



# City Council Meeting

# Agenda

## Tuesday, February 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

- **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 2)**

Father Abiy Demilew, St.Gabriel Cathedral, Ethiopian Orthodox Tewahedo Church

- **Pledge of Allegiance**

- **Orders of the Day**

To be heard after Ceremonial Items

**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 Ceremonial Items

## **1. CEREMONIAL ITEMS**

- 1.1     **18-157**            Presentation of a proclamation recognizing February 2018 as Teen Dating Violence Awareness Month in the City of San José. (Arenas/Carrasco)

## **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.****18-136 Approval of Council Committee Minutes.**

**Recommendation:** (a) Rules and Open Government Committee Minutes of April 26, 2017. (Mayor)  
(b) Rules and Open Government Committee Minutes of May 3, 2017. (Mayor)  
(c) Rules and Open Government Committee Minutes of May 10, 2017. (Mayor)  
(d) Rules and Open Government Committee Minutes of August 2, 2017. (Mayor)  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

**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 18-130 San José Community Energy Department Staffing Plan Revisions.**

**Recommendation:** Approve the following revisions to the San José Community Energy Department staffing in 2017-2018:  
(a) Add the following positions in 2017-2018: Deputy Director (Director, Marketing/Public Affairs) (1.0 FTE).  
(b) Delete the following positions in 2017-2018: Public Information Manager (Director, Marketing/Public Affairs) (-1.0 FTE); Senior Office Specialist (-1.0 FTE)  
(c) Accelerate recruitment of the following positions from 2018-2019 to 2017-2018: Deputy Director (Director of Power Resources) (1.0 FTE); Division Manager (Director of Administration & Finance) (1.0 FTE); Senior Analyst (Power Supply Compliance Specialist) (1.0 FTE); Senior Analyst (Account Services) (1.0 FTE).  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Community Energy/City Manager)

**2.8 18-127 Amendment to the City Pay Plan.****Recommendation:**

(a) Adopt a resolution to amend the City of San José Pay Plan effective February 6, 2018, to create the following classification:

(1) City Information Security Officer U (1366) with a salary range of \$133,868.78 - \$208,668.73 annually.

(b) Approve the following position changes to the Information Technology Department:

(1) Add 1.0 City Information Security Officer U (1366); and

(2) Eliminate 1.0 Deputy Director U (1640).

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy

Making resulting in no changes to the physical environment. (Human Resources)

**2.9 18-160 Approve the Coffee Hour Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.****Recommendation:**

As recommended by the Rules and Open Government Committee on January 24, 2018:

(a) Approve the Coffee Hour scheduled semimonthly 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. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment. (Arenas)

**2.10 18-158 Approve the Annual Greek Flag Raising Event 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 January 24, 2018:

(a) Approve the Annual Greek Flag Raising Event scheduled March 23, 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. (Khamis)

[Rules Committee referral 01/24/18 - Item G.1.b]

### **3. STRATEGIC SUPPORT**

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

#### **3.2 Labor Negotiations Update.**

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

#### **3.3 17-546 Annual Report on City Services 2016-2017.**

**Recommendation:** Accept the Annual Report on City Services for 2016-2017.  
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)

#### **3.4 18-129 Acceptance of the Retirement Plans' Comprehensive Annual Financial Reports for Fiscal Years Ending June 30, 2017 and June 30, 2016.**

**Recommendation:** Accept the following annual reports:  
(a) Police and Fire Department Retirement Plan Comprehensive Annual Financial Report for the Fiscal Years ended June 30, 2017 and June 30, 2016; and  
(b) Federated City Employees' Retirement System Comprehensive Annual Financial Report for the Fiscal Years ended June 30, 2017 and June 30, 2016.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Retirement Services)

#### **3.5 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)

**DEFERRED TO 2/6/18 PER ADMINISTRATION**

#### **4. COMMUNITY & ECONOMIC DEVELOPMENT**

#### **5. NEIGHBORHOOD SERVICES**

##### **5.1 18-006 Los Lagos Golf Course Update.**

**Recommendation:** As recommended by the Neighborhood Services and Education Committee on December 14, 2017, accept the status report and provide feedback on the guiding principles and results of the Los Lagos Golf Course community engagement process.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, Information 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)3]

(Deferred from 1/9/18 - Item 5.2)

**TO BE HEARD LAST**

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

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

#### **8. PUBLIC SAFETY**

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

### **CONVENE THE JOINT MEETING OF THE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE**

#### **9.1 18-159 Agreement with Macias, Gini & O’Connell LLP for Annual Financial and Compliance Audits.**

**Recommendation:**

(a) City Council approve an agreement with Macias, Gini & O’Connell LLP to perform annual financial and compliance audit services for fiscal years ending June 30, 2018, 2019, and 2020 with three one-year extension options for fiscal years ended June 30, 2021, 2022, and 2023, with annual compensation not to exceed \$612,664 in year one and fees adjusted for subsequent years by the Consumer Price Index, not to exceed 3 percent per year in years two through six, for a total amount not to exceed \$3,952,789 for a potential six year term subject to annual appropriation of funds by the City Council.

(b) Board of the Successor Agency to the Redevelopment Agency approve an agreement with Macias, Gini & O’Connell LLP to perform annual financial and compliance audit services for fiscal years ending June 30, 2018, 2019, and 2020 with three one-year extension options for fiscal years ended June 30, 2021, 2022, and 2023, with annual compensation not to exceed \$55,132 in year one and fees adjusted for subsequent years by the Consumer Price Index, not to exceed 3 percent per year in years two through six, for a total amount not to exceed \$355,700 for a potential six year term subject to annual appropriation of funds by the Board of the Successor Agency.

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

### **ADJOURN THE JOINT MEETING OF THE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE**

## **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 jurisdiction of the City Council.*

- Adjournment