



City Council Meeting SYNOPSIS

Tuesday, April 6, 2021

Virtual Meeting - <https://sanjoseca.zoom.us/j/91325378626>

SAM LICCARDO, MAYOR
CHAPPIE JONES, VICE MAYOR, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
RAUL PERALEZ, DISTRICT 3
DAVID COHEN, DISTRICT 4
MAGDALENA CARRASCO, DISTRICT 5
DEV DAVIS, DISTRICT 6
MAYA ESPARZA, DISTRICT 7
SYLVIA ARENAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
MATT MAHAN, DISTRICT 10



- **Call to Order and Roll Call**

9:03 a.m. - Closed Session, Call to Order.

Councilmembers Absent: All Present.

1:32 p.m. - Regular Session

Councilmembers Absent: Carrasco.

- **Pledge of Allegiance**

Mayor Sam Liccardo led the Pledge of Allegiance.

- **Invocation (District 4)**

Jennilynn Nguyen, Director EM Collective offered the invocation.

- **Orders of the Day**

The Orders of the Day were approved.

- **Closed Session Report**

None provided.

1. **CEREMONIAL ITEMS**

None provided.

2. **CONSENT CALENDAR**

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

None provided.

2.2 21-678

Final Adoption of Ordinances.

(a) Ordinance No. 30549 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 6.03 Gross Acres Situated on the Westside of Union Avenue Approximately 1,070 Feet Northerly of Camden Avenue (3235 Union Avenue) (APN: 414-25-001 and 414-25-020) from the R-1-8 Single-Family Residence Zoning District to an R-1-8(PD) Planned Development Zoning District. [Passed for Publication on 3/23/2021- Item 10.2 (b) (21-510)]

Action: City of San José **Ordinance No. 30549** regarding the Rezoning Certain Real Property situated on the Westside of Union Avenue was passed for publication. (10-0-1. Absent: Carrasco)

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.

Councilmember Pam Foley provided a Verbal Report.

2.7 21-630

Amendment to the Master Agreement with Alliance Resource Consulting LLC, for Recruitment Projects.

Adopt a resolution authorizing the City Manager to negotiate and execute a First Amendment to the Master Agreement with Alliance Resource Consulting LLC, for recruitment projects, increasing the amount of compensation by \$250,000 for a total compensation amount not to exceed \$540,000 with each service order subject to appropriation of funds. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Human Resources)

Action: **Resolution No. 79953** regarding the amendment to the Master Agreement with Alliance Resource Consulting LLC, for Recruitment Projects was adopted. (10-0-1. Absent: Carrasco)

2.8 21-631

Amendment to the 2020 EMS Trust Fund Agreement with the County of Santa Clara for Reimbursement of First Responder Category C - Benefit to EMS Systems Users Funds.

Adopt a resolution authorizing the City Manager to negotiate and execute a first amendment to the 2020 EMS Trust Fund Agreement with Santa Clara County for Reimbursement of First Responder Category C - Benefit to EMS Systems Users Funds

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2.8 (Cont'd.)

that will increase the reimbursement amount to the City by \$152,561 for the purchase of a LUCAS chest compression device system and extending the term of the Agreement through December 31, 2021. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Fire)

Action: **Resolution No. 79954** regarding the amendment to the 2020 EMS Trust Fund Agreement with the County of Santa Clara for Reimbursement of First Responder Category C was adopted. (10-0-1. Absent: Carrasco)

2.9 21-639

Annual Development In-Lieu Fee Report.

Adopt a resolution: (a) Accepting the Fiscal Year 2019-2020 Annual Development In-Lieu Fee Report regarding in-lieu fees collected by the City from developers in lieu of construction of public improvements; and (b) Making certain findings as required by Government Code Section 66001 (d) (1). CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Public Works)

Action: **Resolution No. 79955** regarding the Fiscal Year 2019-2020 Annual Development In-Lieu Fee Report was adopted. (10-0-1. Absent: Carrasco)

2.10 21-632

Maintenance Agreement with Caltrans for the US101/De La Cruz Boulevard - Trimble Road Interchange Improvement Project.

Adopt a resolution authorizing the City Manager or designee to negotiate and execute the Maintenance Agreement between the State of California, Department of Transportation (Caltrans) and the City of San José for the US101/De La Cruz Blvd - Trimble Rd Interchange Improvement Project. CEQA: Categorically Exempt, File No. ER20-247, CEQA Guidelines Section 15301 Existing Facilities. Council Districts 3 and 4. (Transportation)

Action: **Resolution No. 79956** regarding the Maintenance Agreement between the State of California, Department of Transportation (Caltrans) and the City of San José for the US101/De La Cruz Blvd - Trimble Rd Interchange Improvement Project was adopted. (10-0-1. Absent: Carrasco)

2.11 21-633

Amendment to Consultant Agreement with Toole Design Group, LLC, for Citywide Bike Plan Update.

Retroactively approve the First Amendment to the Consultant Agreement with Toole Design Group, LLC, to revise the Outreach & Community Engagement and Bike Facility Recommendations task completion times; revise the compensation amounts for various tasks; extend the contract from June 20, 2020 to March 31, 2021; and increase the maximum total compensation from \$675,000 to \$731,000. CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Transportation)

Action: The amendment to the Consultant Agreement with Toole Design Group, LLC, for the Citywide Bike Plan Update was approved. (10-0-1. Absent: Carrasco)

2.12 21-643

Report on Request for Proposal for Parking Citation Management and Permit Management Systems (Including Subsystems) and Processing Services.

Accept the report on the Request for Proposal and adopt a resolution authorizing the City Manager to: (a) Execute an agreement with Turbo Data Systems, Inc. (Tustin, CA) for the purchase and deployment of Parking Citation Management and Permit Management Systems (including Subsystems) and Processing Services, including associated licenses and subscriptions, handheld units for citation issuance, vehicle-mounted Automated License Plate Recognition equipment, staffing of a customer service walk-in center in downtown San José, and related professional services for project management, implementation, training, maintenance, and support for an initial one (1) year term beginning July 1, 2021 and ending June 30, 2022 with a maximum compensation not to exceed \$1,385,730, subject to the appropriation of funds; (b) Negotiate and execute amendments and change orders as required for any unanticipated changes for a contingency amount not to exceed \$100,000 during the initial one (1) year term, subject to the appropriation of funds; and (c) Exercise up to 9 one-year options to extend the term of the agreement through June 30, 2031 for ongoing software subscriptions, support, maintenance, and related professional services, subject to 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) [Deferred from 3/30/2021 Item 2.11 (21-568)]

Action: The report on Request for Proposal for Parking Citation Management and Permit Management Systems (Including Subsystems) and Processing Services was accepted and **Resolution No. 79957** regarding the agreement with Turbo Data Systems, Inc was adopted. (10-0-1. Absent: Carrasco)

2.13 21-642

Approval of Proclamation for National Child Abuse Awareness Month Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. - DROPPED

(a) Approve the National Child Abuse Awareness Month scheduled on April 6, 2021 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. (Carrasco) [Rules Committee referral 3/24/2021 - Item A.1.a]

DROPPED

2.14 21-720

Approval of Proclamation for Arts, Culture, and Creativity Month.

Approve April 2021 as Arts, Culture, and Creativity Month in the City of San José at a significant time to recognize and celebrate the arts, culture, and creativity of all peoples in San José in coordination with the State of California's designation per Senate Concurrent Resolution No.33. CEQA: Not a Project, File No. PP17 011, Temporary Special Events resulting in no changes to the physical environment. (Economic Development)

Action: The proclamation for Arts, Culture, and Creativity Month in April 2021 was approved. (10-0-1. Absent: Carrasco)

3. STRATEGIC SUPPORT

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

City Manager, David Sykes recognized two Unsung Heroes from the Emergency Operations Center (Public Information Branch). He thanked Sabby Kaur and Mimi-Cristien Nguyen for all their continuous hard work and translations.

Chief of Staff, Emergency Operations Center Director, Lee Wilcox and Deputy City Manager, Emergency Operations Center Director, Kip Harkness, presented the Covid-19 Update, Emergency Operation Center Update, Community Recovery, and the Vaccination Update.

3.2 Labor Negotiations Update.

None provided.

3.3 21-638

Advocate Referrals: Further Improvements to Processes and Data Sharing Can Help Connect More Survivors to Services.

As recommended by the Public Safety, Finance and Strategic Support Committee on March 18, 2021, accept the Advocate Referrals: Further Improvements to Processes and Data Sharing Can Help Connect More Survivors to Services 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. (City Auditor) [Public Safety, Finance and Strategic Support Committee referral 3/18/2021 - Item (d)3]

Action: The Advocate Referrals for: Further Improvements to Processes and Data Sharing Can Help Connect More Survivors to Services was accepted, with a request for an informational memorandum to address the audits recommendations. (10-0-1. Absent: Carrasco)

4. PUBLIC SAFETY SERVICES

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 21-721

Amendment to Council Policy 7-1 “Below Market Rental Policy for Use of City-Owned Land and Buildings by Qualified Organizations for Governmental or Other Public Purposes.”

Adopt a resolution approving revision to Council Policy 7-1 “Below Market Rental Policy for Use of City-Owned Land and Buildings by Qualified

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8.1 (Cont'd.)

Organizations for Governmental or Other Public Purposes,” as adopted April 13, 1970 and amended on November 29, 1994 and May 23, 2006, modifying the term of 7-1 Policy leases, expanding the definition of qualified organizations, amending reporting requirements for qualified organizations, and making other similar revisions. 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 and File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Economic Development) [Deferred from 3/30/2021 - Item 8.1 (21-585)]

Action: **Resolution No. 79958** regarding the approval of revisions to Council Policy 7-1 “Below Market Rental Policy for Use of City-Owned Land and Buildings by Qualified Organizations for Governmental or other Public Purposes,” was adopted. (10-0-1. Absent: Carrasco)

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

No Land Use items on Consent Calendar.

END OF CONSENT CALENDAR

10. Land Use - Regular Agenda

• Open Forum

1. Blair Beekman spoke on sustainability practices, bike trail issues, community electricity, and 4G and 5G network issues.
2. Paul Soto spoke to his confusion of not being a part of the conversation regarding the \$150 million dollars being allocated to non-profits throughout the City of San José, saying he felt excluded.
3. Roland requested to have closed captioning on Zoom Calls for members of the public to see, not just on YouTube or Granicus, and requested to have real-time translators at the meetings.
4. Mike thanked staff for all their help and showed appreciation for the positive impact moving the Palace Apartment Building to the Corner of 4th and Reed Street has had.

• Adjournment

The Council of the City of San José adjourned at 4:44 p.m.