

- 2.8 18-278** As recommended by the Rules and Open Government Committee on February 21, 2018:
- (a) Approve the Assyrian Flag Raising scheduled on March 21, 2018 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.

Documents Filed: Memorandum from Councilmember Johnny Khamis, dated February 15, 2018, providing recommendations to the Rules and Open Government Committee.

Action: The Assyrian Flag Raising as a City Council Sponsored Special Event, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (10-0-1. Absent: Carrasco.)

## **STRATEGIC SUPPORT**

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

None provided.

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

None provided.

- 3.3 18-298**
- (a) Accept the Elections Code 9212 report, as revised, analyzing the Petition Initiative Amending the Envision San José 2040 General Plan (Initiative).
  - (b) As directed by Council on February 13, 2018, adopt a resolution calling an election to submit the Initiative to the voters at the next General Election on June 5, 2018.
  - (c) Council discussion and consideration of whether the full text of the Initiative should be printed in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code 12111, to be incorporated in the resolution calling the election;
  - (d) Council discussion and consideration of whether to permit rebuttal arguments and authorize the City Council or any member or members of the City Council to submit a rebuttal argument in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9285, to be incorporated in the resolution calling the election;
  - (e) Council discussion and consideration of whether the City Council or any member or members of the City Council to submit an argument against the Initiative on the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9282, to be incorporated in the resolution calling the election;
  - (f) Council discussion and consideration of whether to direct the City Clerk to transmit a copy of the measure to the City Attorney to prepare an Impartial Analysis, pursuant to Elections Code Section 9280; and

### 3.3 (Cont'd.)

(g) Direct the City Clerk to take all actions necessary to place this measure for a June 5, 2018, General Election.

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/City Attorney/City Clerk)

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, dated March 5, 2018, recommending approval of the Initiative, with modifications. (2) Memorandum from Councilmember Sylvia Arenas, dated March 5, 2018, recommending adoption of the Mayor's memorandum. (3) Memorandum from City Clerk Toni J. Taber, CMC, dated February 15, 2018, recommending acceptance of the Elections Code 9212 Report and adoption of a resolution. (4) Joint memorandum from Director, Planning, Building and Code Enforcement, Rosalynn Hughey and Deputy City Manager/Director of Economic Development Kim Walesh, dated February 23, 2018, recommending adoption of a resolution. (5) Supplemental memorandum from City Attorney Richard Doyle, dated February 28, 2018, proposing changes to the resolution.

Mayor Sam Liccardo asked for consideration of his memorandum dated March 5, 2018, and opened the floor for public comment.

Public Comment: Offering comments and recommendations, were: Marjorie Gammill, representing P.A.C.T.; Sean Welch, representing San José Residents for Evergreen Senior Homes; and Brian Schmidt, Greenbelt Alliance.

Motion: Councilmember Sylvia Arenas moved approval of her memorandum dated March 5, 2018, offering acceptance of Mayor Sam Liccardo's March 5, 2018 memorandum. Councilmember Dev Davis seconded the motion.

Assistant City Attorney Ed Moran recommended revised ballot language to include "changing the Evergreen- East Hills Development Policy and Municipal Code".

Action: On a call for the question, the motion carried unanimously, and Resolution No. 78523, entitled: "A Resolution of the Council of the City of San José Calling and Giving Notice of the Submission to the Electors of the City of San Jose at a Special Municipal Election, to be Consolidated with the Next General Election on June 5, 2018, an Initiative to Amend the Envision San Jose 2040 General Plan, to Amend the Evergreen-East Hills Development Policy, to Adopt the "Evergreen Senior Homes Specific Plan," Amend Title 5, Title 8, and Title 20 of the San Jose Municipal Code, and Amend the City's Zoning District Map to Rezone an Approximately 200-Acre Site in the Evergreen Area From Agriculture - Planned Development (A(PD)) to Specific Plan (SP)", was adopted, including the memorandum from Councilmember Sylvia Arenas, dated March 5, 2018 to approve the Memorandum by Mayor Liccardo, dated March 5, 2018, as follows: 1. Approve Item 3.3 (a), (b), (d), (e), (f) and (g) as outlined in the Council Agenda for March 6, 2018; and 2. Authorize the Mayor to: i. Submit an argument against the Initiative (by March 13, 2018) in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9282, to be incorporated in the resolution calling the election; ii. Submit a rebuttal argument (by March 20, 2018) in the June 5, 2018, Voter's Sample Ballot, pursuant to Elections Code Section 9285, to be

### 3.3 (Cont'd.)

incorporated in the resolution calling the election; and, 3. Authorize the City Attorney to: iii. Prepare an Impartial Analysis (by March 20, 2018) pursuant to Elections Code Section 9280. And including the revised language of the ballot question from the Attorney's supplemental memo so the ballot question will be:

“Shall an initiative measure be adopted: (1) changing San Jose's General Plan to create a Senior Housing Overlay to allow conversion of land designated for employment use to senior housing citywide; and (2) changing the Evergreen- East Hills Development Policy and Municipal Code, and adding a Specific Plan to allow development of up to 910 residential units on an approximately 200-acre Industrial Site in Evergreen for individuals 55 and over and other qualifying individuals?”

(10-0-1. Absent: Carrasco.)

- 3.4 18-272** As recommended by the Public Safety, Finance, and Strategic Support Committee on February 15, 2018, accept second quarter (period ending December 31, 2017) financial reports in the areas of Debt Management, Investment Management, and Revenue Collection.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Finance)  
[Public Safety, Finance, and Strategic Support Committee Item 2/15/18 - Item (d)3]

Documents Filed: Memorandum from Director of Finance, Julia Cooper, dated January 31, 2018, recommending acceptance of the Reports.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Sergio Jimenez and carried unanimously, the second quarter (period ending December 31, 2017) financial reports in the areas of Debt Management, Investment Management, and Revenue Collection, were accepted. (10-0-1. Absent: Carrasco.)

- 3.5 18-271** As recommended by the Public Safety, Finance, and Strategic Support Committee on February 15, 2018, adopt a resolution to approve the proposed revisions to Council Policy 1-12, "City of San José Investment Policy".  
CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Finance)  
[Public Safety, Finance, and Strategic Support Committee 2/15/18 - Item (d)4]

Documents Filed: Memorandum from Director of Finance, Julia Cooper, dated January 31, 2018, recommending adoption of a resolution.

Public Comments: Blair Beekman spoke on workers' civil rights and the use of sound data collection.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Johnny Khamis and carried unanimously, Resolution No. 78524, entitled: “A Resolution of the Council of the City of San José Approving Revisions to City Council Policy 1-12 the City of San José Investment Policy”, was adopted. (10-0-1. Absent: Carrasco.)

- 3.6 18-209** As recommended by the Transportation and Environment Committee on February 5, 2018, accept status report on the City’s Deferred Maintenance and Infrastructure Backlog.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Public Works)

Documents Filed: (1) Memorandum from City Clerk Toni J. Taber, dated February 15, 2018, transmitting the recommendations of Transportation and Environment Committee. (2) PowerPoint presentation “Report on Deferred Maintenance and Infrastructure Backlog.

Acting Director of Public Works, Michael O’Connell and staff offered a presentation, and Director, Department of Transportation, Jim Ortbal responded to questions.

Public Comments: Ray Perez (L.R.O.N.) expressed budgetary concerns, and Blair Beekman offered criticism of the project.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the status report on the City’s Deferred Maintenance and Infrastructure Backlog was accepted. (10-0-1. Absent: Carrasco.)

**3.7 18-282 Potential June 5, 2018 Ballot Measure(s).**

(a) Consider a Council-sponsored charter amendment or other measure(s) for the June 5, 2018 general **election** to specify requirements for the conversion of employment land to residential use, including review of the associated environmental and fiscal impacts; urban sprawl mitigation; and other related potential measures.

(b) If Council wishes to proceed with a charter amendment or other measure(s), adopt a resolution of the City Council calling and giving notice, on its own motion, for a Special Municipal Election to be held on June 5, 2018, to submit a charter amendment or other measure(s) to the electors of the City of San José;

(c) Council discussion and consideration of whether the full text of the proposed City measure should be printed in the June 5, 2018, Voter’s Sample Ballot, pursuant to Elections Code 12111, to be incorporated in the resolution calling the election;

(d) Council discussion and consideration of whether to permit rebuttal arguments and authorize the City Council or any member or members of the City Council to submit a rebuttal argument in favor of the City measure in the June 5, 2018, Voter’s Sample Ballot, pursuant to Elections Code Section 9285, to be incorporated in the resolution calling the election;

(e) Council discussion and consideration of whether to authorize the City Council or any member or members of the City Council to submit an argument in favor of the City measure on the June 5, 2018, Voter’s Sample Ballot, pursuant to Elections Code Section 9282, to be incorporated in the resolution calling the election;

(f) Council discussion and consideration of whether to direct the City Clerk to transmit a copy of the measure to the City Attorney to prepare an Impartial Analysis, pursuant to Elections Code Section 9280; and

(g) Direct the City Clerk to take all actions necessary to place this measure for a June 5, 2018, Special Municipal Election, if needed. CEQA: Not a project (CEQA sec. 21065), and CEQA Guidelines sec. 15061(b)(3) exemption (no potential significant environmental effects). (Mayor)

### 3.7 (Cont'd.)

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, dated March 5, 2018, recommending acceptance and adoption of a resolution. (2) Memorandum from Councilmember Sylvia Arenas, dated March 5, 2018, recommending adoption of the Mayor's recommendations. (3) Letter from Cox Castle and Nicholson, dated March 6, 2018, expressing objections to the proposed charter amendment.

**Continued to March 8, 2018; meeting to adjourn to 8:30 a.m. on March 8, 2018 for Closed Session and March 8, 2018 at 9:00 a.m. for Open Session.**  
**(Arenas/Davis 10-0-1. Absent: Carrasco.)**

## COMMUNITY & ECONOMIC DEVELOPMENT

- 4.1 18-256**
- (a) Accept staff report and consider preliminary actions required to establish a new business owner initiated Hotel Business Improvement District within the City of San José pursuant to Streets & Highways Code Section 36600 et seq.
  - (b) Adopt a resolution:
    - (1) Stating the intention to form the San José Hotel Business Improvement District ("SJHBID") within the City of San José;
    - (2) Preliminarily approving the SJHBID Management District Plan; and
    - (3) Setting a Public Meeting to be held on March 20, 2018 at 1:30 p.m. and a Public Hearing on April 24, 2018 at 1:30 p.m.
  - (c) Adopt a resolution finding that San José Hotels, Inc. will serve as the Owners' Association for the SJHBID to implement the program described in the Management District Plan and authorizing the City Manager to negotiate and execute an agreement with San José Hotels, Inc. to provide those services, contingent upon the establishment of the SJHBID.  
CEQA: Exempt, File No. PP08-048, CEQA Guidelines Section 15061(b)(3).  
(Economic Development)

Documents Filed: (1) Memorandum from Deputy City Manager/Director of Economic Development Kim Welsh, dated February 12, 2018, recommending adoption of resolutions. (2) Affidavit of mailing of March 9, 2018, for the notice of a public hearing.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Chappie Jones and carried unanimously, Resolution No. 78525, entitled: "A Resolution of the Council of the City of San José Declaring its Intention to Establish the San José Hotel Business Improvement District (SJHBID) within the City of San José; Preliminarily Approving the SJHBID Management District Plan; and Setting a Public Meeting to be Held on March 20, 2018 at 1:30 P.M. and a Public Hearing on April 24, 2018 at 1:30 P.M."; and Resolution No. 78526, entitled: "A Resolution of the Council of the City of San José Finding that San José Hotels, Inc., Will Serve as the Owners' Association for the San José Hotel Business Improvement District (SJHBID) to Implement the Program Described in the Management District Plan and Authorizing the City Manager to Negotiate and Execute an Agreement with San José Hotels, Inc., to Provide Those Services, Contingent Upon the Establishment of the SJHBID", were adopted. (10-0-1. Absent: Carrasco.)



**4.2 18-280**

- (a) Adopt a resolution authorizing the Director of Housing, or designee, to accept a grant from the California Department of Social Services in the amount of \$5,400,000 to support Coyote Creek flood recovery efforts and conduct all activities, execute, and submit all documents including, but not limited to, applications, agreements, amendments, and payment requests, which may be necessary in connection with this grant.
  - (b) Add 2.0 Community Coordinator positions in the Housing Department effective March 11, 2018, with a June 30, 2020, limit date.
  - (c) Adopt the following Fiscal Year 2017-2018 Appropriation Ordinance and Funding Sources Resolution Amendments in the Multi-Source Housing Fund:
    - (1) Establish the estimate for Revenue from State of California in the amount of \$5,400,000; and
    - (2) Establish a new appropriation to the Housing Department for 2017 Coyote Creek Flood Recovery Efforts in the amount of \$5,400,000.
- 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. (Housing/City Manager)

Documents Filed: Joint memorandum from Director of Housing, Jacky Morales-Ferrand and Budget Director Margaret McCahan, dated February 20, 2018, recommending adoption of a resolution and adoption of appropriation ordinance and funding resources resolution amendments.

Public Comment: Blair Beekman suggested other uses of these funds.

Director of Housing, Jacky Morales-Ferrand responded to questions.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Tam Nguyen and carried unanimously, Ordinance No. 30077, entitled: “A Ordinance of the Council of the City of San José Amending Ordinance No. 29962 to Appropriate Moneys in the Multi-Source Housing Fund for the 2017 Coyote Creek Flood Recovery Efforts; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption”; Resolution No. 78527, entitled: “A Resolution of the Council of the City of San José Authorizing the Director of Housing to Accept a Grant from the California Department of Social Services for Coyote Creek Flood Recovery Efforts, and to Conduct all Activities, and Execute and Submit all Documents Necessary in Connection with the Grant Funds”; and Resolution No. 78528, entitled: “A Resolution of the Council of the City of San José Amending Resolution No. 78229 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2017-2018 to Adjust Revenues in the Multi-Source Housing Fund”, were adopted. (10-0-1. Absent: Carrasco.)

## **TRANSPORTATION & AVIATION SERVICES**

**6.1 18-259**

- Approve the Fourth Amendment to the Host International Inc. (“Host”) Food and Beverage Concession Agreement to extend the term of the agreement for six years, from June 30, 2020 to June 30, 2026, add new concession locations, revise the percentage fee thresholds, revise the terms of the Minimum Annual Guarantee and add a capital investment to be made by Host of no less than \$6,000,000.
- CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Airport)

Documents Filed: Memorandum from Director of Aviation, John Aitken, dated February 12, 2017, recommending approval of an Amendment.

Public Comment: Sara McDermott posed questions regarding the RFP.

Director of Aviation, John Aitken responded to questions.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Fourth Amendment to the Host International Inc. (“Host”) Food and Beverage Concession Agreement to extend the term of the agreement for six years, from June 30, 2020 to June 30, 2026, add new concession locations, revise the percentage fee thresholds, revise the terms of the Minimum Annual Guarantee, and add a capital investment to be made by Host of no less than \$6,000,000, was approved. (10-0-1. Absent: Carrasco.)

- 6.2 18-258** Accept the report on the Request for Proposal for engineering services for the Santa Clara Street Bridge at Coyote Creek Replacement Project, and adopt a resolution authorizing the City Manager to negotiate and execute an Agreement with TY Lin International for engineering services related to the preparation of scoping, environmental documents, plans, specifications and estimates, right of way services, and design support during construction on or about March 19, 2018 and ending on or about March 19, 2021, with a maximum compensation not-to-exceed \$1,295,098 for the initial three-year term, with three 1-year options to extend. Subject to funding availability, the term of the agreement may be extended to provide project completion.  
CEQA: Statutory Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. Council District 3. (Transportation)

Documents Filed: Memorandum from Director, Department of Transportation, Jim Ortbal, dated February 12, 2018, recommending adoption of a resolution.

Director, Department of Transportation, Jim Ortbal responded to questions.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Johnny Khamis and carried unanimously, Resolution No. 78529, entitled: “A Resolution of the Council of the City of San José Authorizing the City Manager to Negotiate and Execute an Agreement with Ty Lin International for Engineering Services Related to the Preparation of Scoping, Environmental Documents, Plans, Specifications and Estimates, Right of Way Services, and Design Support During Construction for the Santa Clara Street Bridge at Coyote Creek Replacement Project on or about March 19, 2018 and Ending on or about March 19, 2021, with a Maximum Compensation Not-To-Exceed \$1,295,098 for the Initial Three-Year Term, with Three 1-Year Options to Extend”, was adopted. (9-0-2. Absent: Carrasco, Rocha.)

## Open Forum

Blair Beekman offered comments on technology in San José and expressed his interest in April’s Smart Cities meeting.

## Adjournment

The meeting of the City Council of the City of San José was adjourned at 3:56 p.m. in memory of Velma LaPine Million. Ms. Million passed away on January 31, 2018, at the age of 97. Velma became known as the “Lady of the Lake”, as her idea of a regional park for youth in the area became a reality with the creation of Lake Cunningham Park. She was a tenacious, tireless community leader, who will be missed. However, her positive impact on our community will not be forgotten. (Rocha)

**The meeting was adjourned to 8:30 a.m. on March 8, 2018 for Closed Session and 9:00 a.m. on March 8, 2018 for Open Session to hear item 3.7 at an adjourned and special meeting at City Hall Council Chambers.**

**18-318**

### **Notice of City Engineer's Pending Decision on Final Maps.**

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Lots/ Units</u>	<u>Type</u>
10423	129 West Julian Street	3	15/43	MFA

Proposed  
Decision  
Approve

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Lots/ Units</u>	<u>Type</u>
10424	190 West Julian Street	3	6/21	MFA

Proposed  
Decision  
Approve

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Lots/ Units</u>	<u>Type</u>
10449	323 Terraine Street	3	4/14	MFA

Developer  
Trumark Construction Services

This notice is to be posted with the City Council's regular agenda for 3/6/18.

Minutes Recorded, Prepared and Respectfully Submitted by,

***DRAFT***

Toni J. Taber, CMC  
City Clerk

rmk/3-6-18/ MIN