



# CITY COUNCIL AGENDA

**JUNE 7, 2016**

## **SYNOPSIS**

CHAPPIE JONES  
ASH KALRA  
RAUL PERALEZ  
MANH NGUYEN  
MAGDALENA CARRASCO

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

SAM LICCARDO MAYOR

PIERLUIGI OLIVERIO  
TAM NGUYEN  
ROSE HERRERA VICE MAYOR  
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 or Successor Agency to the Redevelopment Agency Board. 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, the Mayor 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, Tower 14<sup>th</sup> 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](mailto: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.

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

- **Call to Order and Roll Call**  
9:37 a.m. - Closed Session, Call to Order in Council Chambers  
All Present.  
1:30 p.m. - Regular Session, Council Chambers, City Hall  
All Present.
- **Invocation (District 6)**  
Father Sergio Ovando of St. Martin of Tours Parish provided the Invocation.
- **Pledge of Allegiance**  
Mayor Liccardo led the Pledge of Allegiance.
- **Orders of the Day** – *Heard after Ceremonial Items.*  
The Orders of the Day and the Amended Agenda were approved, with Item 4.2 deferred to August 2016, with the addition of Ceremonial Item 1.1, and with the meeting to be adjourned in honor of Helen Chavez, wife of civil rights and farm labor leader Cesar Chavez, who recently passed away at the age of 88.
- **Closed Session Report** – *None provided*

# 1. CEREMONIAL ITEMS

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- 1.1 Presentation of a commendation to the Tzu Chi Foundation (Kalra/M. Nguyen)  
**Mayor Sam Liccardo and Councilmembers Ash Kalra and Manh Nguyen recognized the Tzu Chi Foundation for five decades of outstanding service to the community, from charity and medicine to education, and their unwavering environmental stewardship.**

# 2. CONSENT CALENDAR

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- 2.1 **Approval of Minutes.**  
None provided.
- 2.2 **Final Adoption of Ordinances.**

**Recommendation:** Final adoption of ordinances.

- (a) ORD. NO. 29732 – An ordinance of the City of San José rezoning certain real property of approximately 0.11 acre situated on the northeasterly corner of West Julian Street and North Montgomery Street (549 West Julian Street) from the HI Heavy Industrial Zoning District to the TEC Transit Employment Center Zoning District. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final EIR, (Resolution No. 76041) and Supplemental EIR (Resolution No. 77617), File No. C15-045. (Planning, Building and Code Enforcement)  
**Ordinance No. 29732 adopted.**
- (b) ORD. NO. 29733 – An ordinance of the City of San José rezoning certain real property of approximately 0.47 acre located on the northwest corner of North 1<sup>st</sup> Street and Interstate 880 (1231 & 1233 North 1<sup>st</sup> Street), from the CO Commercial Office and R-2 Two Family Residence Zoning Districts to the COP Commercial Pedestrian Zoning District. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution 76041), File No. C16-004. (Planning, Building and Code Enforcement)  
**Ordinance No. 29733 adopted.**
- (c) ORD. NO. 29734 – An ordinance of the City of San José rezoning certain real property of approximately 0.2 acre, situated approximately 130 feet west of the intersection of Julian Street and Stockton Avenue on the south side of West Julian Street (706 West Julian Street), from the LI Light Industrial Zoning District to the CG Commercial General Zoning District. CEQA: Determination of Consistency with the Envision San José 2040 general Plan (Resolution No. 76041), File No. C16-008. (Planning, Building and Code Enforcement)  
**Ordinance No. 29734 adopted.**

## 2. CONSENT CALENDAR

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### 2.2 Final Adoption of Ordinances. (Cont'd.)

#### Recommendation:

- (d) ORD. NO. 29735 – An ordinance of the City of San José rezoning certain real property of approximately 2.41 acres, situated on the south side of Umbarger Road, approximately 400 feet east of Aiello Drive (210 Umbarger Road), from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041) and Supplemental EIR (Resolution No. 77617), File No. C16-009. (Planning, Building and Code Enforcement)  
**Ordinance No. 29735 adopted.**
- (e) ORD. NO. 29736 – An ordinance of the City of San José rezoning certain real property of approximately 0.28 acre, located on the southwest side of Camden Avenue, approximately 350 feet northwest of Bascom Avenue (2272 Camden Avenue), from the CP Commercial Pedestrian Zoning District to the CN Commercial Neighborhood Zoning District. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No 76041), File No. C15-066. (Planning, Building and Code Enforcement)  
**Ordinance No. 29736 adopted.**
- (f) ORD. NO. 29737 – An ordinance of the City of San José rezoning certain real property of approximately 0.49 gross acre, situated on the northwesterly corner of Los Gatos-Almaden Road and Warwick Road (14861 Los Gatos-Almaden Road), from the R-1-2 Single-Family Residence Zoning District to the R-1-5 Single-Family Residence Zoning District. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041) and Supplemental EIR (Resolution No. 77617), File No. C16-010. (Planning, Building and Code Enforcement)  
**Ordinance No. 29737 adopted.**
- (g) ORD. NO. 29739 – An ordinance of the City of San José rezoning certain real property of approximately 0.99 gross acre situated on the west side of Almaden road, approximately 410 feet south of Willow Glen Way (1777-1797 Almaden Road) from the R-M Multiple Residence and R-1-5 Single-Family Residence Zoning Districts to the R-M(PD) Planned Development Zoning District. CEQA: Scotia Apartments, 1777 & 1797 Almaden Road Mitigated Negative Declaration, File Nos. PDC15-23 & PD16-001. (Planning, Building and Code Enforcement)  
**Ordinance No. 29739 adopted.**

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## 2. CONSENT CALENDAR

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### 2.2 Final Adoption of Ordinances. (Cont'd.)

**Recommendation:**

- (h) ORD. NO. 29740 – An ordinance of the City of San José amending Title 17 of the San José Municipal Code by adding Chapter 17.88 to specify requirements for electric vehicle charging stations and to provide and expedited, streamlined permitting process for electric vehicle charging stations. (Planning, Building and Code Enforcement)

**Ordinance No. 29740 adopted.**

- (i) ORD. NO. 29741 – An ordinance of the City of San José amending section 6.02.130 of Chapter 6.02 of Title 6 of the San José Municipal Code to specifically authorize the denial, suspension or revocation of a permit or license based upon violation of wage and hour laws. CEQA: Not a Project, File No. PP10-068(c), Code or Policy change that involve no changes in the physical environment. (Public Works)

**Ordinance No. 29741 adopted.**

### 2.3 Approval of Council Committee Minutes.

**Recommendation:** Approval of Council Committee Minutes.

- (a) Rules and Open Government Committee Minutes of May 11, 2016. (Mayor)  
(b) Rules and Open Government Committee Minutes of May 18, 2016. (Mayor)  
(c) Public Safety, Finance, and Strategic Support Committee Minutes of May 19, 2016. (Oliverio)

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.

**Approved.**

### 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. CONSENT CALENDAR

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### 2.7 Dedication of Public Right-of-Way for Construction-Related Traffic Improvements on Zanker Road for the San José/Santa Clara Regional Wastewater Facility.

**Recommendation:**

- (a) Consider the Addendum to the Plant Master Plan Final EIR.

**Approved.**

- (b) Approve an ordinance designating approximately 27,000 square feet along the west side of Zanker Road, located over a portion of the San José/Santa Clara Regional Wastewater Facility, as public right-of-way and accept the newly-dedicated right-of-way into the City's street system as part of Zanker Road to allow for construction-related traffic improvements on Zanker Road.

CEQA: Addendum to the San José/Santa Clara Water Pollution Control Plant Master Plan Final EIR, File No. PP15-120. (Environmental Services/Public Works)  
(Deferred from 5/24/16 – Item 2.13)

**Ordinance No. 29743 passed for publication.**

### 2.8 City Attorney's Travel to Atlanta, Georgia.

**Recommendation:** Authorize City Attorney Richard Doyle's travel to Atlanta Georgia in June 10-11, 2016 to attend the International Municipal Lawyers Association (IMLA) Top 50 Meeting. Source of Funds: City Attorney's Office Non Personal Services Appropriation. CEQA: Not a Project, File No. P10-069(c), City Administrative Activities. (City Attorney)

**Authorized.**

### 2.9 Special Grant to San José Jazz for the Installation of "The Swings" at Plaza de Cesar Chavez.

**Recommendation:** Approve a special grant award to San José Jazz in the amount of \$50,000 for the installation of "The Swings" at Plaza de Cesar Chavez. CEQA: Exempt, Section 15301 Existing Facilities, File No. PP16-006. Council District 3. (Economic Development)

**Approved.**

### 2.10 Annual Renewal of Workforce Innovation and Opportunity Act Program and Projects for 2016-2017.

**Recommendation:** Adopt an annual renewal resolution authorizing the City Manager or his designee to negotiate and execute the following agreements relating to the Workforce Innovation and Opportunity Act (WIOA) Program and projects:

- (a) All contracts, amendments, agreements, leases, subleases, and memorandums of understanding with contractors, consultants, and vendors providing services to the Workforce Innovation and Opportunity Act (WIOA) (formerly Workforce

*(Item Continued on the next page)*

## 2. CONSENT CALENDAR

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### 2.10 Annual Renewal of Workforce Innovation and Opportunity Act Program and Projects for 2016-2017. (Cont'd.)

#### Recommendation:

- (a) Investment Act) Program, including, but not limited to novations or assignments, case management contracts, and consultant contracts, for the period July 1, 2016 to June 30, 2017 in accordance with procurement procedures and requirements mandated by the State and Federal governments for WIOA grant recipients and with established City procurement procedures and requirements, that have been reviewed and approved, as required, by the work2future Board, so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.
- (b) All memorandums of understanding with required and additional One-Stop partners for the period July 1, 2016 to June 30, 2019 in accordance with Section 121 of the WIOA, including, but not limited to memorandums of understanding with other workforce development boards, regional memorandums of understanding, partnership agreements, cost-sharing agreements, regional consultant agreements to share training and labor market research tools, and memorandums of understanding with cities and the unincorporated area of Santa Clara County whose residents receive services from work2future, so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses, if any, of the agreement.
- (c) All amendments to City Council-approved agreements that have been reviewed and approved, as required, by the work2future Board so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.
- (d) All grant applications, grants agreements, subgrant agreements, and any documents necessary to accept the grant for discretionary funding applied for and approved by the work2future Board, for multi-year periods not to extend beyond June 30, 2020, so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.
- (e) All Eligible Training Provider List, Youth Career Technical Training, Youth Workshops, Adult Workshops and Adult Cohort agreements that have been reviewed and approved, as required, by the work2future Board, for the period from July 1, 2016 to June 30, 2018, subject to annual appropriation of funds by the work2future Board.
- (f) All agreements specified in section (a) above with an end term beyond the fiscal year in which the contract begins (beyond June 30, 2017), so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement, but not beyond the end of the following fiscal year (not beyond June 30, 2018).

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## 2. CONSENT CALENDAR

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### 2.10 Annual Renewal of Workforce Innovation and Opportunity Act Program and Projects for 2016-2017. (Cont'd.)

**Recommendation:**

- (g) All agreements specified in section (a) above that do not involve a disbursement of funds (no-fund agreement) beyond the fiscal year in which the agreement begins (beyond June 30, 2017), but not beyond the end of the following fiscal year (not beyond June 30, 2018).

CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. (Economic Development)

**Resolution No. 77760 adopted.**

### 2.11 Amendment to the Agreement with Trillium USA Company LLC for Compressed Natural Gas Fueling Operation and Maintenance Services at the Airport.

**Recommendation:** Adopt a resolution authorizing the City Manager to execute an Amendment to the Agreement for Compressed Natural Gas Fueling Operations and Maintenance Services at the Airport to exercise up to two additional one-year options with Trillium USA Company LLC (Oklahoma City, OK) under the same terms and conditions through June 30, 2018, at a maximum compensation of \$438,109 per year, with price adjustments subject to approval by the City and capped at 5% per year, subject to the annual appropriation of funds. CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. (Finance)

**Resolution No. 77761 adopted.**

### 2.12 Purchase Order with Pipe and Plant Solutions, Inc. for Anaerobic Digesters at the Regional Wastewater Facility.

**Recommendation:** Adopt a resolution authorizing the City Manager to:

- (a) Execute a Purchase Order with Pipe and Plant Solutions, Inc. (Berkeley, CA) to provide all labor and material to clean three anaerobic digesters at the Regional Wastewater Facility for the term June 7, 2016 through June 6, 2017, in an amount not to exceed \$339,067;
- (b) Approve a contingency of \$50,000 in the event that unanticipated issues are identified during the performance of the work; and
- (c) Exercise up to three additional one-year options to extend the term of the cleaning services for nine additional digesters that are scheduled for cleaning on a rotational basis through June 6, 2020, subject to the appropriation of funds.

CEQA: Digester and Thickener Facilities Upgrade Project Mitigated Negative Declaration, File No. PP15-055. (Finance)

**Resolution No. 77762 adopted.**

## 2. CONSENT CALENDAR

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### 2.13 Deferred Compensation Advisory Committee Appointments.

**Recommendation:** As recommended by the Rules and Open Government Committee on May 25, 2016, approve the appointment of John Reger as the representative nominated by the “trades employee organizations” consisting of Association of Building, Mechanical & Electrical Inspectors (ABMEI), International Union of Operating Engineers, Local 3 (OE#3) and International Brotherhood of Electrical Workers (IBEW) to the Deferred Compensation Advisory Committee to fill the vacancy created by the resignation of Pascal Roubineau for the remainder of the four-year term ending on March 1, 2017. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Human Resources)

[Rules Committee referral 5/25/16 – Item F.1(a)]

**Approved.**

### 2.14 Philippine Flag Raising.

**Recommendation:** As recommended by the Rules and Open Government Committee on May 25, 2016:

- (a) Approve the Philippine Flag Raising scheduled on Friday, June 10, 2016 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the events.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Kalra)

[Rules Committee referral 5/25/16 – Item G.1.a]

**Approved.**

### 2.15 Amendment to the Agreement with Guadalupe River Park Conservancy for the Guadalupe River Park and Gardens.

**Recommendation:** Adopt a resolution to authorize the City Manager to negotiate and execute a Third Amendment to the Agreement between Guadalupe River Park Conservancy and City of San José for support of the Guadalupe River Park and Gardens for a total contract not to exceed amount of \$273,044. CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Parks, Recreation and Neighborhood Services)

**Resolution No. 77763 adopted.**

## 2. CONSENT CALENDAR

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### 2.16 Los Lagos Golf Course Land Use Public Outreach.

**Recommendation:** Accept the public outreach process outlined in the memorandum to Council for obtaining community input regarding current and alternative uses of park land occupied by Los Lagos Golf Course. CEQA: Not a Project, File No. PP10-068, General Procedure & Policy Making. Council District 7. (Parks, Recreation and Neighborhood Services)

**Accepted, including Councilmember Johnny Khamis' memorandum dated June 7, 2016, accepting staff recommendations to the *Draft Public Outreach Process Outline* section, outlined in the May 16<sup>th</sup> memorandum from Director of Parks, Recreation and Neighborhood Services, Angel Rios, with amendments as follows: (1) Add to Stage 1, Step 3, Process Logistics, the following items: (e) Provide Mayor & Council offices a list of all public outreach opportunities and activities, including dates, deadlines, links and schedules, as they are made available to the public; (f) Provide Mayor & Council offices soft copies of public notices and mailers, as they are made available to the public; (2) Change the language of Stage 2, Step 1 from "Community-wide" survey to "City-wide" survey to reflect that the online survey will be accessible by all San José residents; (3) Stage 2, Step 4, include Senior Associations within San José as stakeholders; (4) In Stage 2, Step 6, increase the number of community workshops from ~~two to~~ *up to* four and ensure that they are strategically located to maximize outreach to all residents of San José (e.g. Central to Districts 2, 9, and 10, Districts 1 and 6, Districts 3, 4 and 5, and Districts 7 and 8). (8-0-3. Noes: Herrera, M. Nguyen, Oliverio.)**

### 2.17 Amendment to the Agreement with West Yost & Associates, Inc. for the Nordale Pump Station Replacement Project.

**Recommendation:** Approve the Fourth Amendment to the Master Agreement with West Yost & Associates, Inc. extending the term of the Agreement from June 30, 2016 to June 30, 2017, at no additional cost to the City. CEQA: Not a Project, File No. PP10-066(d), Consultant Services to determine the feasibility of a project with no commitment to further action. Council District 7. (Public Works)

**Approved.**

### 2.18 Actions Related to the Public Streetlight Design Guide.

**Recommendation:** Adopt a resolution:

- (a) Approving the City of San José Public Streetlight Design Guide, revised June 2016; and
- (b) Authorizing the Director of Transportation to approve amendments and updates to the Public Streetlight Design Guide and other special application streetlight design guides that implement Council Policy 4-2: Public Streetlights.

CEQA: Exempt, Section 15301 Existing Facilities, File No. PP11-002 and Exempt, Section 15303(d) New Construction of Small Structures, File No. PP14-046. (Transportation)

**Resolution No. 77764 adopted.**

## 2. CONSENT CALENDAR

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### 2.19 Actions Related to Councilmember T. Nguyen Travel to Frankfurt, Germany.

**Recommendation:** Approve travel for Councilmember T. Nguyen to Frankfurt, Germany on July 1 to July 6, 2016 as part of the Lufthansa Airlines Inaugural Flight Delegation, as the City's designated representative. Source of Funds: Council District 7 Travel Fund. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (T. Nguyen)

**Approved.**

### 2.20 Orchard Creek Neighborhood Beautification Day.

**Recommendation:** As recommended by the Rules and Open Government Committee on June 1, 2016:

- (a) Approve the Orchard Creek Neighborhood Beautification Day scheduled on July 9, 2016 as a City Council sponsored Special Event; and
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Khamis)  
[Rules Committee referral 6/1/16 – Item G.1.c]

**Approved.**

## 3. STRATEGIC SUPPORT SERVICES

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### 3.1 Report of the City Manager, Norberto Dueñas (Verbal Report).

**City Manager Norberto Dueñas addressed concerns regarding police action taken to handle the escalation of violence which occurred at a political rally on June 2. Mayor Liccardo directed staff to report out on allegations of flag-burning, extent of injuries to participants and the rumor of 'stand down' orders given to the police department. He further asked that members of the public witnessing or having information leading to identification of the perpetrators come forward.**

### 3.2 Labor Negotiations Update.

**Recommendation:** Accept Labor Negotiations Update. – **None provided.**

### 3.3 City of San José's Investment Policy.

**Recommendation:** As recommended by the Public Safety, Finance, and Strategic Support Committee on May 19, 2016, adopt a resolution to approve the proposed revisions to Council Policy 1-12, "City of San José's Investment Policy." CEQA: Not a Project, File No. PP10-068(c), Code or Policy change that involve no changes in the physical environment. (Finance)

[Public Safety, Finance, and Strategic Support Committee referral 5/19/16 – Item (d)(4)]

**Resolution No. 77765 adopted.**

### **3. STRATEGIC SUPPORT SERVICES**

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#### **3.4 Third Quarter Financial Reports for Fiscal Year 2015-2016.**

**Recommendation:** As recommended by the Public Safety, Finance, and Strategic Support Committee on May 19, 2016, accept the Third Quarter (period ending March 31, 2016) Financial Reports for Fiscal Year 2015-2016 for the following programs:

- (a) Debt Management Report;
- (b) Investment Report; and
- (c) Revenue Collection Report.

CEQA: Not a Project, File No. PP10-069(a), Reports that involve no approvals of any City Actions. (Finance)

[Public Safety, Finance, and Strategic Support Committee referral 5/19/16 – Item (d)(5)]  
**Accepted.**

#### **3.5 Actions Related to the Proposed Security Installation at the Office of the Independent Police Auditor.**

**Recommendation:** Adopt the following 2015-2016 Appropriation Ordinance Amendments in the General Fund.

- (a) Increase the Non-Personal/Equipment appropriation to the Independent Police Auditor’s Office in the amount of \$32,000.
- (b) Decrease the Personal Services appropriation to the Independent Police Auditor’s Office in the amount of \$32,000.

CEQA: Not a Project, File No. PP10-066(a), Agreements and Contracts. (Independent Police Auditor/City Manager)

**Ordinance No. 29744 adopted.**

#### **3.6 Safe Communities Multi-Family Housing Pilot Program.**

**Recommendation:** As recommended by the Public Safety, Finance, and Strategic Support Committee on May 19, 2016, accept the implementation of a one-year Safe Communities Multi-Family Housing Pilot Program for the Hoffman/Via Monte area of City Council District 10 effective July 1, 2016. CEQA: Exempt, Section 15262

Feasibility and Planning Studies, File No. PP16-068. (Police)

[Public Safety, Finance, and Strategic Support Committee referral 5/19/16 – Item (d)(6)]  
**Accepted.**

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.7 Report on Request for Proposal for Body Worn Camera and Evidence Management System.

**Recommendation:** Accept the report on the Request for Proposal for a Body Worn Camera and Evidence Management System and adopt a resolution authorizing the City Manager to:

- (a) Negotiate and execute an Agreement with Taser International, Inc. (Scottsdale, AZ) for the purchase of a Body Worn Camera and Evidence Management System, including 963 body worn cameras, docking stations, evidence management software, video and capture storage services, training, and related professional services for an initial five-year term, ending June 2021, with a maximum compensation not-to-exceed \$4,427,940, subject to the annual appropriation of funds;
- (b) Execute change orders not-to-exceed \$500,000 in the event additional cameras are required for additional police officers, or to cover any unanticipated changes that may be required during system implementation, subject to the appropriation of funds; and
- (c) Execute up to five, one-year options to extend the term of the Agreement after the initial five-year term, subject to the annual appropriation of funds.

CEQA: Not a Project, File No. PP10-066 (a) Agreements and Contracts for professional services with no changes in the physical environment. (Finance/ Police)

**Report accepted. Resolution No. 77766 adopted.**

### 4. COMMUNITY & ECONOMIC DEVELOPMENT

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#### 4.1 Actions Related to the Parking Improvement Agreement with San José Arena Management, LLC for Parking Solutions Near SAP Center and the Greater Downtown. *DROP*

**Recommendation:**

- (a) Adopt a resolution authorizing the City Manager to negotiate and execute a Parking Improvement Agreement with San José Arena Management, LLC for the construction and operation of two parking lots.
- (b) Direct staff to continue efforts to provide both short term and long term parking solutions near the SAP Center and the Greater Downtown.
- (c) Adopt the following 2015-2016 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Purpose Parking Fund:
  - (1) Establish the Arena Area Parking Development appropriation in the amount of \$750,000; and
  - (2) Decrease the Unrestricted Ending Fund Balance by \$750,000

CEQA: Exempt, Section 15301(c) Existing Facilities, File No. PP16-054. (Economic Development/City Manager)

(Deferred from 5/17/16 – Item 4.3 and 5/24/16 – Item 4.4)

**Dropped per Administration.**

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

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### **4.2 Actions Related to the End of Watch Police Memorial.**

**Recommendation:**

- (a) Approve the recommendation that the End of Watch police memorial be located at the City's Police Administration Building;
- (b) Direct staff to proceed with the procurement of a design for the memorial in a process consistent with City's public art process; and
- (c) Continue to approve and accept donations from various individuals, businesses, or community groups to support the project.

CEQA: Exempt, Section 15301 Existing Facilities, File No. PP16-006. (Economic Development)

**Deferred to August 2016 per Orders of the Day.**

### **4.3 Presentation Overview of the Plan Bay Area 2040 Update.**

**Recommendation:** Accept the joint staff and Association of Bay Area Governments (ABAG) Presentation on the Four-Year Update of Plan Bay Area 2040. CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (Planning, Building and Code Enforcement)

**Accepted.**

### **4.4 Report on Bids and Award of Contract for the 7225 - Brokaw III - Capitol Avenue Sanitary Sewer Improvement Project.**

**Recommendation:** Report on bids and award of contract for the 7225 - Brokaw III - Capitol Avenue Sanitary Sewer Improvement Project to the low bidder, JMB Construction, Inc., in the amount of \$1,415,270 and approve a contingency in the amount of \$141,000. CEQA: Addendum to the Envision San José General Plan Final Program EIR, File No. PP12-076. Council District 4. (Public Works)

**Approved.**

### **4.5 Report on Bids and Award of Contract for 7630 – Jackson Avenue Bicycle and Pedestrian Improvements (Between McKee Road and Alum Rock Avenue) Federal Project No. CML – 5005(125).**

**Recommendation:** Report on bids and award of contract for the 7630 – Jackson Avenue Bicycle and Pedestrian Improvements (Between McKee Road and Alum Rock Avenue) Federal Project No. CML – 5005 (125) to the sole bidder, Golden Bay Construction, Inc., in the amount of \$1,290,376 and approval of a contingency in the amount of \$129,038. CEQA: Exempt, Section 15301(c) Existing Facilities, File No. PP13-104. Council District 5. (Public Works)

**Accepted.**

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

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### **4.6 Report on Bids and Award of Contract for the 7258 – Tamien Park – Phase 1 Project.**

**Recommendation:** Report on bids and award of construction contract for the 7258 – Tamien Park – Phase 1 Project to the low bidder, Suarez & Munoz Construction, Inc., for the base bid and bid alternate amount of \$2,798,000 and approval of a contingency in the amount of \$279,800. CEQA: Tamien Park Master Plan Mitigated Negative Declaration, File No. PP14-057. Council District 3. (Public Works/Parks, Recreation and Neighborhood Services)

**Approved.**

## **5. NEIGHBORHOOD SERVICES**

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

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

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## **8. PUBLIC SAFETY SERVICES**

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### **8.1 Fire Department Strategic Plan and Organizational Review.**

**Recommendation:**

- (a) Adopt the San José Fire Department Strategic Plan, which includes a roadmap to provide ongoing quality services to the community and establish the San José Fire Department as a national leader in all-risk emergency response and fire prevention services.
- (b) Review and discuss the report on the Fire Department Organizational Review conducted by Citygate Associates, LLC., including an evaluation of Fire Department service delivery, response time performance, technological improvements, and operations efficiencies.

CEQA: Not a Project, File No. PP10-069(a), Staff Reports that involve no approval of any City Actions. (Fire)

[Public Safety, Finance and Strategic Support referral 3/17/16 – Item (d)(1)]

(Deferred from 4/5/16 – Item 8.1, 4/26/16 – Item 8.1, and 5/24/16 – Item 8.1)

**The staff recommendation was accepted and the San José Fire Department Strategic Plan was adopted, including direction as outlined in the memorandum from Mayor Sam Liccardo, Vice Mayor Rose Herrera, and Councilmembers Manh**

*(Item Continued on the next page)*



## 8. PUBLIC SAFETY SERVICES

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### 8.1 Fire Department Strategic Plan and Organizational Review (Cont'd.)

Nguyen, Pierluigi Oliverio and Johnny Khamis, dated June 3, 2016, with amendments as indicated: to “(1) Direct the City Manager to implement already-funded SJFD recommendations outlined in the Fire Department Organization Review to improve fire and emergency medical response times, including the following: Base map update; Emergency Response Zone refinement; Data collection; Business Intelligence tool software for measuring and managing operations; Establishment of data warehouse; Response area mapping; Navigation technology; Fire communications staffing; turnout time PILOT improvement project; Enable GPS unit tracking; “Boarder drops” with bordering partner fire departments; “Move-ups” from less busy to busy areas; Deployment refinements such as quantity of units to less severe incidents; (2) If approved as part of the 2016-2017 Capital Budget, direct the City Manager to implement the new IP-based alert system as soon as possible in order to reduce fire and emergency medical response times substantially; (3) Direct the City Manager to prioritize meeting the City’s contractual emergency medical response times for decisions related to resource deployment and allocation, with the goal of realizing an additional \$5 million (\$2.1 million annually) of revenue to the City, allowing additional City service restoration; (4) Direct the City Manager to ~~utilize~~ *prioritize* future SAFER grants to restore and add two-man squads to supplement and enhance fire and emergency medical response times, along with staffing a future Station 37; (5) Explain at the Council hearing on this matter – or soon thereafter through an information memorandum: (a) Why must engine companies be dispatched simultaneously with squads on EMS calls, rather than allowing the dispatcher to triage the calls first to determine which resources to deploy? Would better/more dispatch staffing enable such a model to function: (b) Why can’t squads respond adequately to all Priority 1 EMS calls? That is, which procedure require more than two persons to respond prior to the arrival of an ambulance? (c) Are there other models used nationally to respond to Priority 1 EMS calls with a resource other than four firefighters on a water-carrying engine?”

- Open Forum  
None provided.

- Adjournment

The Council of the City of San José adjourned at 6:36 p.m. in memory of Helen Chavez, wife of civil rights and farm labor leader Cesar Chavez, who recently passed away at the age of 88.