



City Council Meeting

SYNOPSIS

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
Absent Councilmembers: Carrasco.

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

- **Invocation (District 3)**

Beth Williams of Next Door Solutions to Domestic Abuse offered the Invocation.

- **Pledge of Allegiance**

Mayor Sam Liccardo led the Pledge of Allegiance.

- **Orders of the Day**

The Orders of the Day and the Amended Agenda were approved.

- **Closed Session Report**

City Attorney Richard Doyle reported that authority was given to initiate litigation in one matter; the name of the action and parties involved will be disclosed once the action is formally commenced.

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)
Mayor Sam Liccardo presented a commendation to Hopkins & Carley to recognize its 50th anniversary.
- 1.2 18-411** Presentation of commendations to the winners of the Employee Suggestion Program Pilot whose efforts have improved City services. (Khamis)
Mayor Sam Liccardo, Councilmember Johnny Khamis and Deputy City Manager, David Sykes presented a commendation to the winners of the Employee Suggestion Program Pilot whose efforts have improved City services.
- 1.3 18-412** Presentation of a proclamation recognizing March 20, 2018 as "Assyrian National Day/ Assyrian New Year" in the City of San José. (Khamis)
Mayor Sam Liccardo and Councilmember Johnny Khamis presented a proclamation recognizing March 20, 2018 as "Assyrian National Day/Assyrian New Year" in the City of San José.

2. CONSENT CALENDAR

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.
Approved.

2.2 Final Adoption of Ordinances.

2.3 18-388 Approval of Council Committee Minutes.

Recommendation: Community and Economic Development Committee Minutes of November 27, 2017. (Khamis)
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.
[Rules Committee referral 3/14/18 - Item A.1.a]
Approved.

2.4 18-387 Mayor and Council Excused Absence Requests.

Recommendation: Request for an excused absence for Vice Mayor Carrasco from the City Council meetings on March 6, 2018 and March 20, 2018, and Rules and Open Government Committee March 5, 2018 and Public Safety, Finance, and Strategic Support Committee March 15, 2018 due to death of a close family member.
CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment. (Carrasco)
[Rules Committee referral 3/14/18 - Item A.1.a]
Approved.

2.5 City Council Travel Reports.

Councilmembers Khamis and Jones offered highlights from the regional local government conference they attended in Yosemite.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

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: Approve 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)
Approved.

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)
Approved.

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)
Ordinance No. 30081 passed for publication.

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)
Accepted.

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]
Approved.

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]

Approved.

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]

Approved.

2.14 18-381 Actions Related to Councilmember Jimenez's Travel to Tokyo-Okayama, Japan.

Recommendation: Authorize travel for Councilmember Jimenez to Tokyo-Okayama, Japan on April 7-April 15, 2018, and excuse absences from the regular meeting of the City Council on April 10, 2018, and the Neighborhood Services and Education Council Committee on April 12, 2018. Source of Funds: District 2 Office funds and personal funds (personal travel or activities on April 13-15, 2018 will be paid for using personal funds).

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

[Rules Committee referral 3/14/18 - Item A.1.a]

Approved.

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, David Sykes (Verbal Report)
None provided.

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.
None provided.

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)

Public hearing held

The Mayor's Budget message was approved, directing the City Manager to submit a proposed budget for Fiscal Year 2018-2019 that is balanced and guided by the policy direction and framework of priorities outlined in the Mayor's March Budget Message and directing the Department of Transportation to return with an analysis on the cost of repairing all streets in poor condition and include an analysis and polling on a Bond measure just to repair roads, and include an analysis from Parks, Recreation and Neighborhood Services to maintain Project HOPE in District 1.

(8-2-1. Noes: Jimenez, Khamis. Absent: Carrasco.)

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)

Heard Immediately Following Consent

An applicant interview was held.

Kurt Billick was appointed to the Public Member Seat on the Board of Administration for the Federated City Employees' Retirement System through November 30, 2020.

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)

Resolution No. 78537 adopted.

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)

Public hearing held.

Report accepted.

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)

Accepted with direction to city staff to work with District 1 staff to work with the Cities Association or to create sub-regions.

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)
Item Dropped.

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

Open Forum

Blair Beekman asked that Council consider data collection strategies that are not socially intrusive.

Adjournment

The Council of the City of San José adjourned at 5:10 p.m.

**MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JOSE HOUSING
AUTHORITY AGENDA**

5:07 p.m.

March 20, 2018

CHAMBERS

- Call to Order and Roll Call

1. 18-400 Support for the 2019 Moving to Work Annual Plan.

Recommendation: Authorize the City Housing Authority’s Executive Director to submit a letter to the Santa Clara Housing Authority to support the 2019 Moving Annual Work Plan. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resolution in no changes to the physical environment. (Housing)
Authorized.

The meeting of the Board of Commissioners of the City of San José Housing Authority was adjourned at 5:09 p.m.