



City Council Meeting Amended Agenda

Tuesday, November 7, 2017

SAM LICCARDO, MAYOR

CHAPPIE JONES, DISTRICT 1

SERGIO JIMENEZ, DISTRICT 2

RAUL PERALEZ, DISTRICT 3

LAN DIEP, DISTRICT 4

MAGDALENA CARRASCO, VICE MAYOR, DISTRICT 5

DEV DAVIS, DISTRICT 6

TAM NGUYEN, DISTRICT 7

SYLVIA ARENAS, DISTRICT 8

DONALD ROCHA, DISTRICT 9

JOHNNY KHAMIS, DISTRICT 10



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.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support** - The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Community & Economic Development** - Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Transportation & Aviation Services** - A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environmental and Utility Services** - Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Successor Agency to the Redevelopment Agency Board. If you wish to speak to the City Council, please refer to the following guidelines:

- o **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- o When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.

- o Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- o To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?NID=3549>. Council Meetings are televised live and rebroadcast on Channel 26.

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 Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

On occasion the City Council may consider agenda items out of order.

[17-347](#) Closed Session Agenda

Attachments [Closed Session Agenda](#)

- **Call to Order and Roll Call**

9:30 a.m.- Closed Session, Call to Order in Council Chambers
Open Session, Labor Negotiations Update (See Item 3.2)
Adjourn to Closed Session in Council Chambers Conference Room, W133
See Separate Agenda

1:30 p.m.- Regular Session, Council Chambers, City Hall

- **Invocation (District 10)**

Pastor Eugene Chu from Chinese Church in Christ - South Valley

- **Pledge of Allegiance**

- **Orders of the Day**

To be heard after Ceremonial Items

[17-342](#)

PLEASE NOTE NEW ITEMS:

2.11 - Actions Related to the Guadalupe Oak Grove Park Management Plan.

2.12 - Vice Mayor's Staff Travel to Annapolis, MD.

2.13 - Councilmember Diep's Travel to Washington, DC.

2.14 - Actions Related to Councilmember Diep's Travel to Washington, DC.

2.15 - District 1 Dumpster Day.

2.16 - Tri-Village Advisory Group Appreciation Dinner.

2.17 - District 7 Community Events.

2.18 - District 7 Faith Leaders Breakfast.

2.19 - District 6 Faith Leaders Luncheon.

2.20 - District 8 Community Events.

REQUIRES 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.

Council's Rules of Conduct, Resolution No. 78145, Rule 3(d) (8 votes required).

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

- 1.1 [17-149](#) Presentation of a proclamation recognizing Saturday, November 25, 2017 as Small Business Saturday in the City of San José. (Khamis)
- 1.2 [17-285](#) Presentation of a commendation to Trash Punx for their commitment and action to cleaning up San José. (Jimenez)
- 1.3 [17-286](#) Presentation of a proclamation declaring the month of November as Family Caregiver Awareness Month in the City of San José to raise awareness of family caregiver issues, celebrate the efforts of family caregivers, educate family caregivers about self-identification, and increase support for family caregivers. (Jimenez)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of City Council Minutes.

[17-232](#) Approval of City Council Minutes.

Recommendation: (a) Regular Minutes of May 23, 2017.
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 Clerk)
(Deferred from 10/31/17 to 11/7/17)

Attachments [Regular Minutes of May 23, 2017](#)

2.2 Final Adoption of Ordinances.

[17-312](#)

Final Adoption of Ordinances.

Recommendation:

ORDINANCE NO. 30016 - An ordinance of the City of San José adding Section 12.02.095 and 12.02.110 to Chapter 12.02 and amending Chapter 12.08 of Title 12 of the San José Municipal Code in its entirety, to align with the Political Reform Act's Gift Provisions, except for the Political Reform Act's Higher Gift Limit and making other clerical or technical changes. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Attorney)

ORDINANCE NO. 30017 - An ordinance of the City of San José amending various sections of Chapter 3.28 and 3.58 of Title 3 of the San José Municipal Code to implement the amendments to the terms of the Alternative Pension Reform Settlement Framework Agreement with City nonsworn employee bargaining unit groups. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Manager)

ORDINANCE NO. 30020 - An ordinance of the City of San José amending Part 8 to Chapter 17.23 of Title 17 of the San José Municipal Code extending the termination date (Interim Apartment Rent Ordinance). CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Housing)

ORDINANCE NO. 30021 - An ordinance of the City of San José rezoning certain real property of approximately 0.72-gross acre situated at the south side of East Brokaw Road, approximately 110 feet west of Junction Avenue, (524 East Brokaw Road) from the HI Heavy Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District. CEQA: Determination of Consistency with the Final Program Environmental Impact Report (EIR) for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617) and Addenda thereto. Planning, Building and Code Enforcement Director recommends approval. (Planning, Building and Code Enforcement)
C17-028 - Council District 3

ORDINANCE NO. 30022 - An ordinance of the City of San José rezoning certain real property of approximately 2.18-gross acres situated at the south side of Silver Creek Valley Road, approximately 400 feet

east of Hellyer Avenue (5952 Silver Creek Valley Road) from the IP Industrial Park Zoning District to the CIC Combined Industrial/Commercial Zoning District. CEQA: Determination of Consistency with the Final Program Environmental Impact Report (EIR) for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto. Planning, Building and Code Enforcement Director recommends approval. (Planning, Building and Code Enforcement) C17-036 - Council District 2

ORDINANCE NO. 30023 - An ordinance of the City of San José rezoning certain real property of approximately 64.59 acres situated northwest of State Route 237 and McCarthy Boulevard (1657 Alviso-Milpitas Road) from the A(PD) Planned Development Zoning District to the LI Light Industrial Zoning District. CEQA: 237 Industrial Center Environmental Impact Report. Planning Commission recommends approval (7-0-0). (Planning, Building and Code Enforcement) C15-054, SP16-053 & V17-004 - Council District 4 (Deferred to 12/12/17)

2.3 Approval of Council Committee Minutes.

[17-291](#)

Approval of Council Committee Minutes.

Recommendation:

- (a) Neighborhood Services and Education Committee Minutes of October 12, 2017. (Rocha)
 - (b) Rules and Open Government Committee Minutes of October 18, 2017. (Mayor)
 - (c) Public Safety, Finance and Strategic Support Committee Minutes of October 19, 2017. (Peralez)
 - (d) Community and Economic Development Committee Minutes of October 23, 2017. (Khamis)
- CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Attachments

[NSE Minutes - October 12, 2017](#)

[ROGC Minutes - October 18, 2017](#)

[PSFSS Minutes - October 19, 2017](#)

[CED Minutes - October 23, 2017](#)

2.4 Mayor and Council Excused Absence Requests.**2.5 City Council Travel Reports.****2.6 Report from the Council Liaison to the Retirement Boards.****2.7 [17-284](#) Report on Bids and Award of Contract for the 8692 - Installations of Water Services and Mains: 2017 Project.**

Recommendation: (a) Report on bids and award of contract for the 8692 - Installations of Water Services and Mains: 2017 project to the low bidder, San José Water Company, for the initial term of November 2017 through November 2020, in an amount not to exceed \$685,482.
(b) Adopt a resolution authorizing the City Manager to exercise one option to extend the contract for an additional one-year term after the expiration of the initial term in an amount not to exceed \$228,494, and a second option to extend the term of the contract for an additional one-year term after the first option year in an amount not to exceed \$228,494, for a total maximum contract amount of \$1,142,470 if both option years are exercised.
CEQA: Exempt, File No. PP17-050, CEQA Guidelines Section 15301, Existing Facilities and CEQA Guidelines Section, 15302 Replacement or Construction. (Environmental Services)

Attachments [Memorandum](#)

2.8 [17-282](#) Actions Related to the Purchase Order with Environmental Systems, Inc. for Maintenance and Repair Services for HVAC Building Management Systems.

Recommendation: Adopt a resolution authorizing the City Manager to:
(a) Execute a Purchase Order with Environmental Systems, Inc. (Santa Clara, CA) for Heating, Ventilation, and Air Conditioning (HVAC) maintenance and repair services for HVAC Building Management Systems for an initial twelve-month period commencing on or about November 8, 2017, for an amount not-to-exceed \$125,000; and
(b) Execute up to four additional one-year options to renew the Purchase Order, with the final option year ending on or about November 7, 2022, subject to the annual 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)

Attachments [Memorandum](#)

2.9 [17-270](#) **Agreement with Steve P. Rados, Inc., for Design and Construction of Fourth Street 84-inch Interceptor Phase VI-A Project.**

Recommendation:

Adopt a resolution:

- (a) Approving the final rankings of the design-build entity that responded to the Request for Proposals for the 4880 - Fourth Street 84 -inch Interceptor Phase VI-A Project (“Project”); and
- (b) Authorizing the Director of Public Works to negotiate a Design-Build contract for the Project with Steve P. Rados, Inc.

CEQA: Determination of Consistency with the Mitigated Negative Declaration for Sewer Interceptor Phase VIA Public Project (Resolution No. 77626), File No. PP10-160. (Public Works)
(Deferred from 11/7/17 - Item 2.9 to 11/28/17 - Item 2.7)

Attachments [Resolution](#)

2.10 [17-273](#) **Actions Related to the Approval of Employee Benefit Insurance Agreements.**

Recommendation:

Adopt a resolution authorizing the City Manager to:

- (a) Negotiate and execute an agreement between the City and Standard Insurance Company to provide group basic life and accidental death & dismemberment (AD&D) insurance, supplemental life insurance, dependent life insurance, and matching accidental death & dismemberment (AD&D) insurance as applicable, to employees and retirees for the period of January 1, 2018 to December 31, 2021;
- (b) Negotiate and execute an agreement between the City and Standard Insurance Company to provide long-term disability (LTD) insurance to employees for the period of January 1, 2018 through December 31, 2021; and
- (c) Negotiate and execute an amendment to the agreement between the City and Life Insurance Company of North America, an affiliated Cigna Company, to provide voluntary accidental death and dismemberment (personal accident) insurance to employees and retirees for the period of January 1, 2018 through December 31, 2021.

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

(Human Resources)

RENUMBERED FROM ITEM 3.7

Attachments [Memorandum](#)

2.11 [17-313](#) **Actions Related to the Guadalupe Oak Grove Park Management Plan.**

Recommendation: Adopt the following 2017-2018 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District #10:

(1) Establish the Guadalupe Oak Grove Park Management Plan appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$250,000; and

(2) Decrease the Ending Fund Balance by \$250,000.

CEQA: Exempt, File No. PP17-073, CEQA Section 15308 Actions by Regulatory Agencies for Protection of Natural Resources. Council District 10. (Parks, Recreation and Neighborhood Services/City Manager)

Attachments [Memorandum](#)

2.12 [17-335](#) **Vice Mayor's Staff Travel to Annapolis, MD.**

Recommendation: Retroactively approve travel for Vice Mayor's staff, Sachin Radhakrishnan, to Annapolis, Maryland from October 31, 2017 to November 3, 2017 to attend the Sister Cities International Fall Conference. Source of Funds: Mayor/Council Travel Budget. CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Carrasco)

Attachments [Memorandum](#)

2.13 [17-326](#) **Councilmember Diep's Travel to Washington, DC.**

Recommendation: Approve travel by Councilmember Diep to Washington, DC from November 16, 2017 to November 17, 2017 to attend a leadership training for minority elected officials organized by the New American Leaders Project, a 501(c)(3) non-profit organization under the Internal Revenue Code. Source of Funds: New American Leaders Project, a 501(c)(3) non-profit organization and District 4 Office Budget. CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Diep)

Attachments [Memorandum](#)

2.14 [17-327](#) **Actions Related to Councilmember Diep's Travel to Washington, DC.****Recommendation:**

(a) Retroactively approve travel by Councilmember Diep to Washington, DC from November 1, 2017 to November 3, 2017 to attend Equal Justice Works annual leadership development training. Source of Funds: Equal Justice Works, a 501(c)(3) non-profit organization and District 4 Office Budget.

(b) Retroactively approve an excused absence for Councilmember Diep from the November 2, 2017 Smart Cities and Service Improvements Committee.

CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Diep)

Attachments [Memorandum](#)

2.15 [17-336](#) **District 1 Dumpster Day.****Recommendation:**

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the Dumpster Day held on October 21, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

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

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Jones)
[Rules Committee referral 11/1/17 - Item G.1.a.]

Attachments [Memorandum](#)

2.16 [17-337](#) **Tri-Village Advisory Group Appreciation Dinner.****Recommendation:**

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the Tri-Village Advisory Group Appreciation Dinner held on Monday, November 6, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

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

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Jones)

[Rules Committee referral 11/1/17 - Item G.1.b.]

Attachments [Memorandum](#)

2.17 [17-338](#) **District 7 Community Events.****Recommendation:**

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:

(1) Pizza Social at Dahl Neighborhood on Saturday, October 21, 2017 at corner of Baltic Way and Arctic Avenue;

(2) Varoween Haunted House on Saturday, October 28, 2017 at the Vietnamese American Community Center; and

(3) Halloween Festival on Tuesday, October 31, 2017 at Tully Library.

(b) Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:

(1) Dumpster Day at Alma Neighborhood on Saturday, December 2, 2017 at Alma Community Center; and

(2) Richardson Park Grand Opening Celebration on Saturday, December 9, 2017 at Richardson Park.

(3) Clean Up with Tam on Saturday, December 16, 2017 at Tolbert Drive and Lanai Avenue.

(c) 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. (Nguyen)

[Rules Committee referral 11/1/17 - Item G.1.c.]

Attachments [Memorandum](#)

2.18 [17-339](#) **District 7 Faith Leaders Breakfast.****Recommendation:**

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Approve the District 7 Faith Leaders Breakfast scheduled on November 9, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

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

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Nguyen)
[Rules Committee referral 11/1/17 - Item G.1.d.]

Attachments [Memorandum](#)

2.19 [17-340](#) **District 6 Faith Leaders Luncheon.****Recommendation:**

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Approve the District 6 Faith Leaders Luncheon scheduled on November 9, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

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

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Davis)
[Rules Committee referral 11/1/17 - Item G.1.e.]

Attachments [Memorandum](#)

2.20 [17-341](#) **District 8 Community Events.****Recommendation:**

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the following District 8 events as City Council sponsored Special Events and approve the expenditure of funds:

- (1) Thompson Creek Clean-Up held on Saturday, August 12, 2017;
- (2) Coastal Creek Clean-Up held on Saturday, September 16, 2017 at Thompson Creek; and
- (3) Day in the Park Festival Kick-Off Celebration held on Friday, October 6, 2017 at Lake Cunningham Regional Park.

(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. (Arenas)

[Rules Committee referral 11/1/17 - Item G.1.f.]

Attachments [Memorandum](#)

3. STRATEGIC SUPPORT**3.1 Report of the City Manager, David Sykes (Verbal Report)****3.2 Labor Negotiations Update. Accept Labor Negotiations Update.**

TO BE HEARD AT 9:30 A.M.

3.3 [17-281](#) **Retirement Services Audit.****Recommendation:**

As recommended by the Public Safety, Finance, and Strategic Support Committee on October 19, 2017, accept the audit of Retirement Services. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City actions. (City Auditor) [Public Safety, Finance, and Strategic Support Committee referral 10/19/17 - Item (d)5] (Deferred from 11/7/17 - Item 3.3 to 11/28/17 - Item 3.3)

Attachments [Memorandum](#)
[Memorandum from Mayor Liccardo](#)

3.4 [17-293](#) **Approval of the Terms of the Settlement Agreement Concerning the Litigation Arising Out of Measure B with the San José Retired Employees' Association (SJREA) and Related Appropriation Actions.**

Recommendation:

(a) Adopt a resolution to approve the terms of the Settlement Agreement between the City and the San José Retired Employees' Association and the four (4) individual plaintiffs who were parties to the case regarding 2012 Measure B and retiree healthcare matters.

(b) Adopt the following 2017-2018 Appropriation Ordinance amendments in the General Fund:

(1) Establish a City-Wide Expenses Measure B Settlement appropriation to the City Manager's Office in the amount of \$1,750,000; and

(2) Decrease the Retiree Healthcare Solutions Reserve in the amount of \$1,750,000.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment; and File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project with may result in a potentially significant physical impact on the environment. (City Manager)

Attachments [Memorandum](#)
[Resolution - Part \(a\)](#)

3.5 [17-294](#) **Amendment to the City Pay Plan for Various Classifications.****Recommendation:**

Adopt a resolution to:

(a) Amend the City of San José Pay Plan, effective November 19, 2017, to change the salary range for the following classifications:

(1) Structure/Landscape Designer I (3858) with a salary range of \$72,943.58 - \$92,283.02 annually;

(2) Structure/Landscape Designer II (3842) with a salary range of \$76,592.94 - \$96,959.46 annually;

(b) Amend the City of San José Pay Plan, effective November 19, 2017, to change the salary range for the following classification:

(1) Senior Librarian (6235) with a salary range of \$89,275.80 - \$108,772.31;

(c) Approve a 4.0% ongoing non-pensionable retention premium pay for the Chief of Police U (2227), effective November 19, 2017.

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

Attachments [Memorandum](#)

[Resolution](#)

3.6 [17-265](#) **Actions Related to the Request for Proposal for Transportation Incident Management Center Event Tracking System.**

Recommendation:

Accept the report on the Request for Proposal and adopt a resolution authorizing the City Manager to:

(a) Negotiate and execute an Agreement with Parsons Transportation Group, Inc. (La Palma, CA) for the purchase and deployment of a Transportation Incident Management Center Event Tracking System (System), including software, and professional services for project management, software development, implementation, configuration, training and ongoing support and maintenance for an initial term of twelve years ending on or around December 2029, with a maximum compensation not-to-exceed \$1,678,351, including ten years of post-implementation maintenance and support, subject to the appropriation of funds; and

(b) Execute amendments and change orders as may be required for any unanticipated changes to the City's requirements, not to exceed \$255,000, subject to the appropriation of funds.

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

(Deferred from 11/7/17 - Item 3.6 to 11/28/17 - Item 3.4)

Attachments [Memorandum](#)

3.7 Actions Related to the Approval of Employee Benefit Insurance Agreements. RENUMBERED

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 [17-290](#) **Vacant Storefronts Registry Program.**

Recommendation: As recommended by the Community and Economic Development Committee on October 23, 2017, accept the staff report and establish a mandatory registration program for storefronts in Downtown San José that have been vacant for 30 days and do not possess active City of San José Building Department permits under the parameters outlined in the staff memorandum. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Economic Development/Planning, Building & Code Enforcement)
[Community and Economic Development Committee referral 10/23/17 - Item (d)(3)]

Attachments [Memorandum](#)
[Memorandum from Vice Mayor Carrasco and CMs Peralez & Joi](#)
[Memorandum from Councilmember Jimenez](#)
[Letters from the Public](#)

5. NEIGHBORHOOD SERVICES**6. TRANSPORTATION & AVIATION SERVICES****6.1** [17-283](#) **Actions Related to the Purchase Order with Proterra, Inc. for Airport Electric Buses.**

Recommendation: Adopt a resolution authorizing the City Manager to:
(a) Execute a purchase order with Proterra, Inc. (Burlingame, CA) for the purchase of ten new electric passenger shuttle buses for the Mineta San José International Airport, in an amount not-to-exceed \$7,598,238, excluding applicable sales tax and license fees;
(b) Approve a contingency of \$760,000 for any unforeseen changes or modifications to the design of the vehicles, subject to the appropriation of funds; and
(c) Approve the purchase of additional buses for up to five years from the initial purchase date, 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)

Attachments [Memorandum](#)

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 [17-295](#) Ordinance to add Title 26 to the San José Municipal Code - San José Clean Energy.

Recommendation: Approve an ordinance to add Title 26 to the San José Municipal Code to provide procedures for the operation and management of San José Clean Energy. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Attorney/City Manager)

Attachments [Memorandum](#)
[Supplemental Memorandum](#)
[Ordinance](#)

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

- Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council.

- Adjournment

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

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.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) 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. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.