



# **City Council Meeting**

## **Synopsis**

**Tuesday, October 16, 2018**

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

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- **Call to Order and Roll Call**

9: 38 a.m.- Closed Session, Call to Order in Council Chambers  
**All present.**

1:32 p.m.- Regular Session, Council Chambers, City Hall

- **Invocation (District 9)**

**Zulma Maciel, Director of the Office of Immigrant Affairs provided the Invocation.**

- **Pledge of Allegiance**

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

- **Orders of the Day**

**The Orders of the Day and the Amended Agenda were approved with no changes.**

- **Closed Session Report**

**There was no report.**

## **1. CEREMONIAL ITEMS**

**1.1** Mayor Sam Liccardo and Councilmember Sylvia Arenas presented a proclamation of October 2018 as Pastor Appreciation Month.

**1.2** Mayor Sam Liccardo and Councilmember Donald Rocha presented a commendation to Ben Angileri; a founding board member of the San José Police Foundation, for his efforts and dedication to the San José Police Department and community.

**1.3** Mayor Sam Liccardo and Councilmember Raul Peralez presented a proclamation to recognize POW!WOW! SJ 2018.

## **2. CONSENT CALENDAR**

The Consent Calendar was approved as recommended, with items 2.5 and 2.9 pulled, and the below listed actions taken as indicated.

### **2.2 18-1362 Final Adoption of Ordinances.**

#### **Recommendation:**

(a) Ord. No. 30157 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.15 Gross Acre Situated on the West Side of South Second Street, Approximately 175 Feet Southerly of Margaret Street (735 South Second Street), from the R-2 Two Family Residence Zoning District to the R-M Multiple Residence Zoning District.

**Adopted.**

(b) Ord. No. 30158 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.13-Gross Acre Situated on the Northwest Corner of Michigan Avenue and Archer Street (APN: 015-05-049), from the CN Commercial Neighborhood Zoning District to the R-1-8 Single-Family Residence Zoning District.

**Adopted.**

(c) Ord. No. 30159 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.45-Gross Acre Situated on the Southeast Corner of Murphy Avenue and Ringwood Avenue (1508 Murphy Avenue) from the A Agricultural Zoning District to the RM(PD) Planned Development Zoning District.

**Adopted.**

(d) Ord. No. 30160 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.1-Gross Acres Situated at the Northwest Corner of Lincoln Avenue and Pedro Street (945 Lincoln Avenue) from the CN Commercial Neighborhood Zoning District and R-M Multiple Residence Zoning District to the CIC Combined Industrial/Commercial Zoning District.

**Adopted.**

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**2.2 18-1362**

**Final Adoption of Ordinances. (Cont'd)**

(e) Ord. No. 30161 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 6.4 Gross Acres Situated on the North Side of West Capitol Expressway Approximately 200 Feet Westerly of Snell Avenue and on the West Side of Snell Avenue Approximately 200 Feet Northerly of Capitol Expressway (231 West Capitol Expressway and 3911 Snell Avenue) from the A(PD) Planned Development Zoning District to the LI Light Industrial Zoning District.

**Adopted.**

(f) Ord. No. 30162 - An Ordinance of the City of San José Amending Section 23.02.870 of Chapter 23.02 and Section 23.04.1310 of Chapter 23.04 of Title 23 of the San José Municipal Code to Allow Signs on City-Owned Property, Including Billboards, Programmable Off-site Commercial Speech, and to Make Updates or Other Technical, Non-Substantive Changes, or Formatting Changes Within Those Sections of Title 23.

**Adopted.**

(g) Ord. No. 30156 - An Ordinance of the City of San José to Provide for the Designation of Specified Areas of the City of San José as a Special Event Zone to Prohibit Certain Activities on Public Property Including Peddling, Distribution of Merchandise, Goods or Coupons for a Commercial Purpose, the Sale of Counterfeit Merchandise, and the Flying of Unmanned Aircraft Systems Within the Special Event Zone and to Provide for the Temporary Suspension of the Authority of the Director of the Office of Cultural Affairs Under Part 16 of Chapter 20.80 of Title 20 of the San José Municipal Code to Issue Permits for Temporary Outdoor Uses of Private Property Within the Special Event Zone During the Time Period Beginning at Six O'clock (6:00) A.M. On Friday, December, 28, 2018 and Ending at Six O'clock (6:00) P.M. On Tuesday, January 8, 2019, Relative to the Use of These Areas in Conjunction with the 2019 College Football Playoff's National Championship Related Activities and Events.

**Adopted.**

**2.3 Approval of Council Committee Minutes.**

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

**2.5 City Council Travel Reports.**

**Approved.**

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

**2.7 18-1366**

**Actions Related to the Sale of Five Small Fragments of Autumn Parkway.**

**Recommendation:**

Adopt a resolution:

- (a) Declaring 5,455 square feet of land comprised of five small fragments of land on Autumn Parkway, surplus to the needs of the City; and
- (b) Authorizing the City Manager or his designee to execute a Purchase and Sale Agreement with Michael G. Akatiff and Christy D. Akatiff, Trustee of the Michael G Akatiff and Christy D. Akatiff Revocable Trust in an amount not-to-exceed of \$235,125

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**2.7 18-1366 Actions Related to the Sale of Five Small Fragments of Autumn Parkway. (Cont'd)**

for the purchase of approximately 5,455 square feet of property on Autumn Parkway between Coleman Ave. and W. Julian Street and all other documents necessary to complete the transaction.

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

**Resolution No. 78822 Adopted.**

**Approved as Recommended.**

**2.8 18-1316 Set a Public Hearing for the Cost of Sidewalk Repairs for December 18, 2018.**

**Recommendation:** Adopt a resolution setting a Public Hearing on Tuesday, December 18, 2018 at 1:30 p.m. for the approval of the report from the Director of Finance for the cost of sidewalk repairs.

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

**Resolution No. 78823 Adopted.**

**2.9 18-1368 Japantown Corporation Yard Turnkey Parkland Agreement.**

**Recommendation:** (a) Approve a Turnkey Parkland Agreement between the City of San José and ICS Corporate Yard Multifamily, LLC, a Delaware limited liability company (“Developer”) for the dedication and development of a 0.75 gross acre public park (plaza) and payment of park impact in-lieu fees (as necessary) to satisfy the requirements of the City’s Park Impact ordinance (San José Municipal Code Section 14.25) related to Planned Development Permit File No. PD15-055 (as amended) and Planned Tentative Map File No. PT15-022 (as amended).

**Approved.**

(b) Adopt a resolution authorizing the City Manager or designee to negotiate and execute a right-of-entry and maintenance agreement between the City of San José and Developer for the maintenance of this public park by the Developer for one calendar year after the park opening date.

CEQA: Final Environmental Impact Report for the Japantown Corporation Yard Redevelopment Project (Resolution No. 74384) and Addenda thereto, File No. GP07-03-04. Council District 3. (Parks, Recreation and Neighborhood Services)

**Resolution No. 78824 Adopted.**

**2.10 18-1369 Agreement with Cal Engineering & Geology, Inc. for Engineering Services for the San José Family Camp Project.**

**Recommendation:** Approve an agreement with Cal Engineering & Geology, Inc. for engineering consultant services for the San José Family Camp Project from the date of execution to December 31, 2020, in a maximum total compensation amount of \$545,222.

CEQA: Statutorily Exempt, CEQA Guidelines Section 15269 (a), Emergency Projects, File No. PP18-003. (Public Works)

**Approved.**

**2.11 18-1370 Actions Related to the Change Order No. 2 for 8391-Norman Y. Mineta International Infrastructure for the Zero Emission Buses Project.**

**Recommendation:** (a) Approve an increase to the contingency for the 8391-Norman Y. Mineta International Infrastructure for the Zero Emission Buses project in the amount of \$60,000, for a total contingency amount of \$122,505.  
(b) Approve Contract Change Order No. 2 with Rodan Builders, Inc. in the amount of \$33,628.49.  
CEQA: Determination of Consistency with the Norman Y. Mineta San José International Airport Master Plan Update Project Final Environmental Impact Report (EIR) (Resolution No. 67380), and Final Supplemental EIR, (Resolution No. 71451), and Addenda thereto, File No. PP16-113. (Public Works/Airport)  
**Approved.**

**2.12 18-1388 Settlement of Ruiz v. City of San José.**

**Recommendation:** Approve a settlement in the amount of \$125,000, inclusive of attorney fees, and authorize the City Attorney to execute a Settlement Agreement to settle the case of Ruiz v. City of San José.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney)  
[Deferred from 10/2/18 - Item 2.11 (18-1324)]  
**Approved.**

**2.13 18-1389 Approval of the Senior Winter Walk and Resource Fair Sponsored by Council Districts 10, 9, and 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 3, 2018:  
1. Approve the Senior Winter Walk and Resource Fair scheduled on Friday, February 22, 2019 as a City Council sponsored Special Event and approve the expenditure of funds; and  
2. 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. (Khamis)  
[Rules Committee referral 10/03/18 - Item G.1.a]  
**Approved.**

**2.14 18-1390 AB 2098 (McCarty & Thurmond). Adult Education Block Grant Program: Immigrant Integration.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 3, 2018, pursuant to the City's streamlined bill process for responding quickly to legislative proposals, re-affirm a support position for AB 2098 (McCarty & Thurmond).  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (City Manager)  
[Rules Committee referral 10/03/18 - Item G.3]  
**Approved.**

**2.15 18-1392 Approval of a District 9 Grant to Branham High School.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 3, 2018, approve a \$500 grant to Branham High School to support student educational and recreational needs for its Winter Wishes giving program.  
CEQA: Not a Project; File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Rocha)  
[Rules Committee referral 10/03/18 - Item G.5]  
**Approved.**

**2.16 18-1423 Approval of Office Hours with the Councilmember Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 10, 2018:  
1. Approve the Office Hours with Councilmember event scheduled on October 20, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and  
2. 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. (Diep)  
[Rules Committee referral 10/10/18 - Item G.1.a]  
**Approved.**

**2.17 18-1420 Approval of Coffee Hours Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 10, 2018:  
1. Approve the Coffee Hours scheduled on October 18, 2018, November 1, 2018, November 15, 2018 and November 29, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and  
2. 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 10/10/18 - Item G.1.b]  
**Approved.**

**2.18 18-1421 Approval of Community Events Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 10, 2018:  
1. Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds; and  
a. Meet and Greet at Paseo Senter on Wednesday, October 17, 2018 at the Paseo Senter at Coyote Creek Community Room.

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**2.18 18-1421 Approval of Community Events Sponsored by Council District 7 as a City (Cont'd)**

- b. Clean Up with Tam at Midfield and Havana on Saturday, October 20, 2018 at corner of Midfield and Havana.
- c. VaroWeen on Saturday, October 27, 2018 at Vietnamese American Cultural Center at the George Shirakawa Center.
- d. Halloween Safety Night on Saturday, October 27, 2018 at the Alma Community Center.
- e. Hunger at Home: Roundtable on Homelessness & Hunger on Tuesday, October 30, 2018 at City Hall Rotunda.
- f. Halloween Celebration on Wednesday, October 31, 2018 at the Tully Branch Library.

2. 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 10/10/18 - Item G.1.c]

**Approved.**

**2.19 18-1422 Retroactive Approval of Trash Talks 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.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 10, 2018:

- 1. Approve the Trash Talks scheduled on October 19, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and
- 2. 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 10/10/18 - Item G.1.d]

**Approved.**

**2.20 18-1424 Actions Related to Mayor Liccardo's Staff Travel to Detroit, MI.**

**Recommendation:** Authorize travel, accept travel payments to the City of San Jose, and designate Mayor's staff, Shireen Santosham, as a City representative to attend the CityLab Conference in Detroit, MI from October 28, 2018 to October 30, 2018.

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

[Rules Committee 10/10/18 - Item A.1.a]

**Approved.**

**3. STRATEGIC SUPPORT**

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

**There was no report.**

**3.2 Labor Negotiations Update.**

Accept Labor Negotiations Update.

**Heard at 9:30 A.M.**



**3.3 18-1371**

**2017-2018 City Manager's Annual Report.**

**Recommendation:**

(a) Accept the 2017-2018 City Manager's Annual Report of the Finances of the City of San José in compliance with City Charter Section 701 (F).

**Accepted.**

(b) Adopt Appropriation Ordinance and Funding Sources Resolution amendments in various operating and capital funds to implement the 2017-2018 Annual Report recommendations, including appropriate technical adjustments, as detailed in Section IV (Recommended Budget Adjustments and Clean-Up/Rebudget Actions).

**Ordinance No. 30172 Adopted.**

**Resolution No. 78825 Adopted.**

(c) Approve the following position changes in the Public Works Department:

(1) Add 2.0 Associate Engineer, 1.0 Associate Construction Inspector, 2.0 Engineering Technician II, and 1.0 Information Systems Analyst.

(2) Delete 1.0 Senior Geographic Systems Specialist.

(d) Approve the addition of 1.0 Geographic Information Systems Specialist in the Department of Transportation.

(e) Approve the addition of 1.0 Executive Analyst in the Office of Economic Development.

(f) Approve the deletion of 1.0 Executive Analyst in the City Manager's Office.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism of Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (City Manager)

**Approved.**

**3.4 18-1372**

**Approval of the Terms of an Agreement with the International Association of Firefighters, Local 230 (IAFF, Local 230) and Various Amendments to the Pay Plan for the Classifications of Fire Chief, Assistant Fire Chief, Deputy Fire Chief and Fire Division Chief.**

**Recommendation:**

(a) Adopt a resolution approving the terms of a collective bargaining agreement between the City and the San José Fire Fighters, International Association of Firefighters, Local 230 (IAFF, Local 230) for the term of July 1, 2018, to June 30, 2023, and authorizing the City Manager to execute an agreement with those terms.

**Resolution No. 78826 Adopted.**

(b) Adopt a resolution amending the City of San José Pay Plan effective October 21, 2018 to:

(1) Roll the Holiday-in-Lieu premium pay into the base pay and increase the salary range by approximately 5.623% for the classifications of Fire Chief (2334), Assistant Fire Chief (2333), Deputy Fire Chief (2335), and Fire Division Chief (2331); and

(2) Roll the Emergency Medical Technician premium pay into the base pay and increase the salary range by approximately 3% of top step firefighter pay for the classifications of Fire Chief (2334), Assistant Fire Chief (2333), Deputy Fire Chief (2335), and Fire Division Chief (2331).

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment; and File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Manager)

**Resolution No. 78827 Adopted.**

**3.5 18-1387 Ordinance Modifying the Definition of Compensation to Exclude Non-Pensionable Pay Increases for the Police and Fire Department Retirement Plan.**

**Recommendation:** Approve an ordinance to amend section 3.36.020.3 of Chapter 3.36 of Title 3 of the San José Municipal Code to modify the definition of “Compensation” to exclude non-pensionable pay increases in the Police and Fire Department Retirement Plan, effective on or after January 3, 2016.  
CEQA: Not a Project, File No. PP17-008, General Procedure or Policy Making. (City Manager)  
**Ordinance No. 30173 passed for publication.**

**3.6 18-1373 TEFRA Hearing for the Approval of Conduit Financing for the Lincoln Glen Manor for Senior Citizens Located at 2671 Plummer Avenue.**

**Recommendation:** (a) Hold a Tax Equity and Fiscal Responsibility Act (“TEFRA”) Hearing for the issuance of tax-exempt revenue bonds by the California Municipal Finance Authority in an amount not to exceed \$7,000,000 (“Bonds”) to finance the conversion of twelve independent living units to seventeen memory care units and to make certain other facility capital improvements, all located at its multi-level rental, continuing care retirement community at 2671 Plummer Avenue in San José, California for Lincoln Glen Manor for Senior Citizens, a nonprofit public benefit corporation and an organization described in section 501(c)(3) of the Internal Revenue Code of 1986.  
**Approved.**

(b) Consider adoption of a resolution approving the issuance of the Bonds, by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$7,000,000 to finance: (1) the conversion of 12 independent living units to 17 memory care units and to make certain other capital improvements to the multi-level rental, continuing care retirement community located at 2671 Plummer Avenue in San José, California and (2) certain expenses incurred in connection with the issuance of Bonds.  
CEQA: Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File No. PP18-087. Council District 9. (Finance)  
**Resolution No. 78828 Adopted.**

**3.7 18-1374 Approval of Benefits Consulting and Actuarial Services Agreement with Alliant Employee Benefits.**

**Recommendation:** Adopt a resolution authorizing the City Manager to negotiate and execute an Agreement with Alliant Employee Benefits to provide benefits consulting and actuarial services for a period of 61 months from December 1, 2018 through December 31, 2023, for a maximum amount not to exceed \$1,158,125, subject to the appropriation of funds by the City Council.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Human Resources)  
**Resolution No. 78829 Adopted.**

**3.8 18-1391 Legislative Update from Assemblymember Ash Kalra.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 3, 2018, accept update from Assemblymember Ash Kalra regarding the 2017-2018 legislative session.

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor)  
[Rules Committee referral 10/03/18 - Item G.4]

**Accepted.**

**3.9 18-1393 Ballot Measure to Hold Mayoral Elections Concurrent with Presidential Election.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 3, 2018, adopt a resolution amending the City Charter to hold San José mayoral elections concurrent with national Presidential elections.

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment.  
(Vice Mayor Carrasco, Jones, Jimenez, Rocha)  
[Rules Committee referral 10/03/18 - Item G.6]

**Deferred to December Per Rules and Open Government Committee**

**4. COMMUNITY & ECONOMIC DEVELOPMENT**

**4.1 18-1375 Actions Related to the Agreement with LifeMoves for the Safe Parking Pilot Program.**

**Recommendation:** Adopt a resolution:

(a) Authorizing the Director of Housing to execute an agreement with LifeMoves in the amount of \$250,000 from the Housing Trust Fund to operate a Safe Parking Pilot Program for families from October 16, 2018 through June 30, 2019 at the Seven Trees Community Center overflow parking lot.

(b) Approving an exception to Council Policy 6-16 for this Safe Parking Pilot Program.

CEQA: Categorically Exempt, CEQA Guidelines Section 15301, Existing Facilities, File No. PP18-076. Council District 7. (Housing)

**Resolution No. 78830 Adopted.**

**Approved as Recommended, including approval of the joint Memorandum from Mayor Liccardo with Councilmembers Jones, Davis, Nguyen and Arenas to:**

- 1. Accept staff recommendations and**
- 2. Report back on preliminary progress of the pilot during the upcoming Council discussion of HEAP funding, currently scheduled for November 27, 2018.**

**Also approved is the Memorandum from Councilmember Rocha to:**

- 1. Direct LifeMoves (GRANTEE) to initiate the program with enrollment of up to seventeen (17) households immediately after receiving City Council approval.**
- 2. Clarify that employment status or 'employability' are not factors in qualifying for enrollment in the Safe Parking Pilot Program.**

**This was modified with Councilmember Jimenez' friendly amendment to the motion that when staff comes back with the homeless emergency aid funding item it includes one to two additional safe parking sites that serve different populations other than families, and do a little bit more rather than just one site.**

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**4.1 18-1375 Actions Related to the Agreement with LifeMoves for the Safe Parking (Cont'd)**

This was further added with approval of the following additions:

- 1) Clarify that non-participation in the “housing fund” would not by itself exclude an otherwise qualified family from participation in the safe parking program, and that saving 50% of income included in the community guidelines is goal and not a minimum.
- 2) Clarify that the “community guidelines” requirements can be relaxed by Lifemoves during the pilot as necessary to ensure a successful program that is not a shelter environment.
- 3) Require this item to report back to the first meeting of the Neighborhood Services Committee following a 60-day operation of the Safe Parking Pilot project, and again at the June 2019 NSE Committee meeting.
- 4) Request the Grantee to work with a service provider focused on children, such as First 5 to support the emotional and physical needs of children and families.

**4.2 18-1376 Approval of the Project Labor Agreement.**

**Recommendation:**

Adopt a resolution authorizing the City Manager to negotiate and execute a project labor agreement with the Santa Clara and San Benito Counties Building and Construction Trades Council for an initial term of five years and to require inclusion of the project labor agreement in certain City public works construction contracts exceeding \$3,000,000, a threshold that would be adjusted annually by the consumer price index. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Public Works)

**Resolution No. 78831 Adopted, including approval of Memorandum from Mayor Liccardo with recommendation to:**

- I. Negotiate the final language of the Project Labor Agreement (PLA) consistent with Staff direction;**
- 2. Publish the final agreement on the city website immediately upon completion of final negotiation and drafting;**
- 3. Consult with the Treatment Plant Advisory Committee regarding the specific terms of the PLA at the next available opportunity;**
- 4. Execute immediately after consultation with TPAC, barring any unforeseen objection or issue raised at that hearing;**
- 5. Adopt Councilmember Jones' recommendations F.1., G.1., and G.2., regarding reporting and assessing impacts to small businesses and disadvantaged workers to direct staff to make the following recommendations on items F & G in the staff memorandum:**

**F. Targeted Hiring**

- 1. Direct Staff to provide an Informational Memorandum, annually for the life of the agreement, to the City Council with data on the City's ability to reach its targeted worker goals and any proposed actions that should be taken in the event the City is unable to reach its goals.**

**G. Small Business Exemptions**

- 1. Direct staff to include in their reports back to Council, annually for the life of the agreement, with an assessment on the impact to small businesses for subcontracting opportunities.**
- 2. As part of their report, staff is also directed to both present to and include input from my Small Business Advisory Task Force (SBATF) prior to the report proceeding to any Council Committee or the general Council.**

## **5. NEIGHBORHOOD SERVICES**

## **6. TRANSPORTATION & AVIATION SERVICES**

### **6.1 18-1377 Shared Micro-Mobility.**

**Recommendation:** As recommended by the Transportation and Environmental Committee on August 13, 2018, accept the background information report from City Staff on shared micro - mobility - dockless bikes, electric-assist bikes, and electric scooters - in and around Downtown San José, and provide feedback to staff on a proposed regulatory framework.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Transportation) [Transportation and Environmental Committee referral 8/13/18 - Item D.1] [Deferred from 9/25/18 - Item 6.3 (18-1273)]  
**Deferred to 11/27/18 Per Administration.**

## **7. ENVIRONMENTAL & UTILITY SERVICES**

**7.1 18-1378 DROP - Actions Related to the Recycle Plus Residential Solid Waste Agreements and China's Policy on Importing Recyclable Material.  
Dropped.**

**7.2 18-1379 DROP - Actions Related to the Negotiations of Recycle Plus Residential Solid Waste Agreements.  
Dropped.**

**7.3 18-1380 DROP - Actions Related to the Living Wage Requirements for Recycle Plus Residential Garbage and Recycling Contracts.  
Dropped.**

## **8. PUBLIC SAFETY**

### **8.1 18-1381 City Council Priority #10: Personal Care Business Compliance Initiative.**

**Recommendation:** As recommended by the Public Safety, Finance, & Strategic Support Committee on September 20, 2018, accept a report on the implementation of the City Council Policy Priority #10: Personal Care Business Compliance Initiative.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Police) [Public Safety, Finance, & Strategic Support Committee referral 9/20/18 - Item (d)4]  
**Accepted.**

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

## **10. LAND USE**

- **Open Forum**

**Alaap Murali offered comments on homelessness and domestic violence.**

**Carl Guardino commented on what to do Thanksgiving morning. The Mission this year is to raise money for homeless families.**

- **Adjournment:** 8:01 p.m.