



CITY COUNCIL AGENDA

SPECIAL MEETING SYNOPSIS

NOVEMBER 7, 2014

PETE CONSTANT
ASH KALRA
SAM LICCARDO
KANSEN CHU
XAVIER E. CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON NGUYEN, VICE MAYOR
ROSE HERRERA
DONALD ROCHA
JOHNNY KHAMIS

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support Services** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Community & Economic Development** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- **Neighborhood Services** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Transportation & Aviation Services** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environment and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Public Safety Services** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, Mayor Reed will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 7 p.m. as needed, unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?NID=3549>. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Council Wing, 2nd Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 or (408) 294-9337 as soon as possible, but at least three business days before the meeting.

- **Call to Order and Roll Call**

9:18 a.m. – Special Meeting, Council Chambers, City Hall
Absent Councilmembers: Chu, Kalra.

- **Orders of the Day**

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

- 1. Police Recruits.**

Recommendation: As recommended by the Rules and Open Government Committee on October 29, 2014:

- (a) Appoint an independent investigator to investigate the recruiting, hiring and training process for the last three police academies to determine if actions have been taken during the process to reduce the number of new officers joining the San José Police Department or to induce new officers to leave the department while in the Academy, Field training program, or probationary period; and
- (b) Appoint an Ad Hoc Committee to monitor the investigation until the results are brought back to the City Council for review and action.

[Rules Committee referral 10/29/14 – Item G(3)] (Mayor)

Action: Staff's recommendations were accepted, with direction to Staff as outlined in Councilmember Liccardo's memorandum dated November 7, 2014, as follows:

- (1) City Manager to conduct a post-exit inquiry of recent recruits who have left the SJPD either prior to, or after, their completion of training at any of the last three Police Academies, to assess their reasons for leaving. Report back to the Council in January with the results of that inquiry. That inquiry should be conducted by any outside firm or staff member designated by the City Manager.
- (2) Defer Council consideration of a 3rd-party investigation until the conclusion of that inquiry.

(9-0-2. Absent: Chu, Kalra.)

RECESS/RECONVENE

The City Council recessed at 9:25 a.m. and reconvened at 10:32 a.m. in Council Chambers

Absent: Councilmembers: Campos, Chu.

2. Interviews for Public Members on the Boards of Administration for the Federated City Employees' Retirement System and Police and Fire Department Retirement Plan.

Recommendation: Interview applicants and consider appointments to fill the following positions:

- (a) Two Public Member positions on the Board of Administration for the Federated City Employees' Retirement System; and Conflict of Interest
- (b) Two Public Member positions on the Board of Administration for the Police and Fire Department Retirement Plan. Conflict of Interest

(City Clerk)

Action: Lara Druyan (FCERS incumbent) and Michael Armstrong (FCERS incumbent) were appointed to additional terms serving on the Board of Administration for the Federated City Employees' Retirement System (FCERS) (8-0-3. Absent: Campos, Chu, Rocha.)

With six votes each, Jeremy Joseph Evnine and Ghia Griarte were appointed to serve on the Board of Administration for the Police and Fire Department Retirement Plan.

3. Appeals Hearing Board Interviews.

Recommendation: Interview applicants and consider appointments to fill the following positions on the Appeals Hearing Board:

- (a) Two Members-at-Large with terms ending December 31, 2018; and
- (b) One Attorney-at-Law representative with a term ending December 31, 2018.

(City Clerk)

Action: Karen Parsons was appointed to serve as a Board Member-at-Large with a term ending December 31, 2018. Andrew Ditlevsen, was appointed to serve as the Attorney-at-Law representative with a term ending December 31, 2018.

4. Civil Service Commission Interviews.

Recommendation: Interview applicants and consider appointments to fill the following positions on the Civil Service Commission:

- (a) One Attorney-at-Law representative; and
- (b) One Member-at-Large.

(City Clerk)

Deferred pending outcome of a Staff review, with the application process reopened and recruitment efforts to be continued.

- **Public Comments**
The Civil Service Commission incumbent Attorney-at-Law and applicant Margaret Akdeniz and Civil Service Commission Chair Bill Brill addressed comments directed towards the standing Commission and urged the importance of a thorough and transparent review and consideration of the reappointment of those Commissioners currently serving.
- **Adjournment**
The Council of the City of San José Meeting was adjourned at 12:30 p.m.