



City Council Meeting

Agenda

Tuesday, January 30, 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

- **Call to Order and Roll Call**

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

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

- **Invocation (District 1)**

Pastor Matt Blankenship, Bethel Church

- **Pledge of Allegiance**

- **Orders of the Day**

To be heard after Ceremonials

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

- **Closed Session Report**

To be heard after Ceremonials

1. CEREMONIAL ITEMS

- 1.1 18-111 Presentation of a commendation recognizing Ray Bramson for his passion and commitment to making a difference among our homeless population and working towards his vision that we can end homelessness. (Perez)
- 1.2 18-114 Presentation of a commendation to longtime San Jose Mercury News journalist Scott Herhold for his many accomplishments in the field of journalism. (Rocha)

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.**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 18-068 Children's Discovery Museum Grant for Various Improvements.**

Recommendation: Approve an Agreement granting the Children's Discovery Museum an amount not to exceed \$400,000 for construction work completed by the Museum involving a restroom addition, sidewalk improvements and security surveillance upgrades and expansion.
CEQA: Determination of Consistency to the Downtown Strategy 2000 Final Environmental Impact Report and addenda thereto (PP06-067), File No. PP14-070. Council District 3. (Public Works)

2.8 18-120 Approve the District 4 Office Hours Event Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

Recommendation: As recommended by the Rules and Open Government Committee on January 17, 2018:
(a) Approve the District 4 Office Hours event scheduled on January 20, 2018 as a City Council sponsored Special Event and approve the expenditures of funds; and
(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Diep)
[Rules Committee referral 01/17/18 - Item G.1.c]

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

Recommendation: Accept Labor Negotiations
TO BE HEARD AT 9:30 A.M.

3.3 18-074 2018 Legislative Guiding Principles; the High Legislative Priorities; and overall Priorities and Advocacy Issues.

Recommendation: Approve the 2018 Legislative Guiding Principles; the High Legislative Priorities; and overall Priorities and Advocacy Issues for the second year of the two-year Legislative Session in Sacramento and the 115th Congress.
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (City Manager)

3.4 18-007 Worker's Compensation Program: Evaluation of Service Delivery Options.

Recommendation: (a) As recommended by the Public Safety, Finance and Strategic Support Committee on December 14, 2017, accept the evaluation of service delivery options for administering workers' compensation claims, including providing services In-House with City staff, through a Third-Party Administrator, and a Hybrid Model that includes both In-House and Third Party claims administration.
(b) Additional recommendation by the Public Safety, Finance and Strategic Support Committee on December 14, 2017, direct the City Manager to:
(1) Continue the current Worker's Compensation Pilot Program (Hybrid Model) through the completion of the State audit of the In-House program;
(2) Develop a work plan for bringing the entire worker's compensation program In-House in stages upon successful completion of the State audit; and
(3) Return through the budget process with funding recommendations for bringing the program In-House in stages beginning in 2019-2020.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Human Resources)
[Public Safety, Finance and Strategic Support Committee referral 12/14/17 - Item (d)1]
(Deferred from 1/9/18 - Item 3.4)

RECOMMEND DEFERRAL TO 2/6/18 PER ADMINISTRATION

3.5 18-048 Statement of Policy and City Council Questions for the Prospective Director of Planning, Building, and Code Enforcement.

Recommendation: Adopt a Statement of Policy and City Council Questions related to the selection of a prospective Director of Planning, Building, and Code Enforcement as described in the memorandum to Council, in compliance with City Charter Section 411.1.

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

3.6 18-071 Station Area Advisory Group (SAAG) Membership.

Recommendation: Approve the Station Area Advisory Group (SAAG) membership as part of the community engagement for development of the Diridon Station Area.

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

3.7 18-092 Update on the Community Energy Department.

Recommendation: Accept a status update on the Community Energy Department.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Community Energy)

3.8 18-072 Actions Related to the Purchase Order with Hi-Tech Emergency Vehicle Service, Inc. for Fire Service Vehicles.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute a purchase order with Hi-Tech Emergency Vehicle Service, Inc. (Oakdale, CA) for the purchase of two Type III and three Type VI Wildland Fire Service Vehicles for the Fire Department, in an amount not-to-exceed \$1,923,490, plus applicable sales tax and license fees;
- (b) Approve a contingency of \$193,000 for any unforeseen changes or modifications to the design of the vehicles, subject to the appropriation of funds; and
- (c) Approve the purchase of additional vehicles for five years from the initial purchase date, subject to the same terms and conditions of the purchase order for the initial five vehicles, and 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)

3.9 18-076 Actions Related to the Purchase Order with Pierce Manufacturing, Inc. for Urban Search and Rescue and Hazardous Materials Vehicles for the Fire Department.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute a purchase order with Pierce Manufacturing, Inc. (Appleton, WI) for the purchase of two new Urban Search and Rescue and one new Hazardous Materials Vehicles for the Fire Department, in an amount not-to-exceed \$3,889,537, plus applicable sales tax and license fees;

(b) Approve a contingency of \$389,000 for any unforeseen changes or modifications to the design of the vehicles, subject to the appropriation of funds; and

(c) Approve the purchase of additional vehicles for five years from the initial purchase date, subject to the same terms and conditions of the purchase order for the initial three vehicles, and 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)

3.10 18-070

Actions Related to D2 Partnership Grant Funds Under the Safe, Clean Water and Natural Flood Protection Program.

Recommendation:

(a) Adopt a resolution:

(1) Authorizing the City Manager to accept an award of partnership grant funds up to \$200,000 each year from 2017-2018 through 2021-2022 under the Santa Clara Valley Water District Safe, Clean Water and Natural Flood Protection Program; and

(2) Authorizing the City Manager to execute a partnership agreement to effectuate Santa Clara Valley Water District award of funds to the City.

(b) Adopt the following 2017-2018 Appropriation Ordinance and Funding Sources Resolution amendments in the Storm Sewer Capital Fund:

(1) Establish an estimate for Revenue from Local Agencies in the amount of \$200,000; and

(2) Establish an appropriation to the Public Works Department for San José Watershed Invasive Species Removal and Engagement in the amount of \$200,000.

CEQA: Exempt, File No. PP13-057(h), CEQA Guidelines Section 15301, Existing Facilities. Council District: 2, 3, 4, 7 & 8. (Public Works/City Manager)

3.11 18-067

Actions Related to the Relocation of Christopher Columbus Statue.

Recommendation:

Accept staff report and consider options regarding the potential relocation of the Columbus statue and direct staff accordingly. CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Public Works)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 18-073 Actions Related to the 2018-2019 Hazardous Vegetation Commencement Report.

Recommendation: Conduct a Public Hearing and adopt a resolution:
(a) Overruling any and all objections to the 2018-2019 Hazardous Vegetation Commencement Report (Report); and
(b) Directing the Santa Clara County Consumer and Environmental Protection Agency to abate the seasonal and/or recurrent public nuisances on those properties identified in the Report pursuant to Chapter 9.12 of Title 9 of the San José Municipal Code and the Weed Abatement Agreement between the City of San José and the County of Santa Clara.
CEQA: Exempt, File No. PP13-097, CEQA Guidelines section 15301, Existing Facilities. (Planning, Building and Code Enforcement)

5. NEIGHBORHOOD SERVICES

5.1 18-135 Anti-Graffiti and Anti-Litter Programs Annual Report.

Recommendation: As recommended by the Neighborhood Services and Education Committee on December 14, 2017, 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 12/14/17- Item (d)4]

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

- Open Forum

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

- Adjournment