



# **City Council Meeting Amended Agenda**

**Tuesday, November 6, 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



*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](mailto: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.

- 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

[18-1339](#) Closed Session Agenda

**Attachments** [Closed Session Agenda](#)

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

- Invocation (District 10)

Najib Haddad and the North Band.

- Pledge of Allegiance

- Orders of the Day

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

- Closed Session Report

## **1. CEREMONIAL ITEMS**

1.1 Presentation of a proclamation recognizing Saturday, November 24, 2018 as Small Business Saturday in the City of San José. (Khamis)

1.2 Presentation of a proclamation declaring November 2018 as National Adoption Awareness Month. (Davis)

## **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.**

**2.2 Final Adoption of Ordinances.**

[18-1494](#)**Final Adoption of Ordinances.****Recommendation:**

(a) Ord. No. 30174 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.29 Gross Acre Situated on the South Side of Aborn Road, Approximately 111 Feet Easterly of Nieman Boulevard (2462 Aborn Road) from the A Agricultural Zoning District to the R-1-8 Single-Family Zoning District.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.

(b) Ord. No. 30175 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.44, Gross Acre Situated on the South Side of Pegasus Way, Approximately 200 Feet Easterly of Tulare Hill Road (APN: 706-11-021), from the A Agricultural Zoning District to the R-1-8 Single-Family Residence Zoning District.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.

(c) Ord. No. 30176 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 21- Gross Acres Situated on the East Side of Dove Hill Road, Approximately 500 Feet North of Hassler Parkway (4200 Dove Hill Road) from the A Agricultural Zoning District to the PQP(PD) Planned Development Zoning District.

CEQA: Mitigated Negative Declaration for the Dove Hill Medical Care Facility Project, File Nos. PDC14-051 and PD16-019.

(d) Ord. No. 30177 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.22 Gross Acres Situated on the Northwest Corner of West Julian Street and Stockton Avenue (715 West Julian Street) from the Commercial Pedestrian Zoning District to the CP(PD) Commercial Pedestrian Planned Development Zoning District.

CEQA: Addendum to the Diridon Station Area Plan Final Program EIR (Resolution No.77096), Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), Envision San José 2040 General Plan Supplemental Environmental Impact Report Supplemental EIR (Resolution No. 77617), and Addenda thereto.

**2.3 Approval of Council Committee Minutes.****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 [18-1474](#) Hammer Theatre Center Operations and Maintenance Agreement.****Recommendation:**

As recommended by the Community & Economic Development Committee on October 22, 2018, accept report and approve an amendment to the agreement with San José State University through June 30, 2020 to operate and maintain the Hammer Theatre Center in an amount not to exceed \$285,000 per year, subject to the annual appropriation of funds.

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)

[Community & Economic Development Committee referral 10/22/18 - Item (d)4]

**Attachments**[Memorandum](#)[Agreement](#)[FY 2017-2018 Event Calendar](#)[Fall 2018 Programming Brochure](#)**2.8 [18-1476](#) Actions Related to Purchase Order 55756 with Security Alert Systems of California.****Recommendation:**

Adopt a resolution authorizing the City Manager to execute an amendment to Purchase Order 55756 with Security Alert Systems of California (Gilroy, CA) to increase the amount of total compensation by \$275,000, for a revised maximum compensation not to exceed \$500,000; and extend the term of the purchase order by nine months to August 13, 2019 for ongoing monitoring and repair of security and fire alarms.

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**    [18-1477](#)    **Amendments to the City of San José Pay Plan.**

**Recommendation:**    Adopt a resolution to amend the City of San José Pay Plan effective November 18, 2018, to:

- (a) Change the salary range for the following classifications:
- (1) Staff Specialist FT/PT (1622/1624) with a salary range of \$59,342.40 - \$72,113.60 to a new salary range of \$59,924.80 - \$72,841.60 annually;
- (b) Retitle the following classifications:
- (1) Currently Administrative Assistant C FT/PT to Administrative Assistant FT/PT (1159/8159);
  - (2) Currently Analyst I/II C FT/PT to Analyst I/II FT/PT (1627/1630/1632/1635); and
  - (3) Currently Legal Administrative Assistant I/II C FT/PT to Legal Administrative Assistant I/II FT/PT (1167/1153/1168/1154);
- (c) Delete the following classifications:
- (1) Legislative Research Specialist U (1662);
  - (2) Network Engineer C FT/PT (8555/8556);
  - (3) Network Technician C I/II/III FT/PT (8550/8557/8551/8552/8553/8554);
  - (4) Office Specialist C I/II FT/PT (1127/1129/1131/1134);
  - (5) Secretary C FT/PT (1157/1158); and
  - (6) Staff Technician FT/PT (1623/1660).

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Human Resources)

**Attachments**    [Memorandum](#)  
[Resolution](#)

**2.10**    [18-1486](#)    **Operation and Maintenance Agreement between the Santa Clara Valley Transportation Authority and the City of San José for the Santa Clara/Alum Rock Bus Rapid Transit Project.**

**Recommendation:**    Approve the Operation and Maintenance Agreement between the Santa Clara Valley Transportation Authority and the City of San José for the Santa Clara/Alum Rock Bus Rapid Transit Project.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council Districts 3, 5 and 8. (Transportation)

**Attachments**    [Memorandum](#)  
[Agreement](#)



**2.11** [18-1487](#) **San José Property-Based Improvement District Annual Financial Report.**

**Recommendation:** Approve the downtown San José Property-Based Improvement District Annual Financial Report for FY 2017-2018.  
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)

**Attachments** [Memorandum](#)

**2.12** [18-1516](#) **Retroactive Request for Travel for Mayor Liccardo.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, retroactively authorize travel for Mayor Sam Liccardo to Detroit, MI from October 27 - 29, 2018 to attend CityLab: Urban Solutions to Global Challenges, to speak on the panel. (Source of Funds: Bloomberg Philanthropies)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment.  
[Rules and Government Committee referral 10/31/18 - Item A.1.a]

**Attachments** [Memorandum](#)

**2.13** [18-1517](#) **Request for Travel for Mayor Liccardo.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel for Mayor Sam Liccardo to Los Angeles, CA on November 15, 2018 to speak at Upswell and LA CoMotion Leadership Summit. (Source of Funds: Independent Sector)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor Liccardo)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Attachments** [Memorandum](#)

**2.14** [18-1519](#) **Vice Mayor's Travel to Garden Grove, CA.****Recommendation:**

As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel for Vice Mayor Carrasco to Garden Grove, CA on November 29-30, 2018 as the alternate for Mayor Liccardo on the League of California Cities at their quarterly Board of Directors meeting. (Source of Funds: District 5 Office Budget)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Vice Mayor Carrasco)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Attachments** [Memorandum](#)

**2.15** [18-1518](#) **Vice Mayor's Travel to Los Angeles, CA.****Recommendation:**

As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel for Vice Mayor Carrasco to Los Angeles, CA to represent the City of San José at the Sister Cities International Fall Conference on November 7-9, 2018. (Source of Funds: District 5 Office Budget)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Vice Mayor Carrasco)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Attachments** [Memorandum](#)

**2.16** [18-1520](#) **Mayor's Staff Travel to Los Angeles, CA.****Recommendation:**

As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Nicholas Almeida, as a City representative to attend the Encore Summit from November 12-14, 2018 in Los Angeles, CA. (Source of Funds: Civic Ventures dba Encore.org)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Vice Mayor Carrasco)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Attachments** [Memorandum](#)

**2.17** [18-1521](#) **Mayor's Staff Travel to Washington, D.C.****Recommendation:**

As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Ingrid Holguin, to represent Mayor Liccardo's office at The National League of Cities' Institute for Youth, Education, and Families convening of Mayors' Education Policy Advisors Network from November 14-16, 2018 in Washington, D.C. (Source of Funds: National League of Cities, Mayor's Office Budget) CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor Liccardo)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Attachments** [Memorandum](#)

**2.18** [18-1522](#) **Mayor's Staff Travel to Los Angeles, CA.****Recommendation:**

As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Shireen Santosham, as a City representative to attend the Knight Foundation Autonomous Vehicle Convening for program grantees in Los Angeles, CA from November 13-14, 2018. (Source of Funds: Knight Foundation) CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor Liccardo)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Attachments** [Memorandum](#)

**2.19**    [18-1523](#)            **Approval of Westgate Church Beautification Day Sponsored by Council District 10 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 31, 2018:

1. Approve the WestGate Church Beautification Day scheduled on November 10, 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. (Khamis)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Attachments**    [Memorandum](#)

**2.20**    [18-1524](#)            **Approval of Community Events Sponsored by Council District 7 as a City Council Sponsored Special Events 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 31, 2018:

1. Retroactively approve the following District 7 events as a City Council sponsored Special Event and approve the expenditure of funds:
  - a. Trunk or Treat on Wednesday, October 31, 2018 at the SevenTrees Community Center.
  - b. Santee Halloween Family Night on Wednesday, October 31, 2018 at the Franklin McKinley Children's Initiative Center.
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 10/31/18 - Item G.1.a]

**Attachments**    [Memorandum](#)

**2.21** [18-1525](#) **Approval of a District 9 Grant to Bagby Elementary School.****Recommendation:**

As recommended by the Rules and Open Government Committee on October 31, 2018, approve a \$1,000 grant to Bagby Elementary School to support student educational and recreational needs.

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

[Rules Committee referral 10/31/18 - Item G.1.b]

**Attachments** [Memorandum](#)

**2.22** [18-1512](#) **Actions Related to Councilmember Lan Diep's Travel to Washington, DC.****Recommendation:**

1. Authorize domestic travel for Councilmember Lan Diep to Washington, DC from December 6-8, 2018 to attend a leadership and policy summit for minority elected officials organized by the New American Leaders (Source of Funds: New American Leaders/ The Fund for the City of New York);
2. Excuse Councilmember Diep from the December 6, 2018 meeting of the Smart Cities & Services Improvements Committee; and
3. Authorize the use of District 4 funds for incidental expenses related to official travel.

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

[Deferred from 10/30/18 - Item 2.4.b (18-1505)]

**Attachments** [Memorandum](#)

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

**3.3**    [18-1479](#)            **Intergovernmental Relations Process Changes.**

**Recommendation:**    Approve an updated process for taking positions on legislation and regulation.

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

**Attachments**    [Memorandum](#)  
[Memorandum from Arenas, 11/05/2018](#)

**3.4**    [18-1478](#)            **2019 Legislative Guiding Principles and Program.**

**Recommendation:**    Adopt the 2019 Legislative Guiding Principles and Program.

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)

**Attachments**    [Memorandum](#)  
[Memorandum from Carrasco, 11/05/2018](#)  
[Memorandum from Arenas, 11/05/2018](#)

**4. COMMUNITY & ECONOMIC DEVELOPMENT****4.1**    [18-1480](#)            **Actions Related to Downtown High Rise Residential Incentive for 171 Post Street.**

**Recommendation:**    Conduct a Public Hearing regarding an economic development subsidy in connection with a reduction in construction taxes and parkland fees for a Downtown residential high-rise at 171 Post Street in the amount of \$2,910,324, pursuant to California Government Code Section 53083 and Open Government Resolution Section 2.3.2.6 C.

CEQA: Addendum to the Downtown Strategy 2000 Final Environmental Impact Report (Resolution no. 72767), Envision San José 2040 General Plan Final Impact Report (Resolution no. 76041), the Envision San José 2040 General Plan Final Supplemental Environmental Impact Report (Resolution no. 77617), and addenda thereto. (Economic Development)

**Attachments**    [Memorandum](#)  
[Memorandum from Peralez, 11/06/18](#)

**4.2**    [18-1481](#)            **Actions Related to the Grant Agreement Funding by Destination: Home SV.****Recommendation:**

(a) Adopt a resolution authorizing the City Manager to negotiate and execute a Grant Agreement funded by Destination: Home SV to fund a Planner III position in the Department of Planning, Building and Code Enforcement for up to three years in the amount of \$540,000 to expedite applications for supportive or extremely low-income housing developments.

(b) Add 1.0 Planner III position, limit dated through June 30, 2019, in the Department of Planning, Building and Code Enforcement.

(c) Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:

(1) Establish a City-Wide Expenses appropriation to the Planning, Building and Code Enforcement Department for the Destination: Home SV Grant in the amount of \$180,000; and

(2) Increase the estimate for Other Revenue by \$180,000.

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/Planning, Building and Code Enforcement/City Manager)

**Attachments**    [Memorandum](#)

**4.3**    [18-1482](#)            **2018-2019 Fee Resolution for the Off-Site Tree Replacement Process.****Recommendation:**

Adopt a resolution amending the 2018-2019 Schedule of Fees and Charges (Resolution No. 72737, as amended) to establish an Off-Site Tree Replacement Fee of \$755.00 per off-site tree for all tree removal or entitlement permits.

CEQA: Not a Project, File No. PP17-005, Adjustment to Fees, Rates & Fares without changes to or expansion of services. (Planning, Building and Code Enforcement/Transportation/City Manager)

**Attachments**    [Memorandum](#)  
[Resolution](#)

**4.4**    [18-1515](#)            **Purchase and Sale Agreement with JMA Ventures for the Hayes Mansion.**

**Recommendation:**    Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the Purchase and Sale Agreement with JMA Ventures for the sale of the Hayes Mansion to include sharing a portion of the Furniture, Fixtures, and Equipment Reserve Account balance, not to exceed \$2,400,000.

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

**Attachments**    [Memorandum](#)

**5. NEIGHBORHOOD SERVICES****5.1**    [18-1509](#)            **Anti-Graffiti and Anti-Litter Programs Annual Report.**

**Recommendation:**    As recommended by the Neighborhood Services and Education Committee on October 11, 2018, accept the Anti-Graffiti and Anti-Litter Programs Annual Report.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Parks, Recreation and Neighborhood Services)  
[Neighborhood Services and Education Committee referral 10/11/18 - Item D.6]

[Deferred from 10/30/18 Item 5.1 (18-1443)]

**Attachments**    [Memorandum](#)  
[Presentation, 10/11/2018, NSE](#)  
[Memorandum from Liccardo, 11/05/2018](#)  
[Memorandum from Vice Mayor Carrasco, 11/02/2018](#)  
[Memorandum from Arenas and Peralez, 11/02/2018](#)

**6. TRANSPORTATION & AVIATION SERVICES**



**6.1**     [18-1483](#)     **Transportation Security Administration Perimeter Security Authorization.****Recommendation:**

Adopt a resolution authorizing the City Manager to apply for, execute, and accept upon receipt grants and any other required documents from the Transportation Security Administration for the City to accept design services, equipment, construction services, and analysis of various perimeter security equipment and technologies at the Norman Y. Mineta San José International Airport in an amount not to exceed \$10,000,000. CEQA: Not a Project, File No. PP17-079, Determination of Consistency with the Final Environmental Impact Record, as Supplemented, for the San José International Airport Master Plan Update (Resolution nos. 67380 and 71451). (Airport)

**Attachments**     [Memorandum](#)  
                          [Resolution](#)

**6.2**     [18-1484](#)     **Transportation Security Administration Law Enforcement Officer Reimbursement Program Other Transaction Agreement.****Recommendation:**

(a) Adopt a resolution authorizing the City Manager to extend Other Transaction Agreement Award Number HSTS02-16-H-SLR664 with the Transportation Security Administration to fund eligible costs for deployment of law enforcement officers at each airport passenger-screening location at the Norman Y. Mineta San José International Airport from January 1, 2019 to December 31, 2019 in the amount of approximately \$1,425,000.

(b) Adopt a resolution authorizing the City Manager to apply for federal funding, negotiate, and execute an Other Transaction Agreement Award with the Transportation Security Administration to fund eligible costs for deployment of law enforcement officers at each airport passenger-screening location at the Airport in the estimated amount of \$4,536,000 for the period from January 1, 2020 to December 31, 2022. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Airport)

**Attachments**     [Memorandum](#)  
                          [\(a\) Resolution](#)  
                          [\(b\) Resolution](#)

**6.3**    [18-1485](#)    **Airport Improvement Program Grant Authorization for the Airfield Electrical System Rehabilitation Project.**

**Recommendation:**    Adopt a resolution authorizing the City Manager to apply for, execute, and accept upon receipt, grants from the Federal Aviation Administration to continue the Airfield Electrical System Rehabilitation project at the Norman Y. Mineta San José International Airport in an additional amount not to exceed \$7,600,000.

CEQA: PP17-079, Determination of Consistency with the Final Environmental Impact Report, as Supplemented, for the San José International Airport Master Plan Update (Resolutions nos. 67380 and 71451). (Airport)

**Attachments**    [Memorandum](#)  
[Resolution](#)

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

**7.1**    [18-1488](#)            **Power Procurement, Rate Setting and Power Mix for San José Clean Energy.**

**Recommendation:**

(a) Approve San José Clean Energy's GreenSource base product that residential and commercial customers will be enrolled in 2019 to include a power mix of at least 80% Greenhouse Gas free energy with at least 45% renewable energy and the TrueGreen product to include a power mix of 100% Renewable Energy.

(b) Adopt a resolution authorizing the Director of Community Energy or her designee to negotiate and execute supply contracts for Calendar Year 2019 for Energy, Renewable Energy and Renewable Energy Credits, Resource Adequacy, and Greenhouse Gas free power and attributes using the Edison Electric Institute Agreement or the Western Systems Power Pool Agreement and to transact for balancing energy and other necessary services from the California Independent System Operator through the Northern California Power Authority, increasing the authorization by \$156,000,000 from \$70,000,000 to an amount not to exceed \$226,000,000 in aggregate through Calendar Year 2019.

(c) Approve San José Clean Energy to set rates for the GreenSource product to be one percent below Pacific Gas and Electric Company's generation rates, after accounting for the franchise fees and the Power Charge Indifference Adjustment across all rate classes for 2019 and for TrueGreen to be 0.5-1 cent per kWh higher than San José Clean Energy's GreenSource base product.

(d) Approve adjusting the launch for residential and commercial customers from March of 2019 to February of 2019. Approve delaying the enrollment of Phase II non-City small commercial and residential net energy metered customers until San José Clean Energy has paid off debt, built at least 120 days of operating expenses in a financial reserve, and can cover the cost to serve these customers through rates that are lower than Pacific Gas and Electric Company's rates.

(e) Adopt the following Fiscal Year 2018-2019 Appropriation Ordinance and Funding Sources Resolutions amendments in the San José Clean Energy Fund:

(1) Decrease the Beginning Fund Balance - Operations and Maintenance Reserve by \$500,000;

(2) Increase the estimate for Fees, Rates, and Charges by \$15,831,000;

(3) Increase the Cost of Energy appropriation to the Community Energy Department in the amount of \$9,954,000;

(4) Increase the Community Energy Non-Personal/Equipment appropriation by \$641,000;

(5) Increase the Bonding and Security appropriation to the Community Energy Department by \$50,000;

(6) Rename the Pacific Gas & Electric Security Deposit appropriation to Pacific Gas & Electric Fees;

(7) Decrease the Pacific Gas & Electric Fees appropriation by \$1,000,000;

(8) Establish the Debt Service - Interest - CP appropriation to the Community Energy Department in the amount of \$460,000;

(9) Increase the Ending Fund Balance - Operations and Maintenance Reserve in the amount of \$6,734,000; and

(10) Decrease the Unrestricted Ending Fund Balance by \$1,508,000.

(f) Approve the addition of a 1.0 Division Manager position (Regulatory and Legislative Policy) to the Community Energy Department.

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

(Community Energy)

**Attachments** [Memorandum](#)

## **8. PUBLIC SAFETY**

**8.1** [18-1490](#) **Proposed Renaming of the Police Substation Located at 6087 Great Oaks Parkway to the Chaplain Dave Bridgen Southern Police Station.**

**Recommendation:** As recommended by the Public Safety, Finance, & Strategic Support Committee on October 18, 2018, approve the Police Department's request to rename the Police Substation (6087 Great Oaks Parkway) to the Chaplain Dave Bridgen Southern Police Station in honor of the late Police Chaplain Dave Bridgen.

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

[Public Safety, Finance, & Strategic Support Committee referral 10/18/18 - Item (d)3]

**Attachments** [Memorandum](#)

[Attachment A](#)

[Attachment B](#)

[Memorandum from Jimenez and Peralez, 11-02-2018](#)

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

**9.1**     [18-1489](#)     **Actions Related to a Termination Agreement and Release with Integrated Device Technology.**

**Recommendation:**     Approve a Termination Agreement and Release between the Successor Agency to the Redevelopment Agency of the City of San José and Integrated Device Technology whereby Integrated Device Technology would be paid a lump sum payment of \$617,249.50 to terminate the agreements with the Successor Agency, thereby, saving the Successor Agency \$264,535.50 over the life of such agreements.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Successor Agency)

**Attachments**     [Memorandum](#)  
                          [Supplemental Memorandum, 11/02/2018](#)  
                          [Agreement](#)

## **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

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

FOR APPROVAL:

Tract: 10463

Location: Raleigh Rd/Coronado Ave (North of HWY 85)

District: 2

Lots/Units: 28/123

Type: SFA

Proposed Decision: Approved

Developer: Pulte Group

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## 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.