



# **City Council Meeting MINUTES**

**Tuesday, January 25, 2022**

**1:30 PM**

**Virtual Meeting - <https://sanjoseca.zoom.us/j/99346843938>**

SAM LICCARDO, MAYOR  
CHAPPIE JONES, VICE MAYOR, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
RAUL PERALEZ, DISTRICT 3  
DAVID COHEN, DISTRICT 4  
MAGDALENA CARRASCO, DISTRICT 5  
DEV DAVIS, DISTRICT 6  
MAYA ESPARZA, DISTRICT 7  
SYLVIA ARENAS, DISTRICT 8  
PAM FOLEY, DISTRICT 9  
MATT MAHAN, DISTRICT 10



## MINUTES OF THE CITY COUNCIL

**JANUARY 25, 2022**

### **\* COVID-19 NOTICE \***

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323 and 80343, Councilmembers will be teleconferencing from remote locations.

### **• Call to Order and Roll Call**

9:30 a.m.- Closed Session

**22-007** Closed Session: **See Page 22 for Closed Session Minutes.**

1:30 p.m.- Regular Session: Carrasco, Arenas, Davis, Mahan, Jimenez, Jones, Cohen, Esparza, Peralez, Foley; Liccardo.

Absent: Councilmembers - All Present.

6:00 p.m.- Evening Session - Cancelled

### **• Pledge of Allegiance**

Mayor Sam Liccardo led the Pledge of Allegiance.

### **• Invocation (District 1)**

Brandon Luu, Board Member, San José Poetry Center, offered an original poem “Fruit” and spoke to art as an outlet.

### **• Orders of the Day**

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

### **• Closed Session Report**

None provided.

## **1. CEREMONIAL ITEMS**

1.1 Councilmember Sergio Jimenez offered a proclamation recognizing January 25, 2022 as International Holocaust Remembrance Day; he introduced Boris Kaplevich, a survivor of the holocaust, who shared his personal story and was honored for his courage, activism and strength.

## 1. CEREMONIAL ITEMS (Cont'd.)

- 1.2 Councilmember Raul Perez declared January 24, 2022 as International Day of Education, honoring all who are passionate advocates for students and presented a proclamation to Patrick Bernhardt, San José teachers' Association.

## 2. CONSENT CALENDAR

Public Comments: Paul Soto, Blair Beekman and former Councilmember Pierluigi Oliverio offered comments.

Rob Lloyd responded to questions from Council regarding Item 2.12.

Upon motion by Councilmember Raul Perez, seconded by Councilmember Dev Davis and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

### **2.1 22-092            Approval of City Council Minutes.**

(a) City Council Special Meeting - Climate Smart San José Minutes of November 8, 2021.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, and Annual Reports, and Informational Memos

Action: Council Minutes were accepted. (11-0.)

### **2.2 22-044            Final Adoption of Ordinances.**

(a) Ordinance No. 30712 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 2.77 Gross Acres Situated on the South Side of East Santa Clara Street, East of South 26th Street, and North of Shortridge Avenue (1260 East Santa Clara Street; APNs: 467-33-001, 467-33-002, 467-33-003, 467-33-004, 467-33-006, 467-33-007, and 467-33-008) from the CG Commercial General Zoning District and LI Light Industrial Zoning District to a CP(PD) Planned Development Zoning District.

[Passed for Publication on 1/11/2022 - Item 10.2(b) (21-2649)]

(b) Ordinance No. 30713 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.69 Gross Acre Situated on the East Side of South Winchester Boulevard Approximately 270 Feet South of Fireside Drive (1212-1224 South Winchester Boulevard) (APNs: 279-17-020 & 279-17-021) from the R-1-8 Single-Family Residence Zoning District to the CP Commercial Pedestrian Zoning District.

[Passed for Publication on 1/11/2022 - Item 10.3(b) (21-2650)]

Action: (a) Ordinance No. 30712 and (b) Ordinance No. 30713 were adopted. (11-0.)

## **2.3 22-093**

### **Approval of Council Committee Minutes.**

- (a) Special Neighborhood Services and Education Committee Meeting Minutes of November 4, 2021.
  - (b) Regular Neighborhood Services and Education Committee Meeting Minutes of December 9, 2021.
  - (c) Regular Neighborhood Services and Education Committee Meeting Minutes of January 13, 2022.
  - (d) Joint County of Santa Clara/Public Safety, Finance and Strategic Support Committee Special Meeting - Gender-Based Violence and Child Sexual Abuse Minutes of November 5, 2021.
  - (e) Regular Public Safety, Finance and Strategic Support Committee Meeting Minutes of November 18, 2021.
  - (f) Regular Public Safety, Finance and Strategic Support Committee Meeting Minutes of December 16, 2021.
  - (g) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of November 17, 2021.
  - (h) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of December 1, 2021.
  - (i) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of December 8, 2021.
  - (j) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of January 5, 2022.
  - (k) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of January 12, 2022.
  - (l) Regular Community and Economic Development Committee Meeting Minutes of November 22, 2021.
  - (m) Regular Smart Cities and Service Improvements Committee Meeting Minutes of December 2, 2021.
  - (n) Regular Transportation and Environment Committee Meeting Minutes of December 6, 2021.
- CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Action: Council Committee Minutes were accepted. (11-0.)

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

None provided.

## **2.5 City Council Travel Reports.**

None provided.

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

None provided.

**2.7 22-022 Calling for Municipal Elections on June 7, 2022 and November 8, 2022.**

Adopt a resolution calling for a Regular Municipal Election on June 7, 2022 and a Run-Off Municipal Election on November 8, 2022, if necessary, for the purpose of electing a Mayor and Council Members for Districts 1, 3, 5, 7, and 9 and requesting consolidation with the County of Santa Clara.

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

Action: **Resolution No. 80349** regarding a Regular Municipal Election on June 7, 2022 and a Run-Off Municipal Election on November 8, 2022 was adopted. (11-0.)

**2.8 22-025 Retroactive Approval of City Hall Tower and Rotunda Lighting Events During January 2022 and February 2022 in Colors Associated with the Celebration of Dr. Martin Luther King Jr. Day, and Tet Vietnamese and Chinese New Year Festivals.**

Retroactively approve City Hall Tower and Rotunda lighting scheduled from January 2, 2022 through February 12, 2022 in colors associated with the celebration of Martin Luther King Jr. Day, and Tết Vietnamese and Chinese New Year festivals as a Ceremonial Item.

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

Action: The City Sponsored Special Events were retroactively approved. (11-0.)

**2.9 22-026 Actions Related to California Volunteers for the CaliforniansForAll Youth Workforce Development Program.**

(a) Adopt a resolution authorizing the City Manager to:

(1) Accept the \$13,976,741 grant from California Volunteers for the CaliforniansForAll Youth Workforce Development initiative to continue and expand the Resilience Corps Program; and

(2) Negotiate and execute any documents necessary to accept the grant.

(b) Adopt the following 2021-2022 Funding Sources Resolution and Appropriation Ordinance Amendments in the General Fund:

(1) Increase the estimate for Revenue from Federal Government appropriation by \$1,911,903; and

(2) Establish the CaliforniansForAll Youth Workforce Program City-wide appropriation to the Office of Economic Development and Cultural Affairs in the amount of \$1,911,903.

(c) Adopt a resolution authorizing the City Manager to negotiate and execute agreements with San Jose Conservation Corps, San Jose Public Library Foundation, and as needed to Keep Coyote Creek Beautiful, Trash Punx, Our City Forest, Veggielution, San Jose Downtown

*(Item Continued on the Next Page)*

**2.9 (Cont'd.)**

Association, Goodwill of Silicon Valley and Guadalupe River Park Conservancy to implement the program in a combined amount not to exceed the grant award.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Economic Development and Cultural Affairs/City Manager)

Action: (a) **Resolution No. 80350** accepting the grant; (b) Funding Source **Resolution No. 80351** and Appropriation **Ordinance No. 30714** in the General Fund, and (c) **Resolution No. 80352** authorizing the City Manager to negotiate and execute were adopted. (11-0.)

**2.10 22-027 Actions Related to the Purchase Orders for Trucking and Debris and Asphalt Hauling Services.**

Adopt a resolution authorizing the City Manager to:

- (a) Execute purchase orders with One Stop, Inc. dba San José Transport (Gilroy, CA), 101 Trucking, Inc, (Gilroy, CA), and Alviso Rock, Inc (Alviso, CA) for trucking and debris and asphalt hauling services for an initial twelve-month period, starting on or about January 26, 2022 and ending on or about January 25, 2023, for a total cumulative compensation not-to exceed amount of \$593,000; and
- (b) Exercise up to four additional one-year options to extend the initial term of the purchase orders with the last option year ending on or about January 25, 2027, 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)

Action: **Resolution No. 80353** regarding Actions Related to the Purchase Orders for Trucking and Debris and Asphalt Hauling Services was adopted. (11-0.)

**2.11 22-028 Actions Related to the Purchase Orders for Elgin Crosswing and Broom Bear Street Sweeper Rental Services.**

Adopt a resolution authorizing the City Manager to:

- (a) Execute purchase orders with Owen Equipment Sales, Inc. (Fairfield, CA) and Municipal Maintenance Equipment, Inc. (Sacramento, CA) for Elgin Crosswing and Broom Bear street sweeper rental services for an initial twelve-month period, starting on or about January 26, 2022 and ending on or about January 25, 2023 for a combined maximum not-to exceed compensation of \$500,000; and
- (b) Exercise up to four additional one-year options to extend the initial term of the purchase orders with the last option year ending on or about January 25, 2027, 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)

Action: **Resolution No. 80354** regarding Actions Related to the Purchase Orders for Elgin Crosswing and Broom Bear Street Sweeper Rental Services was adopted. (11-0.)

**2.12 22-029 Actions Related to the Purchase Order with Carahsoft Technology Corp., for a Capital Project Management System.**

Adopt a resolution authorizing the City Manager to:

(a) Execute a purchase order with Carahsoft Technology Corp. (Reston, VA) to provide a capital project management system for the Department of Public Works, including related professional services such as implementation, training, maintenance, and support, for a maximum compensation not to exceed \$139,090 during the initial one-year term beginning on or about January 26, 2022 through January 31, 2023; and

(b) Exercise up to five additional one-year options to extend the term of the purchase order through January 31, 2028, 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)

Action: **Resolution No. 80355** regarding Actions Related to the Purchase Order with Carahsoft Technology Corp., for a Capital Project Management System was adopted. (11-0.)

**2.13 22-030 Actions Related to the Purchase Order with Geveko Markings, Inc. for Preformed Thermoplastic Pavements Striping Materials.**

Adopt a resolution authorizing the City Manager to:

(a) Execute a purchase order with Geveko Markings, Inc. (Gainesville, GA) for preformed thermoplastic pavement striping materials for a twelve-month period, starting on or about January 26, 2022 and ending on January 11, 2023, for an amount not to exceed \$935,868; and

(b) Exercise up to four additional one-year options to extend the initial term of the purchase order with the last option year ending on or about January 25, 2027, 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)

Action: **Resolution No. 80356** regarding Actions Related to the Purchase Order with Geveko Markings, Inc. for Preformed Thermoplastic Pavements Striping Materials was adopted. (11-0.)

- 2.14 22-031 Actions Related to the Purchase Order with R.A.C. Services, LLC for Enhanced Maintenance and Ambassador Services at St. James Park.**  
Adopt a resolution authorizing the City Manager to:
- (a) Execute a purchase order with R.A.C. Services, LLC (Gilroy, CA) for enhanced maintenance and ambassador services at St. James Park for an initial twelve-month period starting on or about January 26, 2022 and ending on or about January 25, 2023, for an amount not-to exceed \$125,000; and
  - (b) Exercise up to four additional one-year options to extend the initial term of the purchase order with the last option year ending on or about January 25, 2027, 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)

Action: **Resolution No. 80357** regarding Actions Related to the Purchase Order with R.A.C. Services, LLC for Enhanced Maintenance and Ambassador Services at St. James Park was adopted. (11-0.)

- 2.15 22-032 Amendment to the Turnkey Parkland and Excess Credit Agreement for the Flea Market Project.**  
Approve the First Amendment to the “Turnkey Parkland and Excess Credit Agreement” to:
- (a) Allow for a one-time payment of \$4,072,599.32 to the City to fund and pursue construction of phase one improvements of Bruzzone Park and Mercado Park; and
  - (b) Confirm excess credits (to be applied toward future development in the Flea Market South).
- CEQA: Environmental Impact Report for the Flea Market Planned Development Rezoning and General Plan Amendment and addenda thereto, File No. PDC03-108 and GP06-04-01, City Council Resolution No. 73956 and 73738. Council District 4. (Parks, Recreation and Neighborhood Services)

Action: An Amendment to the Turnkey Parkland and Excess Credit Agreement for the Flea Market Project was approved. (11-0.)

- 2.16 22-033 Master Agreements with IMEG Corp., Salas O’Brien Engineers Inc., and Advance Design Consultants Inc. for Mechanical, Electrical and Plumbing Consultant Services.**  
Approve master consultant agreements with IMEG Corp., Salas O’Brien Engineers, Inc., and Advance Design Consultants, Inc for mechanical, electrical, and plumbing consultant services, from the date of execution through December 31, 2024, in a total amount not to exceed \$1,000,000 for each agreement, subject to the appropriation of funds.
- CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Public Works)

Action: The Master Agreements were approved. (11-0.)



**2.17 22-034 Actions Related to the 9112 - All Inclusive Rotary PlayGarden Project.**

(a) Report on bids and award of construction contract for the 9112 - All Inclusive Rotary PlayGarden Project to the low bidder, Redwood Engineering Construction, Inc., for the base bid in the amount of \$1,698,000 and approve a ten percent contingency in the amount of \$169,800.

(b) Adopt the following Appropriation Ordinance amendments in the Subdivision Park Trust Fund:

(1) Increase the All Inclusive Rotary PlayGarden Project appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$816,000; and

(2) Decrease the Matching Grant Reimbursement Reserve by \$816,000.

CEQA: Categorically Exempt, File No. PP19-002, CEQA Guidelines Section 15301 Existing Facilities. Council District 3. (Public Works/Parks, Recreation and Neighborhood Services/City Manager)

Action: (a) The report on bids and award of construction contract was approved; and (b) Appropriation **Ordinance No. 30715** in the in the Subdivision Park Trust Fund was adopted. (11-0.)

**2.18 22-052 Retroactive Approval of Summerdale Dumpster Day 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.**

As recommended by the Rules and Open Government Committee on January 12, 2022:

(a) Retroactively approve the Summerdale Dumpster Day scheduled on January 22, 2022 as a City Council sponsored Special Event and approve the expenditure of funds; and

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

[Rules Committee referral 1/12/2022 - Item G.1.a]

Action: The City Sponsored Special Event was retroactively approved. (11-0.)

**2.19 22-056 Retroactive Approval of Fiesta Navideña Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

As recommended by the Rules and Open Government Committee on January 12, 2022:

(a) Retroactively approve the Fiesta Navideña scheduled on December 4, 2021 as a City Council sponsored Special Event and approve the expenditure of funds; and

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

[Rules Committee referral 1/12/2022 - Item G.1.b]

Action: The City Sponsored Special Event was retroactively approved. (11-0.)

**2.20 22-063**

**Retroactive Approval of Multiple Special Events Sponsored by Council District 2 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.**

As recommended by the Rules and Open Government Committee on January 12, 2022:

(a) Retroactively approve the Walnut Mobile Home Park Toy Drive held on December 22, 2021 as a City Council sponsored Special Event.

(b) Retroactively approve the Southside Community Center Rotary Senior Luncheon held on December 3, 2021 as a City Council sponsored Special Event.

(c) Retroactively approve the Cottle to Lean Neighborhood Dumpster Day held on November 13, 2021 as a City Council sponsored Special Event.

(d) Approve the expenditure of District 2 office budget funds to purchase gift cards, toys and other materials for the events; and

(e) 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. (Jimenez)

[Rules Committee referral 1/12/2022 - Item G.1.c]

Action: The City Sponsored Special Events were retroactively approved. (11-0.)

**2.21 22-079**

**Boards and Commissions Appointment.**

Approve the following Boards and Commissions appointment:

(a) Arts Commission:

(1) Citywide Seat: Jannet Peace to a term ending June 30, 2024.

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

[Rules Committee referral 1/19/2022 - Item A.1.a]

Action: The Arts Commission appointment was approved. (11-0.)

### **3. STRATEGIC SUPPORT**

#### **3.1 Report of the City Manager, Jennifer Maguire (Verbal Report)**

City Manager Jennifer Maguire opened the discussion and spoke on Santa Clara Regional Wastewater Facility tracking of the COVID-19 through analysis of samples. Deputy City Manager, City Manager's Office, Kip Harkness and Director of Civic Innovation, Dolan Beckel offered a COVID-19 Update. Alvin Galang, Vaccination Task Force; Director of Communications, Carolina Camarena and Matt Opsal presented on Communications Outreach; Director of Employee Relations/Human Resources, Jennifer Schembri presented on Hybrid Work/Facilities/Resources; Economic Development Director, Nanci Klein discussed Small Business Recovery; Assistant to the City Manager, Sarah Zárate presented on Budget and Advocacy; Deputy Director, Parks, Recreation and Neighborhood Services, Neil Ruffino offered a presentation on Food Distribution & Childcare; Library Director Jill Bourne discussed Digital Equity; and Director of Housing Jacky Morales-Ferrand offered a presentation on Isolation & Quarantine.

### 3.1 (Cont'd.)

Public Comments: Paul Soto, Gabby Mendoza, Brian Darby and Blair Beekman provided comments.

Staff responded to questions from Council.

### 3.2 Labor Negotiations Update.

None provided.

### 3.3 22-036 Annual Report on City Services 2020-2021.

Accept the Annual Report on City Services for 2020-2021.

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 Auditor)

City Auditor Joe Rois provided a report.

Public Comments: Paul Soto, Tessa Woodmansee, Blair Beekman and Caller “User #1” provided comments.

City Auditor Joe Rois, City Manager Jennifer Maguire, Lieutenant Steve Donohue, Director of Department of Transportation, John Ristow and Timothy McLarney responded to questions.

Action: The Annual Report on City Services 2020-2021 was accepted. (11-0.)

### 3.4 22-013 Appeals Hearing Board Interview.

Interview applicant for appointment to the Appeals Hearing Board:

(a) Appoint applicant to one of the vacant seats on the Appeals Hearing Board for a full term from January 1, 2022 to December 31, 2025;

(b) If any vacancy remains, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration within 90 days.

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

Mayor Sam Liccardo recommended that we bypass the interview in the interest of time since this applicant has served two prior terms.

Public Comments: The following expressed dissatisfaction for not conducting an interview: Paul Soto, Blair Beekman, Caller “User #1” and Tessa Woodmansee.

Action: Ronald Cabanayan was appointed to the Appeals Hearing Board for a full term from January 1, 2022 to December 31, 2025. No interview was conducted. (11-0.)

Mayor Sam Liccardo recommended deferral of Items 5.2 and 8.1. City Manager Jennifer Maguire recommended that Item 3.5 also be deferred.

Action: Upon motion by Councilmember Magdalena Carrasco, seconded by Councilmember Maya Esparza and carried unanimously, Item 5.2 was deferred to February 8, 2022, and Items 8.1 and 3.5 were deferred to January 25, 2022. (11-0.)

**3.5 22-037**

**Definition of Racial Equity.**

Adopt a resolution accepting the proposed definition of racial equity:

"Both a process and an outcome, racial equity is designed to center anti-racism, eliminate systemic racial inequities, and rooted in the acknowledgement of the City of San Jose's historical and existing practices that have led to discrimination and injustices to Black, Indigenous, Latino/a/x, Asian, and Pacific Islander communities. The racial equity process is an explicit, intentional, and continual practice of prioritizing psychologically safe spaces and a sense of belonging for racial groups that have been most negatively impacted in policies and practices. It is action that prioritizes liberation and measurable change, and centers lived experiences of all impacted racial groups.

As an outcome, racial equity is achieved when race can no longer be used to predict life outcomes, and everyone can prosper and thrive."

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)

*Deferred to February 1, 2022 per Council approval.*

**3.6 22-038**

**SJC Guadalupe Gardens Fencing Project and Temporary Closure of Spring Street and Asbury Streets. - DEFERRED**

(a) Accept report on Guadalupe Gardens Fencing including security and activation measures and authorize the City Manager to:

(1) Execute a pilot program to limit trail access to unauthorized vehicles on Guadalupe River Park trail;

(2) Develop a Request for Proposals for potential programming and stewardship partners for the Guadalupe Gardens area;

(3) Receive feedback on the Prototype Park Concept Plan; and

(4) Allocate the SJC Guadalupe Gardens Fencing Project fund in the amount of \$1,500,000 for protecting the land and authorized uses.

(b) Adopt a resolution delegating authority to the Director of Public Works to award the construction contract for the 9821 - SJC Guadalupe Gardens Fencing Project, in an amount not greater than \$1,500,000.

CEQA: Categorically Exempt, File No. ER21-005, CEQA Guidelines 15303(e). New Construction or Conversion of Small Structures and PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body. (Airport/Parks, Recreation and Neighborhood Services/Public Works/Transportation/City Manager)

**DEFERRED TO 2/8/2022 PER ADMINISTRATION**

**Report on Procurement of Insurance Products for Continuation of an Owner-Controlled Insurance Program for the San Jose-Santa Clara Regional Wastewater Facility.**

Adopt a resolution authorizing the Director of Finance to:

(a) Purchase insurance policies for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program with total cost not to exceed \$7,221,283 including estimated insurance premiums of \$4,661,872 and a total maximum deductible \$2,559,411, as well as a cash collateral fund of \$1,496,471 with premiums to be paid in four (4) annual installments, and subject to the annual appropriation of funds, as follows:

- (1) Federal Insurance Company: Commercial General Liability Insurance and Workers' Compensation Insurance with a Program Agreement Endorsement stipulating terms of the cash collateral fund management;
  - (2) Allied World Assurance Company, Inc.: Commercial Excess Liability Insurance;
  - (3) Endurance Risk Solutions Assurance Company: Commercial Excess Liability Insurance;
  - (4) Liberty Surplus Insurance Corporation: Commercial Excess Liability Insurance;
  - (5) Great American Assurance Company: Commercial Excess Liability Insurance;
  - (6) Westchester Surplus Lines Insurance Company: Commercial Excess Liability Insurance;
  - (a) (7) Ironshore Specialty Insurance Company: Contractors Pollution Liability Insurance;
  - (8) Berkley Assurance Company: Owners Protective Professional Liability Insurance; and
  - (b) Either renew an existing, or secure quotes and purchase a new, Master Builder's Risk Insurance policy with special endorsement for Flood to provide builder's risk coverage through 2026 as necessary, with a projected \$906,000 in premiums, the cost of which is included in the estimated insurance premiums above.
- CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Finance/Environmental Services)

Public Comments: Blair Beekman, Paul Soto, Caller "User #1" and Michelle Brenot offered comments.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Sergio Jimenez and carried unanimously, **Resolution No. 80358** regarding the Procurement of Insurance Products for Continuation of an Owner-Controlled Insurance Program for the San Jose-Santa Clara Regional Wastewater Facility was adopted. (11-0.)

## **4. PUBLIC SAFETY SERVICES**

### **4.1 22-045 Gun Harm Reduction Ordinance.**

Consider approving an ordinance amending Title 10 of the San José Municipal Code to add Part 6 to Chapter 10.32 to reduce gun harm by requiring gun owners to obtain and maintain liability insurance and to provide for a fee to apply to gun harm reduction programs.

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

***HEARD AT 6:00 P.M.***

Councilmember Pam Foley read a statement disclosing an inadvertent Brown Act violation.

Public Comments: Eighty-one members of the public spoke, 53 against the proposed ordinance and 28 in favor.

Assistant City Manager, Lee Wilcox responded to questions about the possibility of a joint study session with the County, indicating certain County agencies could be called upon if not the County itself.

Motion: Councilmember Raul Peralez moved the four memoranda provided, and Councilmember Magdalena Carrasco seconded the motion.

Councilmember David Cohen asked to amend the motion to retain the language of domestic violence and gender-based violence. Councilmember Sylvia Arenas countered that the term ‘gender-based violence’ is sufficient.

Substitute Motion: Councilmember Matt Mahan offered a substitute motion, asking that recommendations go forth as presented with the exception of the gun harm fee and associated provisions. Councilmember Pam Foley offered a second with the request that these two items be bifurcated instead. Councilmember Mahan agreed and altered the motion to bifurcate the gun harm fee from the registration fee issue, requesting that these two items be voted on separately. Councilmember Maya Esparza recommended that Councilmember Peralez’ memorandum dated 1/21/22 return before full Council. The amendment to the motion was accepted. The Substitute Motion passed unanimously.

City Attorney, Nora Frimann clarified which portions relate to Provisions for fees.

#### **Note that action regarding Item 4.1 was bifurcated as follows:**

Action #1: On a call for the question, the motion carried, and **Ordinance No. 30716** amending Title 10 of the San José Municipal Code to add Part 6 to Chapter 10.32 to reduce gun harm was adopted, including the insurance requirements, excluding Sections 10.32.215, 10.32.220, and 10.32.230(b), which was approved with a separate vote. **(10-1. Noes: Davis.)**

Action #2: On a call for the question, the motion carried, and **Ordinance No. 30716** amending Title 10 of the San José Municipal Code to add the following Sections 10.32.215, 10.32.220, and 10.32.230(b) was passed for publication. **(8-3. Noes: Davis, Mahan, Foley.)**

*(Item Continued on the Next Page)*

#### 4.1 (Cont'd.)

The following memoranda were approved as noted:

The joint memorandum from Mayor Sam Liccardo, Vice Mayor Chappie Jones and Councilmembers David Cohen and Magdalena Carrasco, dated 1/21/22, to:

1. Establish that the gun harm reduction fee in the initial year shall amount to \$25 per gun-owning household—or an approximate amount close to \$25 that assists with the rounding of the final fee—plus that amount strictly reflecting only the administrative cost incurred by:
  - a. The Designated Non-profit Organization,
  - b. The State of California for its use of the Department of Justice's Automated Firearm System and/or California Firearms Application Reporting System to communicate legal obligations and available services to gun-owning residents in San Jose, and
  - c. The City, if any.
2. Determine that until or unless the Council determines otherwise,
  - a. The City shall not be engaged in the collection of fees, the transmittal of information through the Department of Justice Database, nor the accounting nor distribution of the funds.
  - b. After the initial implementation of the ordinance, the City's role will remain largely limited to setting the fee, engaging in contractual arrangements with the State of California and other entities necessary for the implementation of the ordinance, and enforcement.
  - c. All administrative tasks shall be the responsibility of the Designated Nonprofit Organization, and all administrative costs shall be borne by that organization, and recovered by a portion of the fee revenue.
  - d. No fees shall be collected nor required of any gun owner until the City Attorney has determined that there is resolution of pending facial legal challenges to the ordinance for any claim which is not res judicata, that is, for any claim that is not precluded by a prior final judgment.
3. Approve the proposed ordinance, with modifications in the following sections:
  - a. Expenditure of Gun Harm Reduction Fee, Section 10.32.220
    - Insert the following italicized language into A. to read, "All monies from the Gun Harm Reduction Fee shall be expended by the Designated Nonprofit Organization on providing services to residents of the City that own or possess a Firearm in the City or to members of their household, or to those with whom they have a close familial or intimate relationship."
    - Insert within the itemized list under A., "Addiction intervention and substance abuse treatment"
    - Revise provisions under C. to read: "C. The Designated Nonprofit Organization shall spend every dollar generated from the Gun Harm Reduction Fee, minus administrative expenses, exclusively for programs and initiatives designed to (a) reduce the risk or likelihood of harm from the use of firearms in the City of San José, and (b) mitigate the risk of physical harm or financial, civil, or criminal liability that a San José firearm owner or her family will incur through her possession of firearms. Otherwise, the City shall not specifically direct how the monies from the Gun Harm Reduction Fee are expended"

*(Item Continued on the Next Page)*

#### 4.1 (Cont'd.)

##### b. Exceptions, Section 10.32.225

- Insert the following italicized language into B. to read, “Those persons who have a license to carry a concealed weapon issued pursuant to California Penal Code § 26150 or § 26155, for as long as these statutes are legally enforceable.”

##### c. Compliance, Section 10.32.230

- Delete the following stricken language and insert the italicized language into A. to read, “Each person required to obtain and maintain insurance under Section 10.32.210 shall demonstrate compliance with the insurance requirement by completing and executing a City-designated attestation form. Each such person shall state both the name of the insurance company issuing the policy and the number of the insurance policy on the attestation form, sign the form under penalty of perjury and keep the attestation form with the Firearms where they are being stored or transported. ~~There is no requirement to submit the attestation form to the City. However, each~~ Each person shall complete and sign a new attestation form under penalty of perjury in the event any of the information on the form changes. Each person shall present the form when lawfully requested to do so by a peace officer who knows or has reason to believe that a person possesses a firearm.”

##### d. Purpose and Findings, 10.32.200

Among the findings listed in B., add:

- “Based upon a November 2021 analysis by Dr. Ted Miller, Ph.D. and the Pacific for Institute Research and Evaluation (PIRE), on average, 206 people suffer death or serious injury from gunshots each year in the City of San José.
- Conservatively, San José taxpayers annually spend approximately \$39.7 million, or approximately \$151 per firearm-owning household, to respond to gun violence with such public services as emergency police and medical response, victim assistance, incident investigation, acute and long-term health care, and perpetrator adjudication and judicial sanctioning.
- Including private costs to individuals and families in the calculation, San José residents incur an annual financial burden of \$442 million per year for gun deaths and injuries.”

**Also including the replacement supplemental memorandum from Mayor Sam Liccardo dated 1/24/22:**

Adopt the recommendations and findings contained in the (a) January 21, 2022 Memorandum of Councilmembers Carrasco, Cohen, Peralez, Vice Mayor Jones, and myself, (b) January 21, 2022 Memorandum of Councilmember Peralez, and (c) the following recommendations from Councilmember Dev Davis’ January 21, 2022 Memorandum, as modified below:

1. (#2a) Return in the Spring with a presentation to the Council about the extent to which SJPd and partners at the District Attorney’s Office are fully enforcing existing firearm-related laws, and specifically:

*(Item Continued on the Next Page)*



#### **4.1 (Cont'd.)**

- a. Identify what resource, legal, or other constraints inhibit full enforcement, if any; including the use of the Armed Prohibited Persons (APPS) database for Penal Code Section 12021 arrests,
- b. Identify any proposed solutions to those constraints.
2. (#2b) Return in March a ghost gun ban that closes existing loopholes in the California Unsafe Handgun Act, as previously directed by Council on June 29, 2021.
3. (#3) Continue the direction from the Council's June 29, 2021 direction to build on partnerships with law enforcement that better inform our community about Gun Violence Restraining Orders and how community members can avail themselves of them. Return to council in the Spring with specific recommendations for public information and outreach about safe storage laws, GVRO's, and this Gun Harm Reduction ordinance.
4. (#5) Respond to Council's June 29, 2021 direction to strengthen partnerships to enable more frequent gun buy-back programs, such as the event scheduled this Spring at the County Government Center.
5. (#6) Identify and apply for grants to support gun safety education and buyback programs

**Including the 1/21/22 memorandum from Councilmember Raul Peralez, with this this item to come before the entire Council, per a friendly amendment by Councilmember Maya Esparza.**

Accept the memorandum authored by Mayor Liccardo, Vice Mayor Jones and Councilmembers Cohen and Carrasco and direct the City Manager and City Attorney to:

1. Prior to the second reading of the ordinance, report back with a status of the Community Violence Prevention & Response initiative<sup>1</sup> approved by the Rules & Open Government Committee (ROGC) on September 22, 2021 as well as next steps on any outstanding items.
2. Prior to the end of the fiscal year, schedule a joint study session with the County Board of Supervisors as directed by ROGC with a focus on gun violence prevention as it relates to mental health, Intimate Partner Violence (IPV) / Intimate Partner Homicide (IPH) and substance abuse with a diverse panel that includes but is not limited to mental health professionals, social service professionals and firearm experts.
  - a. If the County BOS declines or does not respond, proceed with a Council Study Session and include experts from relevant County departments such as the Behavioral Health Services Department.
3. Provide a timeline and work plan on designating a non-profit before the ordinance takes effect to the Public Safety, Finance and Strategic Services (PSFSS) committee, and include responses to the following questions:
  - a. Who will be delivering the services outlined in number 1-4 per section 10.32.220 in the draft Gun Harm Reduction Ordinance?
  - b. Assuming providers are existing local organizations, do they have the bandwidth to effectively carry out these services?

*(Item Continued on the Next Page)*

#### 4.1 (Cont'd.)

- c. How will there be coordination with the County's Behavioral Health Services Department and other relevant county departments?
  - d. What metrics will be put in place to measure efficacy of the services and whether there is a correlation to reduced gun violence?
  - e. What is the contingency in the event that the designated non-profit is no longer financially viable?
  - f. What is the expected rate of registration by gun owners? Compared to other fee-required registration programs such as animal licensing.
  - g. Per section 10.32.240 of the draft ordinance, elaborate what the enforcement process will be.
4. Amend the ordinance requiring the designated non-profit to provide a bi-annual report to the appropriate committee with a possible cross reference to City Council.

#### Also including the 1/25/22 memorandum from Councilmember Sylvia Arenas:

Direct the City Manager and City Attorney to edit

Section 10.32.220 Expenditure of Gun Harm Reduction Fee

in the draft ordinance to recognize the intersectionality of gender based violence by expanding the violence reduction services or programs, with the following revision in bold: Section 10.32.220 Expenditure of Gun Harm Reduction Fee

*A. All monies from the Gun Harm Reduction Fee shall be expended by the Designated Nonprofit Organization on providing services to residents of the City that own or possess a Firearm in the City or to members of their household. Such expenditures may include, but are not necessarily limited to the following:*

- 1. Suicide prevention services or programs;*
- 2. Violence reduction or ~~domestic violence~~ **gender based violence** services or programs;*
- 3. Mental health services related to gun violence; or*
- 4. Firearms safety education or training.*

## **5. TRANSPORTATION & AVIATION SERVICES**

### **5.1 22-040 Amendment to the Agreements for On-Call Architectural and Engineering Consultant Services.**

Adopt a resolution authorizing the City Manager to negotiate and execute:

(a) An amendment to the Kimley-Horn and Associates, Inc.'s existing On-Call Architectural and Engineering Consultant Services Master Agreement at Norman Y. Mineta San José International Airport (SJC and Airport) to increase the maximum compensation by \$2,300,000; and

(b) An amendment to the Aviation, Inc.'s existing On-Call Architectural and Engineering Consultant Services Master Agreement at Norman Y. Mineta San José International Airport to decrease maximum compensation by \$2,300,000.

CEQA: Not a Project, File No. PP17-002, Consultant services for design/study/ inspection, or other professional services with no commitment to future action. (Airport)

*This item was heard directly following Item 3.7.*

Public Comments: Paul Soto, Blair Beekman, Caller "User #1" and Gabby Mendoza provided comments.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Dev Davis and carried unanimously, **Resolution No. 80359** regarding Amendment to the Agreements for On-Call Architectural and Engineering Consultant Services was adopted. (10-0-1. Absent: Liccardo.)

*Council adjourned for a dinner break and reconvened at 6 p.m. with all Councilmembers present.*

### **5.2 22-041 Community Forest Management Plan.**

Adopt a resolution approving the Community Forest Management Plan.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Transportation)

[Deferred from 12/14/2021 - Item 5.1 (21-2567)]

*Deferred to February 1, 2022 per Council*

## **6. ENVIRONMENTAL & UTILITY SERVICES**

## **7. NEIGHBORHOOD SERVICES**

## **8. COMMUNITY & ECONOMIC DEVELOPMENT**

### **8.1 22-042 Approval of a Downtown High-Rise Residential Tax and Fee Waiver for the Carlyle at 51 Notre Dame Street.**

Conduct a public hearing to approve an economic development tax and fee waiver in connection with a reduction in construction taxes and the Affordable Housing Impact Fee for a downtown residential high-rise at 51 Notre Dame Street in the amount of \$4,390,599 pursuant to California Government Code Section 53083 and Open Government Resolution No. 77135 Section 2.3.2.6.C.

CEQA: Addendum to the Downtown Strategy 2040 Final Environmental Impact Report and addenda thereto, Planning File No. SP20-020. Council District 3. (Economic Development and Cultural Affairs/Housing)

*Deferred to February 1, 2022 per Council*

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

## **10. LAND USE**

### **10.1 Land Use on Consent Calendar**

#### **(a) 22-043 Reorganization/Detachment from the City of San José of Approximately 9.56-Gross Acres Consisting of Two Parcels Located on the Easterly Side of Saratoga Creek Along Lawrence Expressway Between Highway 280 and Bollinger Road (Doyle No. 7).**

Adopt a resolution supporting the reorganization of territory designated as Doyle No. 7 which involves detachment from the City of San José of approximately 9.56 gross acres of land located at the easterly side of Saratoga Creek along Lawrence Expressway between Highway 280 and Bollinger Road, and the detachment of the same from the affected special districts.

CEQA: Categorically Exempt, File No. ER22-004, CEQA Guidelines Section 15305 Minor Alterations in Land Use Limitations. Council District 1. (Planning, Building and Code Enforcement)

***ITEM HEARD IMMEDIATELY AFTER CONSENT***

Public Comments: Paul Soto offered comments.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Pam Foley and carried unanimously, **Resolution No. 80360** supporting the reorganization of territory designated as Doyle No. 7 was adopted. (11-0.)

**END OF CONSENT CALENDAR**

## 10 Land Use - Regular Agenda

None provided.

### OPEN FORUM

1. Raymond Kim spoke to academic research on gun violence.
2. Paul Soto referenced gun violence.
3. Brian Darby expressed concern to a homeless individual living under a 280 overpass.
4. Blair Beekman spoke to open public policy as an inclusive process.
5. Caller #1 offered criticism of the downtown, opining its lack of vibrancy.
6. Tod W asked for more open dialog between elected officials and San Jose residents.
7. Kirk Vartan offered appreciation for Zoom meetings, but asked for more public outreach discussions prior to these issues to allow for community dialog.
8. Jonathon Fleming complained of non-compliance of public records requests (PRA).
9. Chris complained that Council does not listen to the will of the people.

### ADJOURNMENT

The Council of the City of San José adjourned at 10:34 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

*Ruth Krantz*

Ruth Krantz, CMC

Deputy City Clerk, City of San Jose

Approved at Council \_\_\_\_\_

**Attest:**

**Toni J. Taber, CMC**

**City Clerk**

rmk/01-25-2022 MIN



## **SAN JOSÉ CITY COUNCIL CLOSED SESSION**

**JANUARY 25, 2022**

The Council of the City of San José convened into Closed Session at 9:30 a.m.  
This meeting was teleconferenced from remote locations.

Present: Councilmembers - Arenas, Carrasco, Davis, Esparza, Mahan, Jimenez,  
Jones, Cohen, Peralez, Foley; Liccardo.

Absent: Councilmembers - All present.

Closed Session Item(s) discussed:

### **A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):**

1. Case Name: Jane Doe v. Santa Clara University, et al.  
Name(s) of Parties(s) Jane Doe, Santa Clara University, City of San Jose Police Department, Hung Bui and DOES 1-100  
Court: Santa Clara Superior Court  
Case No: 20CV367395  
Amount of Money or Other Relief Sought: Damages according to proof
2. Case Name: Corona, Raul v. City of San Jose  
Name(s) of Parties(s) Raul Corona, City of San Jose, and DOES 1-100  
Court: Santa Clara Superior Court  
Case No: 19CV350608  
Amount of Money or Other Relief Sought: Damages according to proof

**B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and (e)(2) of the Government Code: Gun Harm Reduction Ordinance

Number of matter(s) to be discussed: 1

**C. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:**

City Negotiator: Jennifer Schembri, Director of Employee Relations

Employee Organizations:

- |  |   |
|--|---|
| 1. Organization or Name and Title of Unrepresented Employees:<br>Nature of negotiations:<br>Name of Existing Contract or MOA:<br><br>How to Obtain a copy of Existing Contract or MOA: | <b>Association of Building, Mechanical and Electrical Inspectors (ABMEI)</b><br><br>wages/salaries, hours, working conditions, etc.<br>Memorandum of Agreement – City of San José and Association of Building, Mechanical and Electrical Inspectors (ABMEI)<br>Web: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a><br>Telephone – Employee Relations: (408) 535-8150 |
| 2. Organization or Name and Title of Unrepresented Employees:<br>Nature of negotiations:<br>Name of Existing Contract or MOA:<br><br>How to Obtain a copy of Existing Contract or MOA: | <b>Association of Engineers &amp; Architects (AEA)</b><br><br>wages/salaries, hours, working conditions, etc.<br>Memorandum of Agreement — City of San José and Association of Engineers & Architects (AEA)<br>Web: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a><br>Telephone – Employee Relations: (408) 535-8150   |
| 3. Organization or Name and Title of Unrepresented Employees:<br>Nature of negotiations:<br><br>Name of Existing Contract or MOA:  | <b>Association of Maintenance Supervisory Personnel (AMSP)</b><br><br>wages/salaries, hours, working conditions, etc.<br><br>City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary  |

How to Obtain a copy of Existing Contract or MOA:	Web: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a> Telephone – Employee Relations: (408) 535-8150
<b>4.</b> Organization or Name and Title of Unrepresented Employees: Nature of negotiations: Name of Existing Contract or MOA:	<b>City Association of Management Personnel Agreement (CAMP)</b>  wages/salaries, hours, working conditions, etc.  Benefit & Compensation Summary — City of San José and City Association of Management Personnel Agreement
How to Obtain a copy of Existing Contract or MOA:	Web: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a> Telephone – Employee Relations: (408) 535-8150
<b>5.</b> Organization or Name and Title of Unrepresented Employees: Nature of negotiations: Name of Existing Contract or MOA:	<b>International Association of Firefighters (IAFF), Local 230 (IAFF#230)</b>  wages/salaries, hours, working conditions, etc.  Memorandum of Agreement Between City of San José and International Association of Firefighters (IAFF), Local 230
How to Obtain a copy of Existing Contract or MOA:	Web: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a> Telephone – Employee Relations: (408) 535-8150
<b>6.</b> Organization or Name and Title of Unrepresented Employees: Nature of negotiations: Name of Existing Contract or MOA:	<b>International Brotherhood of Electrical Workers, Local 332 (IBEW)</b>  wages/salaries, hours, working conditions, etc.  Memorandum of Agreement Between City of San José and International Brotherhood of Electrical Workers, Local 332 (IBEW)
How to Obtain a copy of Existing	Web: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a>



- Contract or MOA: Telephone – Employee Relations: (408) 535-8150
7. Organization or Name and Title of Unrepresented Employees: **Municipal Employees’ Federation, AFSCME Local 101, AFL-CIO (MEF)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Municipal Employees’ Federation, AFSCME Local 101, AFL-CIO
- How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/index.aspx?NID=508>  
Telephone – Employee Relations: (408) 535-8150
8. Organization or Name and Title of Unrepresented Employees: **International Union of Operating Engineers, Local No. 3 (OE#3)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Union of Operating Engineers, Local No. 3 (OE#3)
- How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/index.aspx?NID=508>  
Telephone – Employee Relations: (408) 535-8150
9. Organization or Name and Title of Unrepresented Employees: **Peace Officer Park Ranger Association (POPRA)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Peace Officer Park Ranger Association

How to Obtain a  
copy of Existing  
Contract or MOA:

Web: <http://www.sanjoseca.gov/index.aspx?NID=508>

Telephone – Employee Relations: (408) 535-8150

10. Organization or  
Name and Title of  
Unrepresented  
Employees:  
Nature of  
negotiations:

**San José Police Officers' Association**  
(SJPOA)

wages/salaries, hours, working conditions,  
etc.

Name of Existing  
Contract or MOA:

Memorandum of Agreement — City of San  
José and San José Polices' Association

How to Obtain a  
copy of Existing  
Contract or MOA:

Web: <http://www.sanjoseca.gov/index.aspx?NID=508>

Telephone – Employee Relations: (408) 535-8150

11. Organization or  
Name and Title of  
Unrepresented  
Employees:

**Association of Legal Professionals of San  
José (ALP)**

Nature of  
negotiations:

wages/salaries, hours, working conditions,  
etc.

Name of Existing  
Contract or MOA:

Memorandum of Agreement – City of San  
José and Association of Legal Professionals  
of San José

How to Obtain a  
copy of Existing  
Contract or MOA:

Web: <http://www.sanjoseca.gov/index.aspx?NID=508>

Telephone – Employee Relations: (408) 535-8150