



MINUTES OF THE CITY COUNCIL

SAN JOSE, CALIFORNIA

TUESDAY, APRIL 28, 2015

The Council of the City of San José convened in Regular Session at 1:31 p.m. in the Council Chambers at City Hall.

Present: Council Members - Carrasco, Herrera, Jones, Kalra, Khamis, Matthews, Nguyen, Oliverio, Peralez, Rocha.

Absent: Council Members - Liccardo. (Excused)

INVOCATION

Saint Victor's School Choir offered the Invocation. (District 4)

PLEDGE OF ALLEGIANCE

Vice Mayor Rose Herrera led the Pledge of Allegiance.

ORDERS OF THE DAY

Upon motion by Council Member Johnny Khamis, seconded by Council Member Magdalena Carrasco and carried unanimously, the Orders of the Day and the Amended Agenda were approved, and Ceremonial Item 1.3 was heard first. (9-0-2. Absent: Oliverio; Liccardo.)

CEREMONIAL ITEMS

- 1.1 Presentation of a proclamation recognizing the San José Green Commute Challenge, a City staff competition taking place May through August that promotes cycling, transit, transportation sharing and walking as environmentally-friendly work commute transportation options and also helps set an example for the community to follow. (Transportation)**

Vice Mayor Rose Herrera and Director of Transportation Hans F. Larsen recognized and commended City Staff competing in the "San José Green Commute Challenge".

**1.2 Presentation of a proclamation declaring Tuesday, April 28, 2015 as “Día del Niño” in the City of San José. (Carrasco)
(Rules Committee referral 4/ 22/15)**

Vice Mayor Rose Herrera and Council Member Magdalena Carrasco recognized Tuesday, April 28, 2015 as “Día del Niño” (Children’s Day) in the City of San José.

**1.3 Presentation of a commendation recognizing Saint Victor School’s 50th Anniversary. (Matthews)
(Rules Committee referral 4/22/15)**

Heard first per Orders of the Day.

Vice Mayor Rose Herrera and Council Member Margie Matthews recognized Saint Victor School upon its 50th Anniversary.

**1.4 Presentation of a commendation to recognize Archbishop Mitty High School Monarchs Women’s Basketball Team as the 2015 Division II California State Champions. (Jones)
(Rules Committee referral 4/22/15)**

Vice Mayor Rose Herrera and Council Member Chappie Jones recognized Archbishop Mitty High School Monarchs Women’s Basketball Team.

CONSENT CALENDAR

Upon motion by Council Member Johnny Khamis, seconded by Council Member Magdalena Carrasco and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (10-0-1. Absent: Liccardo.)

2.1 Approval of Minutes.

There were none.

2.2 Final adoption of ordinances.

- (a) **ORD. NO. 29552 – Rezoning certain real property of approximately 0.45 acre situated at the southwesterly corner of St. John Street and North Almaden Boulevard from the CG Commercial General and LI Light Industrial Zoning Districts to the DC Downtown Primary Commercial Zoning District. CEQA: Addendum to San José Downtown Strategy EIR, Resolution no. 64273. C14-071**

Documents Filed: Proof of Publication of the Title of Ordinance No. 29552 executed on April 17, 2015, submitted by the City Clerk.

Action: Ordinance No. 29552 was adopted. (10-0-1. Absent: Liccardo.)

- 2.2 (b) **ORD. NO. 29553 – Rezoning certain real property of approximately 1.34 acres situated on the northerly side of Branham Lane, Approximately 250 feet east of Glenmont Drive, (955 Branham Lane) from the A Agricultural Zoning District to the A(PD) Planned Development Zoning District. CEQA: Mitigated Negative Declaration, Resolution No. 77323. PDC14-042**

Documents Filed: Proof of Publication of the Title of Ordinance No. 29553 executed on April 17, 2015, submitted by the City Clerk.

Action: Ordinance No. 29553 was adopted. (10-0-1. Absent: Liccardo.)

2.3 Approval of Council Committee Reports.

- (a) **Transportation and Environment Committee Report of April 6, 2015. (Kalra)**
(b) **Rules and Open Government Committee Report of April 8, 2015. (Mayor)**
CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.

Documents Filed: (1) The Transportation and Environment Committee Report dated April 6, 2015. (2) The Rules and Open Government Committee Report dated April 8, 2015.

Action: The Council Committee Reports were approved. (10-0-1. Absent: Liccardo.)

2.4 Mayor and Council Excused Absence Requests.

There were none.

2.5 City Council Travel Reports.

There were none.

2.6 Report from the Council Liaison to the Retirement Boards.

There were none.

- 2.7 (a) **Approve the proposed 2014-2016 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant for \$1,580,053, and authorize the Chief of Police to amend the Spending Plan in conformity to the budget priorities set out in the memorandum to Council in the event State SLES Grant payments are less or more than expected.**
(b) **Approve the revised 2013-2015 Spending Plan for the Supplemental Law Enforcement Services Grant reallocating funds from Project #2 and Project #3 to Project #1 to purchase Mobile Data Computers.**
(c) **Adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Supplemental Law Enforcement Services Fund:**

- 2.7 (c) (1) **Increase the Earned Revenue estimate by \$667,806.**
(2) **Establish an appropriation to the Police Department for the SLES Grant 2014-2016 for \$667,806.**

CEQA: Not a Project, File No. PP10-067(b), Appropriation Ordinance. (Police/City Manager)

(Deferred from 4/14/15 – Item 2.15)

Documents Filed: Memorandum from Chief of Police Larry Esquivel and Interim Senior Deputy City Manager/Budget Director Jennifer A. Maguire, dated April 15, 2015, recommending approval of the plans, grants and adoption of an appropriation ordinance and funding sources resolution amendments

Action: The proposed 2014-2016 Spending Plan for the Supplemental Law Enforcement Services (SLES) Grant for \$1,580,053, and authorization of the Chief of Police to amend the Spending Plan in conformity to the budget priorities set out in the memorandum to Council in the event State SLES Grant payments are less or more than expected and the revised 2013-2015 Spending Plan for the Supplemental Law Enforcement Services Grant reallocating funds from Project #2 and Project #3 to Project #1 to purchase Mobile Data Computers were approved; Ordinance No. 29557, entitled: “An Ordinance of the Council of the City of San José Amending Ordinance No. 29431 to Appropriate Monies in the Supplemental Law Enforcement Services (SLES) Fund for the SLES Grant 2014-2016; and Providing That This Ordinance Shall Become Effective Immediately Upon Adoption” and Resolution No. 77329, entitled: “A Resolution of the Council of the City of San José Amending Resolution No. 77037 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2014-2015 To Adjust Revenues in the Supplemental Law Enforcement Services Fund”, were adopted. (10-0-1. Absent: Liccardo.)

- 2.8 **Approve the First Amendment to the Agreement for Consultant Services with CH2M HILL, Inc. for the Los Gatos Creek Trail Reach 5B/C to revise the scope of services to reflect a change in project conditions, with no increase in the total contract amount of \$1,430,050. CEQA: Not a Project, File No. PP10-066(d), Consultant Services. Council District 6. (Public Works)**

Documents Filed: City Council Action Request from Deputy Director of Animal Care and Services Jon Cicirelli, dated April 15, 2015, recommending approval of the first amendment to the agreement.

Vice Mayor Rose Herrera opened the floor for public testimony.

Public Comments: Martin Delsom expressed opposition to the Staff recommendations.

Action: Upon motion by Council Member Johnny Khamis, seconded by Council Member Magdalena Carrasco and carried unanimously, the First Amendment to the Agreement for Consultant Services with CH2M HILL, Inc. for the Los Gatos Creek Trail Reach 5B/C to revise the scope of services to reflect a change in project conditions, with no increase in the total contract amount of \$1,430,050, was approved. (10-0-1. Absent: Liccardo.)

- 2.9 (a) **Approve travel by Council Member Khamis to Washington, D.C. on April 29 – May 1, 2015 to represent the City of San José at the Arab American Institute Foundation Kahlil Gibran *Spirit of Humanity* Awards Gala and 2015 Arab American Leadership Day. Source of Funds: Council Member Khamis' Personal Funds.**
- (b) **Request for an excused absence for Council Member Khamis from the Regular Meeting of the Rules and Open Government Committee on April 29, 2015 due to Authorized City Business: Arab American Institute Foundation Kahlil Gibran *Spirit of Humanity* Awards Gala and 2015 Arab American Leadership Day.**
- CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Khamis)**
(Rules Committee referral 4/22/15)

Documents Filed: Memorandum from Council Member Johnny Khamis, dated April 16, 2015, requesting approval of travel and an excused absence.

Action: The travel for Council Member Johnny Khamis was approved and the absence was excused. (10-0-1. Absent: Liccardo.)

- 2.10 **As recommended by the Rules and Open Government Committee on April 22, 2015:**
- (a) **Approve the Colombian Flag Raising Ceremony scheduled on August 14, 2015 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 event.**
- CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Carrasco)**
[Rules Committee referral 4/22/15 – Item G(1)(a)]

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated April 24, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Colombian Flag Raising as a City Council sponsored Special Event was approved and expenditure of funds and acceptance of donations from various individuals, businesses and community groups to support this event were authorized. (10-0-1. Absent: Liccardo.)

- 2.11 **As recommended by the Rules and Open Government Committee on April 22, 2015:**
- (a) **Approve the Mexican Flag Raising Ceremony scheduled on September 16, 2015 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 event.**
- CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Carrasco/Peralez)**
[Rules Committee referral 4/22/15 – Item G(1)(b)]

2.11 (Cont'd.)

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated April 24, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Mexican Flag Raising as a City Council sponsored Special Event was approved and expenditure of funds and acceptance of donations from various individuals, businesses and community groups to support this event were authorized. (10-0-1. Absent: Liccardo.)

- 2.12 As recommended by the Rules and Open Government Committee on April 22, 2015, approve a support position for AB 90 (Chau and Atkins – Federal Housing Trust Fund. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Housing)
[Rules Committee referral 4/22/15 – Item G(2)]**

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated April 24, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: Support Position Approved. (10-0-1. Absent: Liccardo.)

- 2.13 As recommended by the Rules and Open Government Committee on April 22, 2015, re-affirm a position to oppose for AB 1009 (Garcia) – Local Government: Redevelopment: Revenues from Property Tax Overrides Rates. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Manager)
[Rules Committee referral 4/22/15 – Item G(3)]**

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated April 24, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: An oppose position for AB 1009 was reaffirmed. (10-0-1. Absent: Liccardo.)

- 2.14 As recommended by the Rules and Open Government Committee on April 22, 2015, adopt a position of opposition for AB 1220 (Harper) – Transient Occupancy Taxes: Residential Short-Term Rentals Units. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Manager)
[Rules Committee referral 4/22/15 – Item G(4)]**

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated April 24, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Action: An oppose position for AB 1220 was adopted. (10-0-1. Absent: Liccardo.)

**2.15 As recommended by the Rules and Open Government Committee on April 22, 2015, approve a support position if SB 317 (DeLeon) - Parks is amended. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Manager)
[Rules Committee referral 4/22/15 – Item G(5)]**

Documents Filed: Memorandum from City Clerk Toni J. Taber, CMC, dated April 24, 2015, transmitting the recommendations of the Rules and Open Government Committee.

Council Member Johnny Khamis pointed out that most of the money will be received by Los Angeles even though the City of San José is the third largest city in California.

Motion: Council Member Johnny Khamis moved approval to reject SB 317. Council Member Pierluigi Oliverio seconded the motion.

Substitute Motion: Council Member Ash Kalra moved approval to support SB 317. Council Member Magdalena Carrasco seconded the motion.

Director of Intergovernmental Relations Betsy Shotwell responded to Council questions and concerns.

Vice Mayor Rose Herrera requested to amend the motion to direct Staff to return with an update on SB 317. The amendment was accepted by Council Members Kalra and Carrasco.

Action: On a call for the question, the substitute motion carried unanimously, a support position for SB 317 was adopted. Staff was directed to return to Council with an update on SB 317. (10-0-1. Absent: Liccardo.)

END OF CONSENT CALENDAR

STRATEGIC SUPPORT SERVICES

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

Interim City Manager Norberto Dueñas offered highlights relating to the Joint/Santa Clara Valley Water District Meeting on Monday, April 27, 2015 and announced that the City Manager's Proposed FY2015-2016 Budget Documents will be released on Friday, May 1, 2015.

- 3.3**
- (a) Interview four (4) applicants for appointment to the Ethics Commission.**
 - (b) Appoint one (1) member to the Ethics Commission to a term expiring March 1, 2019.**
 - (c) If any vacancy remains, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration within 90 days.**
- CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Clerk)**

3.3 (Cont'd.)

Documents Filed: (1) Memorandum from City Clerk Toni J. Taber, CMC, dated March 30, 2015, recommending interviewing four applicants, appointing one member to the Ethics commission and if any vacancy remains, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration within 90 days. (2) Memoranda from City Attorney Richard Doyle, dated February 19, 2015 and April 10, 2015, providing background material. (3) Memorandum from Deputy Director of Planning, Building and Code Enforcement Diane Buchanan, dated April 2, 2015, responding to the request for the Ethics Commission Applicant Code Review.

Please note: Approval of this item requires 8 or more affirmative votes (2/3).

The Council Members interviewed Monica Bellizzi and Adrian Gonzales. The first vote was seven votes for Adrian Gonzales and three votes for Monica Bellizzi. The second vote was eight votes for Adrian Gonzales and two votes for Monica Bellizzi.

Action: Adrian Gonzales was appointed to the Ethics Commission, term expiring March 1, 2019. (10-0-1. Absent: Liccardo)

COMMUNITY & ECONOMIC DEVELOPMENT

4.1 **Approve the proposed ordinance amending Title 23 (the Sign Code) of the San José Municipal Code:**

- (a) **To amend Chapter 23.02, Part 1, Definitions, to revise Section 23.02.010 Definitions Govern to add clarifying language; to add new Sections 23.02.232 Freeway Frontage, 23.02.465 Riparian Corridor, and 23.02.517 Special Sign Zone.**
- (b) **To amend Chapter 23.02, Part 2, General Provisions, to revise Section 23.02.860 Special Sign Zones to add a description of the North San José Signage Area.**
- (c) **To amend Chapter 23.04, Part 1, Commercial and Industrial Zoning Districts and Neighborhood Business Districts, to amend Section 23.04.010 Application to add North San José Signage Area to the zones governed by this Part; to amend Section 23.04.035 Freeway Signs to allow sites developed as Office/Research & Development in the North San José Signage Area to have Freeway Signs.**
- (d) **To amend Chapter 23.04, Part 4, Residential, Agricultural and Open Space Zoning Districts, to amend Section 23.04.300 Application to revise the list of zones governed by this Part, to amend Section 23.04.320 Signs on Residential Parcels to increase the maximum allowable height of Free-standing Signs on multi-family residential Parcels in the North San José Signage Area.**

- 4.1 (e) To make other nonsubstantive, ministerial, technical, or typographical changes to various Sections of said Chapters 23.02 and 23.04 of the Sign Code.

**CEQA: Final Program Environmental Impact Report entitled, “North San José Area Development Policies Update Final Environmental Impact Report (SCH# 2004102067)” and Addendum thereto, File No. PP15-007. (Planning, Building and Code Enforcement)
(Deferred from 4/21/15 – Item 4.4)**

Documents Filed: (1) Memorandum from Director of Planning, Building and Code Enforcement Harry Freitas, dated April 8, 2015, recommending approval of an ordinance. (2) Proof of Publication of Notice of Public Hearing, executed on April 10, 2015, submitted by the City Clerk.

Director of Planning, Building and Code Enforcement Harry Freitas provided a brief overview of the amendments to the Sign Code and responded to Council questions and concerns.

Motion: Council Member Margie Matthews moved approval of the Staff recommendations with direction to Staff to remain cautious about signs in the residential areas. Council Member Pierluigi Oliverio seconded the motion.

Vice Mayor Rose Herrera opened the floor for public testimony.

Public Comments: Carlene Matchniff, Irvine Company and Dean Rubinson, Ellis Partners expressed support to the Staff recommendations.

Action: On a call for the question, the motion carried unanimously, Ordinance No. 29558, entitled: “An Ordinance of the Council of the City of San José Amending Title 23 of the San José Municipal Code as Follows: To Amend Section 23.02.010 of Chapter 23.02 To Clarify Relationship Between Definitions In Title 23 and Title 20 of the Code; To Add Sections 23.02.232, 23.02.465 and 23.02.517 to Chapter 23.02 To Define Freeway Frontage, Riparian Corridor and Special Sign Zone; To Amend Section 23.02.860 to Chapter 23.02 To Add a Description of the North San José Signage Area; To Amend Section 23.04.010 of Chapter 23.04 To Add the North San José Signage Area to the Zones Governed by Part 1 of Chapter 23.04; To Amend Section 23.04.035 of Chapter 23.04 To Authorize Permits To Be Issued For Freeway Signs in the North San José Signage Area and To Add Regulations for Freeway signs in the North San José Signage Area; To Amend the Title of Part 4 of Chapter 23.04 and Amend Section 23.04.300 To Revise the List of Zones Governed by Part 4 of Chapter 23.04; To Amend Section 23.04.320 of Chapter 23.04 To Increase the Maximum Allowable Height of Free Standing Signs on Residential Parcels in the North San José Signage Area; and To Make Other Nonsubstantive, Ministerial, Technical or Typographical Changes to Chapters 23.02 and 23.04 of Title 23 of the San José Municipal Code”, was passed for publication. Staff was directed to remain cautious about signs in the residential areas. (10-0-1. Absent: Liccardo.)

TRANSPORTATION & AVIATION SERVICES

- 6.1 (a) **Approve award of a construction contract for the 2015 Arterial Resurfacing Project, to the lowest responsive bidder, DeSilva Gates Construction, LP in the amount of \$10,094,461.**
- (b) **Approve a ten percent contingency in the amount of \$1,009,446.**
CEQA: Exempt, File No. PP11-035. (Transportation)

Documents Filed: Memorandum from Director of Transportation Hans Larsen, dated April 6, 2015, recommending approval of the contract with related contingency to the lowest responsive bidder.

Motion: Council Member Johnny Khamis moved approval of the Staff recommendations. Council Member Chappie Jones seconded the motion.

Director of Transportation Hans Larsen responded to Council questions and concerns.

Vice Mayor Rose Herrera opened the floor for public testimony.

Public Comments: Perry Mistry presented comments on the Staff recommendations.

Action: On a call for the question, the motion carried unanimously, the award of a construction contract for the 2015 Arterial Resurfacing Project, to the lowest responsive bidder, DeSilva Gates Construction, LP in the amount of \$10,094,461 with related contingency was approved. (10-0-1. Absent: Liccardo.)

OPEN FORUM

- (1) Perry Mistry, Chemical Engineer, urged the Council to consider an incubator partnership in District 8 for desalinated seawater and recycled water, and offered his assistance.
- (2) Marylou Avanzino and Joe Sici expressed frustration from constant vehicular speeding, accidents and trespass at Mansion Park Condominiums, indicated bollards are not permitted in this area and pointed out that bike lanes are needed along Edenvale Road.
- (3) Bridget McKay complained about speeding in the South First Area (SoFA) District and requested more traffic enforcement.

Vice Mayor Rose Herrera noted that Council Member Raul Peralez will speak with Ms. McKay following the meeting.

ADJOURNMENT

The Council of the City of San José adjourned the Regular Session at 3:36 p.m. and convened in Regular Closed Session at 3:41 p.m. in the Council Chambers at City Hall.

Present: Council Members - Carrasco, Herrera, Jones, Kalra, Khamis, Matthews, Nguyen, Oliverio, Peralez, Rocha; Liccardo.

Absent: Council Members - All Present.

CLOSED SESSION

Upon motion unanimously adopted, Council recessed at 3:50 p.m. to a Closed Session in Room W133 (A) to confer with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) with respect to existing litigation: (1) In re: Claim of Wardell. Amount of Money or Other Relief Sought: Administrative Appeal. (2) In re: Claim of Sauao. Amount of Money or Other Relief Sought: Administrative Appeal. (3) IAFF Local 230 v. City of San José; Names of Parties Involved: International Association of Firefighters Local 230, City of San José; Court: State of California Public Employment Relations Board; Case No: SF-CE-969-M. Amount of Money or Other Relief Sought: Damages According to Proof. (4) IFPTE Local 21 v. City of San José; Names of Parties Involved: International Federation of Professional and Technical Engineers Local 21, City of San José; Court: State of California Public Employment Relations Board; Case No: SF-CE-996-M; Amount of Money or Other Relief Sought: Damages according to proof. (5) American Federation of State, County and Municipal Employees, et al. v. City; Names of Parties Involved: American Federation of State, County and Municipal Employees, City of San José; Court: State of California Public Employment Relations Board; Case No: SF-CE-924-M; Amount of Money or Other Relief Sought: Damages According to Proof. (6) American Federation of State, County and Municipal Employees, et al. v. City; Names of Parties Involved: American Federation of State, County and Municipal Employees, City of San José; Court: State of California Public Employment Relations Board; Case No: SF-CE-972-M; Amount of Money or Other Relief Sought: Damages According to Proof. (7) OE#3 v. City of San José; Names of Parties Involved: Operating Engineers Local Union No. 3, City of San José; Court: State of California Public Employment Relations Board; Case No: SF-CE-900-M. (8) San José Police Officers' Association v. City, et al; Names of Parties Involved: San José Police Officers' Association, City of San José, Board of Administration for Police and Fire Department Retirement Plan of City of San José and Does 1-100; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-225926; Amount of Money or Other Relief Sought: Declaratory and injunctive relief. (9) San José Retired Employees Association, et al. v. City, et al; Names of Parties Involved: San José Retired Employees Association, Howard E. Fleming, Donald S. Macrae, Frances J. Olson, Gary J. Richert and Rosalinda Navarro, City of San José Does 1 – 50, Board of Administration for the Federated City Employees Retirement System; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-233660; Amount of Money or Other Relief Sought:

CLOSED SESSION (Cont'd.)

Declaratory Relief and Verified Petition for Writ of Mandate. (10) Sapien, et al. v. City of San José, et al; Names of Parties Involved: Robert Sapien, Marty Kathleen McCarthy, Thanh Ho, Randy Sekany, Ken Heredia, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, Does 1-15, The Board of Administration for the 1961 San José Police and Fire Department Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-225928; Amount of Money or Other Relief Sought: Challenge to Measure B. (11) Harris, et al. v. City of San José, et al; Names of Parties Involved: Teresa Harris, Jon Reger, Moses Serrano, Suzann Stauffer, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226570; Amount of Money or Other Relief Sought: Challenge to Measure B. (12) Mukhar, et al. v. City of San José, et al; Names of Parties Involved: John Mukhar, Dale Dapp, James Atkins, William Buffington, Kirk Pennington, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226574; Amount of Money or Other Relief Sought: Challenge to Measure B. (13) AFSCME, et al. v. City of San José, et al; Names of Parties Involved: American Federation of State, County and Municipal Employees, Local 101 on behalf of its members, City of San José, The Board of Administration for the Federated City Employees' Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-225928; Amount of Money or Other Relief Sought: Challenge to Measure B. (B) to confer with Labor Negotiator pursuant to Government Code Section 54957.6: City Negotiator: City Designee Jennifer Schembri; Interim Director of Employee Relations; Employee Organizations: (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and ABMEI. (2) Association of Engineers & Architects (AEA); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AEA. (3) Association of Maintenance Supervisory Personnel (AMSP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AMSP. (4) City Association of Management Personnel Agreement (CAMP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CAMP. (5) Confidential Employees' Organization, AFSCME Local 101 (CEO); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CEO. (6) International Association of Firefighters, Local 230 (IAFF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Association of Firefighters. (7) International Brotherhood of Electrical Workers (IBEW); Nature of

CLOSED SESSION (Cont'd.)

Negotiations: Wages/Salaries, Hours, Working Conditions; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and IBEW. (8) Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and MEF; (9) International Union of Operating Engineers, Local No. 3 (OE#3); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and San José Police Officers' Association. (11) Association of Legal Professionals of San José (ALP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc. Web: <http://www.sanjoseca.gov/?nid=186>; Telephone for Employee Relations: 408-535-8150.

By unanimous consent, Council recessed from the Closed Session at 3:41 p.m. to reconvene in Open Session on Tuesday, May 5, 2015 at 9:00 a.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

Toni J. Taber, CMC
City Clerk

smd/04-28-15 MIN

Access the video, the agenda and related reports for this meeting by visiting the City's website <http://www.sanjoseca.gov/civiccentertv>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.