

**DECEMBER 17, 2024 – AMENDED AGENDA**

**PROPOSED ADDITIONS – PRINTED AGENDA**

***APPROVAL OF THE REQUESTS BELOW INCLUDES A SUNSHINE WAIVER***

<h2><b>MAYOR AND COUNCIL REQUESTS</b></h2>
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**Item A.1.a**

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

**Recommendation:**

Request for an excused absence for:

- (a) Councilmember Jimenez from the regular meeting of Public Safety, Finance and Strategic Support Committee on November 21, 2024 due to illness.
- (b) Councilmember Candelas from the regular meeting of Transportation and Environment Committee on December 2, 2024 due to illness.

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

**Item A.1.a**

**2.x Retroactive Approval of the Holiday Festival Special Event Sponsored by Council District 3 as a City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.**

**Recommendation:**

- (a) Retroactively approve the District 3 Holiday Festival scheduled on December 8, 2024, as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Retroactively approve and accept donations from various individuals, businesses, or community groups to support the event; and
- (c) Place the item on the December 17th, 2024, Council Agenda for action.

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

<h2><b>CITY MANAGER’S REQUESTS</b></h2>
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**Item A.1.a**

**2.x Terms of a Side Letter Agreement Between the City of San José and the Municipal Employees' Federation and Amending the City of San José Pay Plan.**

**Recommendation:**

Adopt a resolution:

(a) Approving the terms of a Side Letter Agreement with the Municipal Employees' Federation, AFSCME, Local 101 (MEF) to provide the following effective December 22, 2024:

- (1) Provide employees in the Crime and Intelligence Analyst FT/PT classifications with an approximate 10.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- (2) Provide employees in the Senior Crime and Intelligence Analyst classification with an approximate 7.75% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- (3) Provide employees in the Crime Prevention Specialist FT/PT classifications with an approximate 6.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- (4) Provide employees in the Crime Prevention Supervisor classification with an approximate 1.25% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- (5) Provide employees in the Hazardous Materials Inspector I classification with an approximate 1.60% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- (6) Provide employees in the Hazardous Materials Inspector II classification with an approximate 1.60% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- (7) Provide employees in the Police Property Specialist I classification with an approximate 4.25% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties;
- (8) Provide employees in the Police Property Specialist II classification with an approximate 16.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties; and
- (9) Provide employees in the Urban Forestry Inspector I classification with an approximate 16.00% pensionable base pay increase consistent with the Side Letter Agreement that has been signed by all parties.

(b) Amending the City of San José Pay Plan effective December 22, 2024 as follows;

- (1) Retitle the Arborist Technician (3406) classification to Urban Forestry Inspector I (3406).
- (2) Create the following classification:
  - (i) Urban Forestry Inspector II (3407) with a salary range of \$90,084.80 – \$109,366.40.
- (3) Delete the following classifications:
  - (i) Groundskeeper FT/PT (3410 / 3409);
  - (ii) Groundswoker (3411); and
  - (iii) Street Sweeper Operator (3342).

(4) Increase the pensionable salary range of the classifications of Crime and Intelligence Analyst FT/PT (1187 / 1188) to \$88,816.00 – \$108,014.40 annually;

- (5) Increase the pensionable salary range of the classification of Senior Crime and Intelligence Analyst (1186) to \$102,294.40 – \$124,217.60 annually;
  - (6) Increase the pensionable salary range of the classification of Crime Prevention Specialist FT/PT (2231 / 2232) to \$81,411.20 – \$98,924.80 annually;
  - (7) Increase the pensionable salary range of the classification of Crime Prevention Supervisor (2234) to \$93,620.80 – \$113,776.00 annually;
  - (8) Increase the pensionable salary range of the classification of Police Property Specialist I (1521) to \$61,193.60 – \$74,464.00 annually;
  - (9) Increase the pensionable salary range of the classification of Police Property Specialist II (1522) to \$71,156.80 – \$86,424.00 annually;
  - (10) Increase the pensionable salary range of the classification of Urban Forestry Inspector I (3406) to \$81,785.60 – \$99,320.00 annually;
  - (11) Increase the pensionable salary range of the classification of Senior Urban Forestry Inspector (3422) to \$98,820.80 – \$120,369.60 annually;
  - (12) Increase the pensionable salary range of the classification of Hazardous Materials Inspector I (2321) to \$103,480.00 – \$125,715.20 annually; and
  - (13) Increase the pensionable salary range of the classification of Hazardous Materials Inspector II (2322) to \$114,088.00 – \$138,611.20 annually.
- CEQA: Not a Project, File No. PP17-010, General Procedure and Policy Making resulting in no changes to the physical environment. (City Manager)

**Item A.1.a**

**2.x Actions Related to the Purchase Order with Gillig LLC for Electric Buses.**

**Recommendation:**

Adopt a resolution authorizing the City Manager or her designee to:

- (a) Execute a purchase order with Gillig LLC (Livermore, CA) for new 40' low floor plus electric buses with a 290" wheelbase beginning on or about January 2, 2025, and ending on or about January 1, 2026, for a not-to-exceed amount of \$4,722,000; and
- (b) Exercise up to six one-year options to extend the term of the purchase order, with the last option ending on or about January 1, 2032, 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)

**Item A.1.a**

**10.3 PP24 011 - City Streamlined Review Process for Infill Housing Development.**

**Recommendation:**

- (a) Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental EIR (Resolution No. 77617), and Addenda thereto.
- (b) Approve an ordinance amending various sections of Title 20 of the San José Municipal Code (Zoning Code or Zoning Ordinance) to:
  - (1) Amend Chapter 20.55 to include amendments to Section 20.55.203, Table 20-138 to allow Streamlined Infill Housing Development and adding Notes 27 and 28.
  - (2) Amend Chapter 20.195 to include amendments to:
    - (i) Section 20.195.010 to include a local ministerial approval process for Streamlined Infill Housing Developments in the purpose of Chapter 20.195;
    - (ii) Section 20.195.020 to add the definition of Infill;
    - (iii) Section 20.195.070 to allow Streamlined Infill Housing Development to qualify for the Local Ministerial Approvals;
    - (iv) Section 20.195.080 to amend existing ministerial standards and add a new standard;
    - (v) Section 20.195.090 to state that projects must comply with Chapter 5.08, as amended;
    - (vi) Section 20.195.100 to add permit conditions; and
    - (vii) Add a new Part 4 of Chapter 20.195 to allow ministerial approval for Streamlined Infill Housing Developments.
  - (3) Amend Chapter 20.200 to add a new definition for Streamlined Review for Infill Housing Development.
  - (4) Adopt a resolution approving standard environmental planning permit conditions for projects approved under the local ministerial ordinance as described in section 20.195.100.F of the San José Municipal Code.***

CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and 2023 - 2031 Housing Element Update Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto. Planning Commission recommends approval (7-1-1, Oliviero opposed, Barocio absent) (Item 5.b on the 12/4/2024 Planning Commission agenda). (Planning, Building and Code Enforcement)

**Item A.1.c**

**8.1 Second Substantial Amendment to the Fiscal Year 2021-2022 Annual Action Plan to Report the Updates to the HOME Investment Partnerships American Rescue Plan Program Allocation Awarded by the United States Department of Housing and Urban Development to the City of San José.**

**Recommendation:**

- (a) Hold a public hearing to allow for public comment on the Second Substantial Amendment to the Fiscal Year 2021-2022 Annual Action Plan.
  - (b) Adopt a resolution relating to the following actions regarding a Second Substantial Amendment to the existing Fiscal Year 2021-2022 Annual Action Plan to report on the HOME Investment Partnerships American Rescue Plan Program Allocation Plan using HOME Investment Partnerships American Rescue Plan Program allocation funding awarded by the United States Department of Housing and Urban Development to the City of San José:
    - (1) Approve the changes relating to the Second Substantial Amendment to the Fiscal Year 2021-2022 Annual Action Plan to apply to the HOME Investment Partnerships American Rescue Plan Program Allocation Plan; and
    - (2) Authorize the Housing Department to submit the Second Substantial Amendment to the United States Department of Housing and Urban Development.
  - (c) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute agreements for the following tenant-based rental assistance programs in which these services will begin during Fiscal Year 2024-2025:
    - (1) County of Santa Clara's Office of Supportive Housing for Rental Assistance for the Tenant-Based Rental Assistance Program in an amount not to exceed \$7,500,000 from February 1, 2025 through June 30, 2030;
    - (2) County of Santa Clara's Office of Supportive Housing for Supportive Services for the Tenant-Based Rental Assistance Program in an amount not to exceed \$2,424,884 from February 1, 2025 through June 30, 2030; and
    - (3) County of Santa Clara's Office of Supportive Housing for the Administration of the Tenant-Based Rental Assistance Program in an amount not to exceed \$1,000,000 from February 1, 2025 through June 30, 2030.
  - (d) Adopt the following Fiscal Year 2024-2025 Appropriation Ordinance amendments in the HOME Investment Partnership Program Fund:
    - (1) Decrease the Supportive Services appropriation to the Housing Department by \$3,000,000;
    - (2) Decrease the Housing Project Reserve by \$1,751,450; and
    - (3) Increase the Tenant Based Rental Assistance appropriation to the Housing Department by \$4,751,450.
- CEQA: Not a Project, File No. PP17 004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment, and File No. PP17 003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Housing/City Manager)

## CITY ATTORNEY'S REQUESTS

### **Item A.1.a**

#### **2.x Settlement of Claim by California River Watch.**

#### **Recommendation:**

Approve the settlement of California River Watch's 60-day Notice of Intent to Sue for affirmative relief and attorney's fees and costs and authorize the City Attorney to execute a settlement agreement. CEQA: Not a Project; File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney)

## CITY CLERK'S REQUESTS