



# **City Council Meeting**

# **Agenda**

## **Tuesday, March 20, 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**

9:00 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 3)**

Esther Peralez-Dieckmann, Executive Director of Next Door Solutions to Domestic

- **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 18-345** Presentation of a commendation to Hopkins & Carley to recognize its 50th anniversary and strong commitment to providing outstanding legal and community service to San José and its surrounding communities. (Mayor)

## **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 18-346 Approval of City Council Minutes.**

**Recommendation:** Regular Council Meeting Minutes of August 29, 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.

**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 18-305 Agreement with Hydrosience Engineers, Inc., and with MNS Engineers, Inc. for Consultant Engineering Services for the South Bay Water Recycling Program.**

**Recommendation:** Adopt a resolution authorizing the City Manager Negotiate and Execute Master Service Agreements for consultant engineering services with HydroScience Engineers, Inc. and MNS Engineers, Inc. for a term through June 30, 2020 for a total maximum compensation of \$750,000.  
CEQA: Exempt, File No. PP18-004, CEQA Guidelines Section 15262, Feasibility and Planning Studies. Council Districts 1, 2, 3, 4, 6, 7 & 8. (Environmental Services)

**2.8 18-281 Agreement with Wood Rodgers, Inc. for City-Wide Master Planning for Storm Sewer System.**

**Recommendation:** Approve a Master Agreement with Wood Rodgers, Inc. for master planning consultant services for the storm sewer system from the date of execution to June 30, 2021, in an amount not to exceed \$1,500,000.  
CEQA: Statutory Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. (Public Works)

**2.9 18-284 Actions Related to the Public Right-of-Way Located Along Terraine Street.**

**Recommendation:** Approve an ordinance dedicating as public right-of-way 2,438 square feet along the west side of Terraine Street, located over City-owned property, and accepting the newly dedicated right-of-way into the City's street system as part of Terraine Street to incorporate the traffic improvements along Terraine Street which were constructed in conjunction with the Julian Street Realignment Project.  
CEQA: Exempt, File No. PP18-006, CEQA Guidelines Section 15301, Existing Facilities. Council District 3. (Public Works)

**2.10 18-285 Report on Bids and Award of Contract for the 8666-Sanitary Sewer Repairs 2017-18 Package II Project.**

**Recommendation:** Report on bids and award of contract for the 8666-Sanitary Sewer Repairs 2017-18 Package II to the low bidder, JMB Construction Inc., in the amount of \$1,310,540, and approve a contingency in the amount of \$131,054.  
CEQA: Exempt, File No. PP17-029. Council Districts 3, 5 & 8. (Public Works)

**2.11 18-351 Approval of Great American Litter Pick-Up Sponsored 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 March 7, 2018:  
(a) Approve the Great American Litter Pick-Up scheduled on April 21, 2018 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.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (City Clerk)  
[Rules Committee referral 3/7/18 - Item G.1.a]

**2.12 18-352 Approval of Brigadoon Park Beautification Sponsored as a City 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 March 7, 2018:  
(a) Approve the Brigadoon Park Beautification Day scheduled on April 7, 2018 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.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)  
[Rules Committee referral 3/7/18 - Item G.1.c]

**2.13 18-353 Approval of the State of Latinos: A Cinco de Mayo Call to Action Event Sponsored By Council District 3 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 March 7, 2018:  
(a) Approve the State of Latinos: A Cinco de Mayo Call to Action scheduled on May 4, 2018 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.  
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Perez)  
[Rules Committee referral 3/7/18 - Item G.1.i]

### **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 18-348 Approval of the Fiscal Year 2018-2019 Mayor's March Budget Message.**

**Recommendation:** (a) Conduct a Public Hearing on the FY 2018-2019 Mayor's March Budget Message.  
(b) Approve the FY 2018-2019 Mayor's March Budget Message.  
CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment. (Mayor)

#### **3.4 18-307 Public Member Appointment to the Board of Administration for Federated City Employees' Retirement System.**

**Recommendation:** Interview applicant(s) for appointment to the Public Member Seat; and appoint one (1) applicant to the Public Member Seat on the Board of Administration for the Federated City Employees' Retirement System through November 30, 2020.  
CEQA: Not a Project, File No. PP17-010, City Administrative Activities, resulting in no changes to the physical environment. (City Clerk)  
(Deferred from 3/13/18 – Item 3.3)

#### **3.5 18-283 Actions Related to the Agreement with TM San Jose 78, LLC for Private Improvements Located Under the Coleman Avenue Overcrossing.**

**Recommendation:** Adopt a resolution:  
(a) Approving a permit for a major encroachment to TM San Jose 78, LLC, a Delaware limited liability company ("Owner") to allow the maintenance of private encroachments within City right-of-way pursuant to San José Municipal Code Chapter 13.37 to be located underneath the Coleman Avenue Overcrossing utilizing approximately 2,176 square feet of right-of-way for private purposes;  
(b) Authorizing the Director of Public Works to execute the Maintenance, Access, and Encroachment Agreement Between the City of San José and TM San Jose 78, LLC ("Agreement") to govern the private encroachments and other private uses pursuant to the Owner's private parking easement; and  
(c) Directing the Director of Public Works to record the executed Agreement with the Office of the Recorder, County of Santa Clara.  
CEQA: Addendum to the Brandenburg Mixed Use Project / North San Pedro Housing Site Environmental Impact Report (Resolution No. 72170). Council District 3.  
(Public Works)

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

##### **4.1 18-340 Establishment of the San José Hotel Business Improvement District.**

**Recommendation:** Receive a report on the establishment of the San José Hotel Business Improvement District (SJHBID) and accept public comment on the establishment of the SJHBID. This is the first of two public comment meetings required under the Property and Business Improvement Law of 1994, Streets and Highways Code Section 36600 et seq., to establish the proposed SJHBID.  
CEQA: Exempt, File No. PP08-048, CEQA Guidelines Section 15061(b)(3).  
(Economic Development)

##### **4.2 18-341 Annual Progress Report on the Implementation of the San José General Plan Housing Element and the Housing Successor Agency Annual Report.**

**Recommendation:** (a) Accept the Calendar Year 2017 Annual Progress Report on the Implementation of the San José 2014-23 Housing Element.  
(b) Accept the Fiscal Year 2016-17 Housing Successor to Redevelopment Agency 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.  
(Housing/Planning, Building and Code Enforcement)

##### **4.3 18-343 Actions Related to the Fence Variance and Development Variance (Title 17 and Title 20). DROP**

**Recommendation:** Consider staff's workload assessment of proposed changes to the Fence Variance and Development Variance findings in Title 17 and Title 20.  
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.  
(Planning, Building and Code Enforcement)  
**DROP**

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

#### **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

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