



# **City Council Meeting**

## **Synopsis**

**Tuesday, November 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



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**On occasion the City Council may consider agenda items out of order.**

- **Call to Order and Roll Call**

**9: 33 a.m.- Closed Session:** All present.

**1:30 p.m.- Regular Session:** All present.

- **Invocation (District 10)**

**Najib Haddad and the North Band provided the Invocation.**

- **Pledge of Allegiance**

**Mayor Sam Liccardo and 3rd Graders from Queen of the Apostles led the Pledge of Allegiance.**

- **Orders of the Day**

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

- **Closed Session Report**

There was no report.

## **1. CEREMONIAL ITEMS**

**1.1** Mayor Sam Liccardo and Councilmember Johnny Khamis presented a proclamation recognizing Saturday, November 24, 2018 as Small Business Saturday in the City of San José. (Khamis)

**1.2** Mayor Sam Liccardo and Councilmember Dev Davis presented a proclamation declaring November 2018 as National Adoption Awareness Month. (Davis)

## **2. CONSENT CALENDAR**

The Consent Calendar was approved as recommended, with item 2.7 pulled, and the below listed actions taken as indicated.

### **2.1 Approval of City Council Minutes.**

### **2.2 18-1494 Final Adoption of Ordinances.**

#### **Recommendation:**

(a) Ord. No. 30174 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.29 Gross Acre Situated on the South Side of Aborn Road, Approximately 111 Feet Easterly of Nieman Boulevard (2462 Aborn Road) from the A Agricultural Zoning District to the R-1-8 Single-Family Zoning District.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.

**Adopted.**

(b) Ord. No. 30175 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.44, Gross Acre Situated on the South Side of Pegasus Way, Approximately 200 Feet Easterly of Tulare Hill Road (APN: 706-11-021), from the A Agricultural Zoning District to the R-1-8 Single-Family Residence Zoning District.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.

**Adopted.**

(c) Ord. No. 30176 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 21- Gross Acres Situated on the East Side of Dove Hill Road, Approximately 500 Feet North of Hassler Parkway (4200 Dove Hill Road) from the A Agricultural Zoning District to the PQP(PD) Planned Development Zoning District.

CEQA: Mitigated Negative Declaration for the Dove Hill Medical Care Facility Project, File Nos. PDC14-051 and PD16-019.

**Adopted.**

(d) Ord. No. 30177 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.22 Gross Acres Situated on the Northwest Corner of West Julian Street and Stockton Avenue (715 West Julian Street) from the Commercial Pedestrian Zoning District to the CP(PD) Commercial Pedestrian Planned Development Zoning District.

CEQA: Addendum to the Diridon Station Area Plan Final Program EIR (Resolution No.77096), Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041), Envision San José 2040 General Plan Supplemental Environmental Impact Report Supplemental EIR (Resolution No. 77617), and Addenda thereto.

**Adopted.**

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

None provided.

### **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 18-1474 Hammer Theatre Center Operations and Maintenance Agreement.**

#### **Recommendation:**

As recommended by the Community & Economic Development Committee on October 22, 2018, accept report and approve an amendment to the agreement with San José State University through June 30, 2020 to operate and maintain the Hammer Theatre Center in an amount not to exceed \$285,000 per year, subject to the annual appropriation of funds.

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

[Community & Economic Development Committee referral 10/22/18 - Item (d)4]

**Mayor Liccardo commented on the extension of the agreement with San José State to operate the Hammer Theater Center.**

**Approved as recommended.**

**(10-0-1. Absent: Peralez).**

### **2.8 18-1476 Actions Related to Purchase Order 55756 with Security Alert Systems of California.**

#### **Recommendation:**

Adopt a resolution authorizing the City Manager to execute an amendment to Purchase Order 55756 with Security Alert Systems of California (Gilroy, CA) to increase the amount of total compensation by \$275,000, for a revised maximum compensation not to exceed \$500,000; and extend the term of the purchase order by nine months to August 13, 2019 for ongoing monitoring and repair of security and fire alarms.

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

(Finance)

**Resolution No. 78854 adopted.**

**(9-0-2. Absent: Carrasco, Peralez)**

**2.9 18-1477 Amendments to the City of San José Pay Plan.**

**Recommendation:** Adopt a resolution to amend the City of San José Pay Plan effective November 18, November 18, 2018, to:

- (a) Change the salary range for the following classifications:
  - (1) Staff Specialist FT/PT (1622/1624) with a salary range of \$59,342.40 - \$72,113.60 to a new salary range of \$59,924.80 - \$72,841.60 annually;
- (b) Retitle the following classifications:
  - (1) Currently Administrative Assistant C FT/PT to Administrative Assistant FT/PT (1159/8159);
  - (2) Currently Analyst I/II C FT/PT to Analyst I/II FT/PT (1627/1630/1632/1635);and
  - (3) Currently Legal Administrative Assistant I/II C FT/PT to Legal Administrative Assistant I/II FT/PT (1167/1153/1168/1154);
- (c) Delete the following classifications:
  - (1) Legislative Research Specialist U (1662);
  - (2) Network Engineer C FT/PT (8555/8556);
  - (3) Network Technician C I/II/III FT/PT (8550/8557/8551/8552/8553/8554);
  - (4) Office Specialist C I/II FT/PT (1127/1129/1131/1134);
  - (5) Secretary C FT/PT (1157/1158); and
  - (6) Staff Technician FT/PT (1623/1660).

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

**Resolution No. 78855 adopted.**

**2.10 18-1486 Operation and Maintenance Agreement between the Santa Clara Valley Transportation Authority and the City of San José for the Santa Clara/Alum Rock Bus Rapid Transit Project.**

**Recommendation:** Approve the Operation and Maintenance Agreement between the Santa Clara Valley Transportation Authority and the City of San José for the Santa Clara/Alum Rock Bus Rapid Transit Project.

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

Council Districts 3, 5 and 8. (Transportation)

**Approved as recommended.**

**2.11 18-1487 San José Property-Based Improvement District Annual Financial Report.**

**Recommendation:** Approve the downtown San José Property-Based Improvement District Annual Financial Report for FY 2017-2018.

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

**Approved as recommended.**

**2.12 18-1516 Retroactive Request for Travel for Mayor Liccardo.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, retroactively authorize travel for Mayor Sam Liccardo to Detroit, MI from October 27 - 29, 2018 to attend CityLab: Urban Solutions to Global Challenges, to speak on the panel. (Source of Funds: Bloomberg Philanthropies)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment.  
[Rules and Government Committee referral 10/31/18 - Item A.1.a]  
**Authorized.**

**2.13 18-1517 Request for Travel for Mayor Liccardo.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel for Mayor Sam Liccardo to Los Angeles, CA on November 15, 2018 to speak at Upswell and LA CoMotion Leadership Summit. (Source of Funds: Independent Sector)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor Liccardo)  
[Rules Committee referral 10/31/18 - Item A.1.a]  
**Authorized.**

**2.14 18-1519 Vice Mayor's Travel to Garden Grove, CA.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel for Vice Mayor Carrasco to Garden Grove, CA on November 29-30, 2018 as the alternate for Mayor Liccardo on the League of California Cities at their quarterly Board of Directors meeting. (Source of Funds: District 5 Office Budget)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Vice Mayor Carrasco)  
[Rules Committee referral 10/31/18 - Item A.1.a]  
**Authorized.**

**2.15 18-1518 Vice Mayor's Travel to Los Angeles, CA.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel for Vice Mayor Carrasco to Los Angeles, CA to represent the City of San José at the Sister Cities International Fall Conference on November 7-9, 2018. (Source of Funds: District 5 Office Budget)  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Vice Mayor Carrasco)  
[Rules Committee referral 10/31/18 - Item A.1.a]  
**Authorized.**

**2.16 18-1520 Mayor's Staff Travel to Washington, D.C.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Nicholas Almeida, as a City representative to attend the Encore Summit from November 12-14, 2018 in Los Angeles, CA. (Source of Funds: Civic Ventures dba Encore.org)

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Vice Mayor Carrasco)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Authorized.**

**2.17 18-1521 Mayor's Staff Travel to Washington, D.C.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Ingrid Holguin, to represent Mayor Liccardo's office at The National League of Cities' Institute for Youth, Education, and Families convening of Mayors' Education Policy Advisors Network from November 14-16, 2018 in Washington, D.C.

(Source of Funds: National League of Cities, Mayor's Office Budget)

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor Liccardo)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Authorized.**

**2.18 18-1522 Mayor's Staff Travel to Los Angeles, CA.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, authorize travel, accept travel payments to the City of San José, and designate Mayor's staff, Shireen Santosham, as a City representative to attend the Knight Foundation Autonomous Vehicle Convening for program grantees in Los Angeles, CA from November 13-14, 2018. (Source of Funds: Knight Foundation)

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Mayor Liccardo)  
[Rules Committee referral 10/31/18 - Item A.1.a]

**Authorized.**

**2.19 18-1523 Approval of Westgate Church Beautification Day 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 October 31, 2018:  
1. Approve the WestGate Church Beautification Day scheduled on November 10, 2018 as a City Council sponsored Special Event and approve the expenditure of funds; and  
2. 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 10/31/18 - Item A.1.a]

**Approved as recommended.**

**2.20 18-1524 Approval of Community Events Sponsored by Council District 7 as a City Council Sponsored Special Events 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 October 31, 2018:

1. Retroactively approve the following District 7 events as a City Council sponsored Special Event and approve the expenditure of funds:
  - a. Trunk or Treat on Wednesday, October 31, 2018 at the SevenTrees Community Center.
  - b. Santee Halloween Family Night on Wednesday, October 31, 2018 at the Franklin McKinley Children's Initiative Center.
2. 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. (Nguyen)  
[Rules Committee referral 10/31/18 - Item G.1.a]  
**Approved as recommended.**

**2.21 18-1525 Approval of a District 9 Grant to Bagby Elementary School.**

**Recommendation:** As recommended by the Rules and Open Government Committee on October 31, 2018, approve a \$1,000 grant to Bagby Elementary School to support student educational and recreational needs.

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Rocha)  
[Rules Committee referral 10/31/18 - Item G.1.b]  
**Approved as recommended.**

**2.22 18-1512 Actions Related to Councilmember Lan Diep's Travel to Washington, DC.**

**Recommendation:**

1. Authorize domestic travel for Councilmember Lan Diep to Washington, DC from December 6-8, 2018 to attend a leadership and policy summit for minority elected officials organized by the New American Leaders (Source of Funds: New American Leaders/ The Fund for the City of New York);
2. Excuse Councilmember Diep from the December 6, 2018 meeting of the Smart Cities & Services Improvements Committee; and
3. Authorize the use of District 4 funds for incidental expenses related to official travel.

CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment.  
[Deferred from 10/30/18 - Item 2.4.b (18-1505)]  
**Authorized.**

**3. STRATEGIC SUPPORT**

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

None provided.



### 3.2 Labor Negotiations Update.

None provided.

### 3.3 18-1479 Intergovernmental Relations Process Changes.

**Recommendation:**

Approve an updated process for taking positions on legislation and regulation.

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

**Approved as recommended, including approval of the Memorandum from Councilmember Arenas to accept staff report and:**

**1) Recommend that staff report back to Council before Summer of 2019 with a plan to incorporate the Council and community members into the Legislative process in a way that allows the community to support the City’s legislative efforts in Sacramento and Washington.**

**2) Recommend that staff include in their quarterly reports updates on all urgent items worked on, including those proposed but not fully implemented.**

**3) Recommend that the phrase “reviews and” be added to item 3, number 1 on page 5, so that it reads “City Council reviews and adopts”.**

**(11-0)**

### 3.4 18-1478 2019 Legislative Guiding Principles and Program.

**Recommendation:**

Adopt the 2019 Legislative Guiding Principles and Program.

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)

**Approved, including:**

**1. Councilmember Sylvia Arenas and Vice Mayor Magdalena Carrasco’s memos**

**2. Rapid transit and rail infrastructure item: Add “support legislation that encourages HSR to work more collaboratively with the cities it will travel through.”**

**3. Redevelopment 2.0: Strike support Redevelopment 2.0 and insert “Support funding mechanisms for affordable housing from the CASA process as approved by City Council.”**

**4. Strike the first sentence of the Housing Stabilization Item.**

**5. Add support for CEQA reform (Johnny has this exact language):**

**(7-3-1. Noes: Jimenez, Peralez, Rocha. Absent: Carrasco)**

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

### 4.1 18-1480 Actions Related to Downtown High Rise Residential Incentive for 171 Post Street.

**Recommendation:**

Conduct a Public Hearing regarding an economic development subsidy in connection with a reduction in construction taxes and parkland fees for a Downtown residential high-rise at 171 Post Street in the amount of \$2,910,324, pursuant to California Government Code Section 53083 and Open Government Resolution Section 2.3.2.6 C.

CEQA: Addendum to the Downtown Strategy 2000 Final Environmental Impact Report (Resolution no. 72767), Envision San José 2040 General Plan Final Impact Report (Resolution no. 76041), the Envision San José 2040 General Plan Final Supplemental Environmental Impact Report (Resolution no. 77617), and addenda thereto. (Economic Development)

**Approved.**

**(9-0-2. Absent: Carrasco, Jimenez)**

**4.2 18-1481 Actions Related to the Grant Agreement Funding by Destination: Home SV.**

**Recommendation:**

(a) Adopt a resolution authorizing the City Manager to negotiate and execute a Grant Agreement funded by Destination: Home SV to fund a Planner III position in the Department of Planning, Building and Code Enforcement for up to three years in the amount of \$540,000 to expedite applications for supportive or extremely low-income housing developments.

**Resolution No. 78856 adopted.**  
**(10-0-1. Absent: Carrasco).**

(b) Add 1.0 Planner III position, limit dated through June 30, 2019, in the Department of Planning, Building and Code Enforcement.

**Approved.**

(c) Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:

(1) Establish a City-Wide Expenses appropriation to the Planning, Building and Code Enforcement Department for the Destination: Home SV Grant in the amount of \$180,000; and

(2) Increase the estimate for Other Revenue by \$180,000.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism, or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Housing/Planning, Building and Code Enforcement/City Manager)

**Ordinance No. 30181 adopted.**  
**Resolution No. 78857 adopted.**

**4.3 18-1482 2018-2019 Fee Resolution for the Off-Site Tree Replacement Process.**

**Recommendation:**

Adopt a resolution amending the 2018-2019 Schedule of Fees and Charges (Resolution No. 72737, as amended) to establish an Off-Site Tree Replacement Fee of \$755.00 per off-site tree for all tree removal or entitlement permits.

CEQA: Not a Project, File No. PP17-005, Adjustment to Fees, Rates & Fares without changes to or expansion of services. (Planning, Building and Code Enforcement/Transportation/City Manager)

**Resolution No. 78858 adopted.**  
**(10-0-1. Absent: Carrasco)**

**4.4 18-1515 Purchase and Sale Agreement with JMA Ventures for the Hayes Mansion.**

**Recommendation:**

Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the Purchase and Sale Agreement with JMA Ventures for the sale of the Hayes Mansion to include sharing a portion of the Furniture, Fixtures, and Equipment Reserve Account balance, not to exceed \$2,400,000.

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

**Resolution No. 78859 adopted.**  
**(9-0-2. Absent: Carrasco, Rocha)**

## **5. NEIGHBORHOOD SERVICES**

### **5.1 18-1509 Anti-Graffiti and Anti-Litter Programs Annual Report.**

#### **Recommendation:**

As recommended by the Neighborhood Services and Education Committee on October 11, 2018, 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 10/11/18 - Item D.6]

[Deferred from 10/30/18 Item 5.1 (18-1443)]

**Approved as recommended, including approval of the Mayor's memo to:**

**1. Accept the annual report;**

**2. Approve the memoranda from Vice-Mayor Carrasco and Councilmembers Peralez and Arenas;**

**3. Direct the City Manager to:**

**a. As suggested in my colleagues' memoranda, refer decisions regarding the cost of mural maintenance—including, but not limited to, the cost of anti-graffiti protective coating—to the annual budget process;**

**b. To conserve staff and Council time, consolidate future annual reporting of the Anti-Graffiti and Anti-Litter Programs with the BeautifySJ annual report.**

**c. Release the RFP for graffiti abatement contract services by August May, 2019, to allow staff sufficient time to negotiate the most favorable contract terms possible.**

**Vice Mayor Carrasco's Memo:**

**1. Accept the Anti-Graffiti and Anti-Litter Programs Annual Report.**

**2. Direct Parks, Recreation, and Neighborhood Services (PRNS) to work with the Office of Cultural Affairs (OCA) and Risk Management to collaborate on beautification projects for frequently vandalized park property including bathrooms, tables, benches, boxes, containers, walls, etc. and identify an easier way to implement youth-led art projects.**

**3. In addition to the research around education and outreach, PRNS Staff will bring to the 2019-2020 budget process options to fund murals in areas identified by the Mayor's Gang Prevention Task Force data on gang and graffiti hot spots.**

**Councilmembers Arenas and Peralez Memo:**

**1. Accept staffs report.**

**2. Recommend that City Manager, as part of their proposed 2019/2020 budget, include a pilot project that would contract with local artists and/or youth groups to create one or more murals in key graffiti hotspots and measure the success this has as a form of graffiti prevention.**

**3. Request that the Office of Cultural Affairs coordinate with Parks, Recreation, and Neighborhood Services to both lend their expertise to the proposed pilot program and look for opportunities to match public art mural project funding with graffiti hotspots in the future.**

**(9-0-2. Absent: Carrasco, Rocha)**

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

### **6.1 18-1483 Transportation Security Administration Perimeter Security Authorization.**

#### **Recommendation:**

Adopt a resolution authorizing the City Manager to apply for, execute, and accept upon receipt grants and any other required documents from the Transportation Security Administration for the City to accept design services, equipment, construction services, and analysis of various perimeter security equipment and technologies at the Norman Y. Mineta San José International Airport in an amount not to exceed \$10,000,000.

CEQA: Not a Project, File No. PP17-079, Determination of Consistency with the Final Environmental Impact Record, as Supplemented, for the San José International Airport Master Plan Update (Resolution nos. 67380 and 71451). (Airport)

**Resolution No. 78860 adopted.**

**(9-0-2. Absent: Carrasco, Rocha)**

### **6.2 18-1484 Transportation Security Administration Law Enforcement Officer Reimbursement Program Other Transaction Agreement.**

#### **Recommendation:**

(a) Adopt a resolution authorizing the City Manager to extend Other Transaction Agreement Award Number HSTS02-16-H-SLR664 with the Transportation Security Administration to fund eligible costs for deployment of law enforcement officers at each airport passenger-screening location at the Norman Y. Mineta San José International Airport from January 1, 2019 to December 31, 2019 in the amount of approximately \$1,425,000.

**Resolution No. 78861 adopted.**

**(9-0-2. Absent: Carrasco, Rocha)**

(b) Adopt a resolution authorizing the City Manager to apply for federal funding, negotiate, and execute an Other Transaction Agreement Award with the Transportation Security Administration to fund eligible costs for deployment of law enforcement officers at each airport passenger-screening location at the Airport in the estimated amount of \$4,536,000 for the period from January 1, 2020 to December 31, 2022.

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

(Airport)

**Resolution No. 78862 adopted.**

**(9-0-2. Absent: Carrasco, Rocha)**

### **6.3 18-1485 Airport Improvement Program Grant Authorization for the Airfield Electrical System Rehabilitation Project.**

#### **Recommendation:**

Adopt a resolution authorizing the City Manager to apply for, execute, and accept upon receipt, grants from the Federal Aviation Administration to continue the Airfield Electrical System Rehabilitation project at the Norman Y. Mineta San José International Airport in an additional amount not to exceed \$7,600,000.

CEQA: PP17-079, Determination of Consistency with the Final Environmental Impact Report, as Supplemented, for the San José International Airport Master Plan Update (Resolutions nos. 67380 and 71451). (Airport)

**Resolution No. 78863 adopted.**

**(9-0-2. Absent: Carrasco, Rocha)**

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

### **7.1 18-1488 Power Procurement, Rate Setting and Power Mix for San José Clean Energy.**

**Recommendation:** (a) Approve San José Clean Energy's GreenSource base product that residential and commercial customers will be enrolled in 2019 to include a power mix of at least 80% Greenhouse Gas free energy with at least 45% renewable energy and the TrueGreen product to include a power mix of 100% Renewable Energy.

**Approved.**

**(9-0-2. Absent: Carrasco, Rocha)**

(b) Adopt a resolution authorizing the Director of Community Energy or her designee to negotiate and execute supply contracts for Calendar Year 2019 for Energy, Renewable Energy and Renewable Energy Credits, Resource Adequacy, and Greenhouse Gas free power and attributes using the Edison Electric Institute Agreement or the Western Systems Power Pool Agreement and to transact for balancing energy and other necessary services from the California Independent System Operator through the Northern California Power Authority, increasing the authorization by \$156,000,000 from \$70,000,000 to an amount not to exceed \$226,000,000 in aggregate through Calendar Year 2019.

**Resolution No. 78864 adopted.**

(c) Approve San José Clean Energy to set rates for the GreenSource product to be one percent below Pacific Gas and Electric Company's generation rates, after accounting for the franchise fees and the Power Charge Indifference Adjustment across all rate classes for 2019 and for TrueGreen to be 0.5-1 cent per kWh higher than San José Clean Energy's GreenSource base product.

**Approved.**

(d) Approve adjusting the launch for residential and commercial customers from March of 2019 to February of 2019. Approve delaying the enrollment of Phase II non-City small commercial and residential net energy metered customers until San José Clean Energy has paid off debt, built at least 120 days of operating expenses in a financial reserve, and can cover the cost to serve these customers through rates that are lower than Pacific Gas and Electric Company's rates.

**Approved.**

(e) Adopt the following Fiscal Year 2018-2019 Appropriation Ordinance and Funding Sources Resolutions amendments in the San José Clean Energy Fund:

(1) Decrease the Beginning Fund Balance - Operations and Maintenance Reserve by \$500,000;

(2) Increase the estimate for Fees, Rates, and Charges by \$15,831,000;

(3) Increase the Cost of Energy appropriation to the Community Energy Department in the amount of \$9,954,000;

(4) Increase the Community Energy Non-Personal/Equipment appropriation by \$641,000;

*(Item Continued on the Next Page)*

**7.1 18-1488 Power Procurement, Rate Setting and Power Mix for San José Clean (Cont'd).**

- (5) Increase the Bonding and Security appropriation to the Community Energy Department by \$50,000;
  - (6) Rename the Pacific Gas & Electric Security Deposit appropriation to Pacific Gas & Electric Fees;
  - (7) Decrease the Pacific Gas & Electric Fees appropriation by \$1,000,000;
  - (8) Establish the Debt Service - Interest - CP appropriation to the Community Energy Department in the amount of \$460,000;
  - (9) Increase the Ending Fund Balance - Operations and Maintenance Reserve in the amount of \$6,734,000; and
  - (10) Decrease the Unrestricted Ending Fund Balance by \$1,508,000.
- (f) Approve the addition of a 1.0 Division Manager position (Regulatory and Legislative Policy) to the Community Energy Department.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Community Energy)  
**Ordinance No. 30182 adopted.**  
**Resolution No. 788265 adopted.**

**8. PUBLIC SAFETY**

**8.1 18-1490 Proposed Renaming of the Police Substation Located at 6087 Great Oaks Parkway to the Chaplain Dave Bridgen Southern Police Station.**

**Recommendation:** As recommended by the Public Safety, Finance, & Strategic Support Committee on October 18, 2018, approve the Police Department's request to rename the Police Substation (6087 Great Oaks Parkway) to the Chaplain Dave Bridgen Southern Police Station in honor of the late Police Chaplain Dave Bridgen.  
CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (Police)  
[Public Safety, Finance, & Strategic Support Committee referral  
10/18/18 - Item (d)3]  
**Approved as recommended.**  
**(9-0-2. Absent: Carrasco, Peralez)**

**9. REDEVELOPMENT – SUCCESSOR AGENCY**

**9.1 18-1489 Actions Related to a Termination Agreement and Release with Integrated Device Technology.**

**Recommendation:** Approve a Termination Agreement and Release between the Successor Agency to the Redevelopment Agency of the City of San José and Integrated Device Technology whereby Integrated Device Technology would be paid a lump sum payment of \$617,249.50 to terminate the agreements with the Successor Agency, thereby, saving the Successor Agency \$264,535.50 over the life of such agreements.  
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.  
(Successor Agency)  
**Approved.**  
**(9-0-2. Absent: Carrasco, Peralez)**

## **10. LAND USE**

- **Open Forum**

1. Blair Beekman offered comments on Civil Rights and Social Justice Issues
2. Linda Combs commented on the housing situation in San Jose; she worries about her safety.

- **Adjournment:** 5:47 p.m.