



CITY COUNCIL AGENDA

JANUARY 11, 2005

AMENDED AGENDA

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER
TERRY O. GREGORY
DAVID D. CORTESE
JUDY CHIRCO
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

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.
- ***Economic and Neighborhood 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.
- ***Recreation and Cultural Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Aviation Services*** — Provide for the air transportation needs of the community and the region at levels that are acceptable to 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.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

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

1. **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.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales 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.
3. 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.
4. To assist you in tracking your speaking time, there are three lights located to the far right of 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 every first and third Tuesday at 7 p.m., 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 and Staff Reports for City Council items may be viewed on the Internet at www.sanjoseca.gov/clerk/agenda.htm

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.

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

- **Call to Order and Roll Call**
9:30 a.m. - Closed Session, Room 600, City Hall
[See Separate Agenda](#)
1:30 p.m. - Regular Session, Council Chambers, City Hall
7:00 p.m. - Public Hearings, Council Chambers, City Hall

- **Invocation (District 1)**
Sonia Cvitanich, Eastern European Services

- **Pledge of Allegiance**

- **Orders of the Day**
ITEM 10.1 AND 10.2 ARE TO BE CONSIDERED IN A JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD SESSION.

ADJOURNMENT: This meeting will be adjourned in memory of George Gonzales.

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

1 CEREMONIAL ITEMS

- 1.1 Presentation of a proclamation to Lois Feidler for being selected as the Volunteer of the Year, by the Emergency Manager's Association. (Emergency Services)
* (Rules-In-Lieu referral 1/5/05)
- 1.2 Presentation of a commendation declaring the month of January as "School Safety Month." (Yeager)
* (Rules-In-Lieu referral 1/5/05)
- *1.3 Presentation of a commendation recognizing Komag for its important contribution to the San José economy. (Mayor/Reed)

2 CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

2.2 Final adoption of ordinances.

- (a) ORD. NO. 27234 – Rezones certain real property situated on the south side of Murphy Avenue, 450 feet westerly of Ringwood Avenue, from A Agriculture zoning district to A(PD) Planned Development Zoning District. PDC 04-071
- (b) ORD. NO. 27235 – Rezones certain real property situated on the south east corner of Murphy Avenue and Ringwood Avenue from A Agriculture Zoning District to A(PD) Planned Development Zoning District. PDC 04-072
- (c) ORD. NO. 27236 – Rezones certain real property situated south side of Curtner Avenue approximately 750 feet easterly of Highway 87 to A(PD) Planned Development Zoning District. PDC 04-078
- (d) ORD. NO. 27327 – Rezones certain real property situated on the east side of Cypress Avenue, approximately 260 feet southerly of Stevens Creek Boulevard, to A(PD) Planned Development Zoning District. PDC 04-046
- * (e) ORD. NO. 27328 – Rezones certain real property situated on the south side of Tully Road, approximately 500 feet west of Senter Road to PD Planned Development Zoning District. PDC 04-046
- (f) ORD. NO. 27329 – Rezones certain real property situated west side of North White Road, 210 feet south of McKee Road, to CP Commercial Pedestrian Zoning District. C 04-083
- * **RECOMMEND DEFERRAL TO 1/25/05**
- * (g) ORD. NO. 27322 – Amending Section 8.20.140 of Chapter 8.20 of Title 8 of the San José Municipal Code to clarify the definition of service location.
- * (h) ORD. NO. 27323 - Adding a new Chapter 14.07 to Title 14 of the San José Municipal Code specifying the requirements for awarding contracts for the design and construction of Public Works pursuant to the Charter provision exempting from competitive bidding “Design-Build” contracts meeting the requirements set forth therein.

2 CONSENT CALENDAR

2.2 Final adoption of ordinances (Cont'd.)

- * (i) ORD. NO. 27324 – Rezoning certain real property situated on the south side of Murphy Avenue, 450 feet westerly of Ringwood Avenue, from a Agriculture Zoning District to PD Planned Development Zoning District. PDC04-071.
- * (j) ORD. NO. 27325 – Rezoning certain real property situated on the south east corner of Murphy Avenue and Ringwood Avenue from a Agricultural Zoning District to a PD Planned Development Zoning District. PDC04-072.
- * (k) ORD. NO. 27326 – Rezoning certain real property situated on the south side of Curtner Avenue approximately 750 feet easterly of Highway 87 to a PD Planned Development Zoning District. PDC04-078.
- * (l) ORD. NO. 27327 – Rezoning certain real property situated on the east side of Cypress Avenue, approximately 260 feet southerly of Stevens Creek Boulevard, to a PD Planned Development Zoning District. PDC04-046.
- * (m) ORD. NO. 27328 – Rezoning certain real property situated on the south side of Tully Road approximately 500 feet west of Senter Road to a PD Planned Development Zoning District. PDC04-076.

2.3 [Approval of an agreement for feasibility studies of the Jet Fuel Farm and Hydrant Fueling.](#)

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with URS Corporation for consultant services for Jet Fuel Farm and Hydrant Fueling Feasibility Studies at Norman Y. Mineta San José International Airport for the period from the date of execution to January 31, 2007 and in an amount not to exceed \$310,000. CEQA: Resolution Nos. 67380 and 71451, PP 04-325. (Airport)

2.4 **Approval of an Investment Return Agreement with Team San Jose.**

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an Investment Return Agreement with Team San Jose. CEQA: Not a Project. (City Manager's Office)

- * **RECOMMEND DEFERRAL TO 2/15/05**

2 CONSENT CALENDAR

2.5 Approval of fiscal actions for Redevelopment Agency Capital Projects.

Supplemental

- (a) Adoption of appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for the King and Story Road Improvements Project (PSM 221 #5), Blackford Streetlights Project (PSM 371 #1), and Enhanced Crosswalk Improvements (PSM 390) with a net impact to the fund of \$207,927.
- (b) Adoption of a resolution making certain determinations regarding the related expenditures of the Redevelopment Agency funds on certain public improvements in connection with the Enhanced Crosswalk Installation Project, as more specifically described in the memorandum from the Redevelopment Agency, dated November 5, 2004.

CEQA: Not a Project. Council Districts 1 and 5. SNI: West Evergreen and Blackford. (City Manager's Office)

2.6 Approval of actions for the Automated Fingerprint Identification system.

Recommendation:

- (a) Adoption of a resolution to accept SB 720 funds from the County of Santa Clara in the amount of \$2,771,632;
- (b) Amend the annual appropriation ordinance and funding sources resolution in the General Fund as follows:
 - (1) Increase the City-wide Appropriation for the Automated Fingerprint Identification System (AFIS) in the amount of \$2,771,632; and
 - (2) Increase the estimate for Revenue from Local Agencies by \$2,771,632.
- (c) Adoption of a resolution authorizing the Director of General Services to:
 - (1) Negotiate and execute an agreement for the sole source purchase of software and hardware for Phase II of existing upgrade to the AFIS with Printrak International, a division of Motorola ("Printrak") located in Anaheim, California in the amount of \$2,292,897, including sales tax, installation and training.
 - (2) Execute change orders to the agreement in an amount not to exceed \$270,920 for any additional, unanticipated requirements encountered during the implementation process for this project.

CEQA: Not a Project. (General Services/Police/City Manager's Office)

* **RECOMMEND DEFERRAL TO 1/25/05**

2.7 Approval of open purchase orders for the purchase of supplies, materials, equipment and services.

Recommendation: Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2004-2005 #7 and authorization for the Director of General Services to execute the purchase orders. CEQA: See memo for CEQA designation(s). (General Services)

2 CONSENT CALENDAR

2.8 [Approval of a donation to the San José Search and Rescue Organization.](#)

Recommendation: Adoption of a resolution authorizing the Director of General Services to execute all documents necessary for the donation of one Utility Vehicle and one Box Type Delivery Van with a total estimated value of \$6,000 to the San José Search and Rescue Organization. CEQA: Not a Project. (General Services)

2.9 [Approval of a Silicon Valley Workforce Investment Network Board Nomination.](#)

- * **Recommendation:** Approval of two Silicon Valley Workforce Investment Network Board Nominations. (Mayor)
(Rules Committee referral from 12/15/04)

2.10 [Approval of actions for the 2004-2005 Weed Abatement Report.](#)

Recommendation: Adoption of a resolution:

- (a) Overruling any and all objections to the 2004-2005 Hazardous Vegetation Commencement Report (Report); and
- (b) Directing the Santa Clara County Department of Agriculture and Resource Management to abate the seasonal and/or recurrent public nuisances on those properties identified in the Report pursuant to Chapter 9.12 of Title 9 of the San José Municipal Code and the Weed Abatement Agreement between the City of San José and the County of Santa Clara.

- * CEQA: Exempt, PP04-01-001. (Planning, Building and Code Enforcement)

2.11 [Approval of an agreement for the previously approved P.O.S.T.-Reimbursed Training Program.](#)

Recommendation: Adoption of a resolution authorizing the City Manager to execute an agreement with the Commission on Peace Officer Standards and Training (P.O.S.T.) related to components of the previously approved P.O.S.T.-reimbursed training program for peace officers in Santa Clara County for the term of July 1, 2004 to June 30, 2005 in an amount not to exceed \$158,000. CEQA: Not a Project. (Police)

2.12 [Approval of fiscal actions for the Sobriety Checkpoint Program.](#)

Recommendation: Adoption of the following amendments to the annual appropriation ordinance and the annual funding sources resolution in the General Fund (Fund 001) for Fiscal Year 2004-05:

- (a) Establish an appropriation in the City-wide Expenses to the Police Department for the OTS 2004-06 Sobriety Checkpoint Program for Local Law Enforcement Agencies Program Mini-Grant in the amount of \$63,224;
- (b) Increase Earned Revenue Estimate from the State by \$63,224. CEQA: Not a project

CEQA: Not a Project. (Police/City Manager's Office)

2 CONSENT CALENDAR

2.13 [Approval of an agreement with the City of Campbell for materials testing and geotechnical services.](#)

Recommendation: Approval of an agreement with the City of Campbell to provide materials testing and geotechnical services from the date of execution through December 31, 2006, in an amount not to exceed \$130,000. CEQA: Not a Project. (Public Works)

2.14 [Approval of an agreement for the purchase of a surface trail easement.](#)

Recommendation: Approval of an agreement in the amount of \$100,105 with Vincent S. Alongi and Ida A. Alongi, Trustees and Carmel M. Alongi and Stanley Paul Alongi, Trustees, for the purchase of a surface trail easement on a portion of land located at 940 Lonus Street and authorization for the Director of Public Works to execute any additional documents necessary to complete the transaction. CEQA: Mitigated Negative Declaration, PP04-01-014. Council District 6. (Public Works)

2.15 [Approval of actions to accept a donation of property.](#)

- * **Recommendation:** Approval of agreement and adoption of a resolution authorizing the Director of Public Works to execute all documents related to the acceptance of a donation of property located at 686 Delmas Avenue, from the Swamy family. CEQA: Exempt, PP04-07-215. Council District 3. SNI: Greater Gardner. (Public Works)

2.16 **Approval to reject, re-advertise and re-bid the sole bid for the Building Re-enforcement of Wireless Radio, Cellular, and WiFi Coverage in New City Hall.**

Recommendation: Approval to reject the sole bid for the San José New City Hall In-Building Re-enforcement of Wireless Radio, Cellular, and WiFi Coverage Project, and authorization for the Director of Public Works to re-advertise and re-bid the project. CEQA: EIR Resolution No. 68905. SNI: University. (Public Works)

- * **RECOMMEND DEFERRAL TO 1/25/05**

2.17 [Approval to award a contract for the Airport's Tenant Improvement Project.](#)

Recommendation: Report on bids and take appropriate action based on the evaluation of bids for the Norman Y. Mineta San José International Airport Tenant Improvement Phase 1-B Project. CEQA: PP04-04-135. (Public Works/Airport)

- * **RECOMMEND DEFERRAL TO 1/25/05**

2.18 **Acceptance of the Office of the City Auditor's report.**

Recommendation: Acceptance of the Office of the City Auditor's *Report of Activities and Findings for the Period of October 16 through November 15, 2004*. (City Auditor)

- * (Rules-in-Lieu referral 1/5/05)

2 CONSENT CALENDAR

2.19 Approval of fiscal actions for a short term cash flow loan.

Recommendation: Adoption of appropriation ordinance and funding sources resolution amendments in the Anti-Tobacco Master Settlement Agreement Revenue Fund and adoption of appropriation ordinance amendments in the Sewage Treatment Plant Connection Fee Fund to provide for a short-term cash flow loan in the amount of \$4.8 million. CEQA: Not a Project. (City Manager's Office/Parks, Recreation and Neighborhood Services)

* (Rules-In-Lieu referral 1/5/05)

2.20 Approval of actions to submit an application to the Bay Area Air Quality Management District (BAAQMD), Solid Waste Collection Vehicle Incentives.

Recommendation: Adoption of a resolution authorizing the Director of the Environmental Services Department to submit an application to the Bay Area Air Quality Management District (BAAQMD), Solid Waste Collection Vehicle Incentives, in the amount of \$350,000, to accept the grant on behalf of the City of San José, and to execute all documents necessary to implement the grant. CEQA: Mitigated Negative Declaration, PP92-05-98. (Environmental Services)

* (Rules-In-Lieu referral 1/5/05)

2.21 Approval of a contingency budget increase for the Coyote Creek/River Oaks Levee Trail Reach 3A/3B Project.

Recommendation: Approval of a contingency budget increase in the amount of \$40,000 for a total contingency budget of \$65,000 for the Coyote Creek/River Oaks Levee Trail Reach 3A/3B Project. CEQA: Exempt, PP03-07-230. Council District 4. (Public Works)

* (Rules-In-Lieu referral 1/5/05)

2.22 Approval of an ordinance to create an exception to the ban on feeding wild animals.

Recommendation: Approval of an ordinance amending Section 7.11.100 of Chapter 7.11 of Title 7 of the San José Municipal Code to create an exception to the ban on feeding wild animals for any person using an attractant to trap animals in a legally authorized or permitted manner. CEQA: Exempt, PP04-289. (City Attorney's Office/Parks, Recreation and Neighborhood Services)

* (Rules-In-Lieu referral 1/5/05)

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session
Mayor Gonzales, Chair

3.2 Report of the Rules Committee – December 15, 2004
Vice Mayor Dando, Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
 - (1) Review January 11, 2005 Draft Agenda
 - (2) Review January 4, 2005 Draft Agenda
 - (3) Review December 28, 2004 Draft Agenda
- (c) Legislative Update
 - (1) State
 - (2) Federal
- (d) Meeting Schedules
 - (1) Request from Mayor and Chair of Blue Ribbon Task Force that Rules Committee find that the report from Investigator for San Jose Election Commission is deserving of a public hearing before the City Council, pursuant to Council Policy 0-28, City Council Conduct Policy, and that the Mayor call a Special Council Meeting for Friday, December 17, 2004, at 1:00 p.m., in Council Chambers
- (e) The Public Record
- (f) Appointment to Boards, Commissions and Committees
- (g) Rules Committee Reviews, Recommendations and Approvals
- (h) Oral communications
- (i) Adjournment

3.3 Report of the Making Government Work Better Committee – December 8, 2004
Council Member Campos, Chair

- (a) Major IT Projects Update
- (b) Family Camp
- (c) Oral Petitions
- (d) Adjournment

Report of the Making Government Work Better Committee – December 16, 2004
Council Member Campos, Chair

- (a) Transport Vehicle Audit Follow-up to October Meeting
- (b) Auditor's Semi-annual Recommendation Follow-up Report for the Six Months Ended June 30, 2004
- (c) Comprehensive Annual Financial Report
- * **SEE ITEM 3.5 FOR COUNCIL ACTION TO BE TAKEN**
- (d) Annual Debt Report
- * **SEE ITEM 3.6 FOR COUNCIL ACTION TO BE TAKEN**
- (e) Quarterly Debt Report
- (f) Oral Petitions
- (g) Adjournment

3 STRATEGIC SUPPORT SERVICES

3.4 [Report of the Independent Investigator on the RFP process for the Converged Data Network and Telephony System for the New City Hall.](#)

Recommendation: Acceptance of the Findings and Recommendations of the Independent Investigator. (Independent Investigator)
(Deferred from 12/14/04 – Item 3.5)

Exhibits and Appendices on File in the Office of the City Clerk

[Supplemental 1 – From Mayor Gonzales](#)

[Supplemental 2 – From Mayor Gonzales](#)

[Supplemental 3](#)

3.5 [Acceptance of the Comprehensive Annual Financial Report.](#)

Recommendation: Acceptance of the Comprehensive Annual Financial Report. (Finance)

* [Making Government Work Better Committee referral 12/16/04 - Item 3.3 (c)]

3.6 [Acceptance of the Annual Debt Report.](#)

Recommendation: Acceptance of the Annual Debt Report. (Finance)

* [Making Government Work Better Committee referral 12/16/04 - Item 3.3 (d)]

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.1 **Report of the Building Strong Neighborhoods Committee
Council Member Chavez, Chair**

4.2 **Report of the Driving a Strong Economy Committee
Council Member Williams, Chair**

4.3 [Report of the findings and recommendations of the San José Medical Center Closure Impacts Study.](#)

[Memo from Mayor Gonzales and Coucilmembers Chavez, Campos, and Cortese](#)

Recommendation: Approval of the findings and recommendations documented in the San José Medical Center Closure Impacts Study, jointly commissioned by the City of San José and Santa Clara County and conducted by Dr. Henry W. Zaretsky & Associates, Inc. CEQA: Not a Project. (City Manager’s Office)

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.4 [Approval of actions related to acquisition of a property by eminent domain.](#)

Supplemental

Recommendation: Adoption of a resolution determining that the public interest and necessity require the acquisition of an easement for surface parking, including the rights to construct a surface parking lot, landscaping, irrigation, lighting, public utilities, catch basins, and appurtenant improvements, and necessary subsurface rights, on a portion of vacant land owned by Pacific Gas and Electric Company, located at 1764 Hillsdale Avenue, San Jose, CA 95124 [APN No. 447-09-093, ptn: State Board Equalization No. 135-43-43A, PC. 1 (portion)], and authorizing the City Attorney to file suit in eminent domain to acquire such property interest, to apply for an order of possession before judgment and to prosecute the action to final judgment, and authorizing the deposit of money in court for possession of the property from the funds lawfully available.

- * CEQA: Mitigated Negative Declaration, PP04-05-168. Council District 9. (Public Works/Library)
(Deferred from 12/14/04 – Item 4.5)

5 RECREATION & CULTURAL SERVICES

5.1 [Report of the All Children Achieve Committee](#) – December 9, 2004 Council Member Yeager, Chair

- (a) Safe School Campus Initiative Report
- (b) Schools/City Collaborative Status Update
- (c) Discussion of Priorities for Youth Programs
- (d) Oral Petitions
- (e) Adjournment

6 TRANSPORTATION SERVICES

6.1 [Report of the Building Better Transportation Committee](#) – December 6, 2004 Council Member Cortese, Chair

- (a) Expansion and Improvement of Transit and Transportation Services
 - (1) Status of County Expressway Relinquishment Issue
 - (2) Discussion on Transportation Technology Industry Development Opportunities
- (b) Traffic Relief/Safe Streets
 - (1) No Items
- (c) Supporting Smart Growth
 - (1) No Items
- (d) Regional Relationships/Funding/Policy
 - (1) Report on Pavement Maintenance Funding Issues

- (e) Oral Petitions
- (e) Adjournment

7 ENVIRONMENTAL & UTILITY SERVICES

8 AVIATION SERVICES

9 PUBLIC SAFETY SERVICES

9.1 [Approval of an ordinance for Firefighter safety in High Rises and unique structures.](#)

Recommendation: Approval of an ordinance amending Part 4 of Chapter 17.12 of Title 17 of the San Jose Municipal Code to add a new Section 17.12.445 to establish public safety radio coverage requirements for certain large buildings exceeding fifty thousand square feet, basements exceeding ten thousand square feet, high rise buildings, buildings with two or more stories underground, tunnels over five hundred feet in length, and buildings and structures with remote fire apparatus access and to require the installation of firefighter breathing air systems in high rise buildings, buildings with two or more stories underground and tunnels over five hundred feet in length, and to require the installation, and buildings and structures with remote fire apparatus access. (Fire)

* (Rules-In-Lieu referral 1/5/05)

9.2 [Approval of Staff's responses to the Santa Clara County Civil Grand Jury Reports, Inquiry into the Financial Impact of Retirement Programs on Santa Clara County and the City of San José, and Inquiring into the Board Structure and Financial Management of the Valley Transportation Authority.](#)

Recommendation:

- (a) [Approval of Staff's response to the Santa Clara County Civil Grand Jury Report, Inquiry into the Financial Impact of Retirement Programs on Santa Clara County and the City of San José.](#) (City Manager's Office)
- (b) [Approval of Staff's response to Santa Clara County Grand Jury Report, Inquiring into the Board Structure and Financial Management of the Valley Transportation Authority](#) (City Attorney's Office)

* (Rules-In-Lieu referral 1/5/05)

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEMS 10.1 AND 10.2 IN A JOINT SESSION

10.1 Approval of actions to amend the Operating Expenses Cooperation Agreement and approval of the SNI Cooperation Agreement.

Recommendation:

- (a) City Council and Redevelopment Agency Board approval of:
 - (1) A Cooperation Agreement between the City of San José and the Redevelopment Agency for implementation of the Strong Neighborhoods Initiative; and,
 - (2) An Amendment to the FY 2004-05 Operating Expenses Cooperation Agreement between the City of San José and the Redevelopment Agency to incorporate changes related to the implementation of the Strong Neighborhoods Initiative.
- (b) Adoption of a resolution by the Redevelopment Agency Board appropriating \$32,920 from the Redevelopment Agency’s Adopted FY 2004-05 Capital Budget, Line Item SNI – Outreach and Training in the FY 2004-05 Operating Budget Support Services and amending the FY 2004-2005 Agency appropriation resolution.

(City Manager’s Office/Redevelopment Agency)

* **RECOMMEND DEFERRAL TO 2/15/05**

10.2 Redevelopment Agency and City Council Committee appointments

Supplemental

Recommendation: Approval of the Redevelopment Agency and City Council Standing Committee and Board and Commission appointments. (Mayor)

* (Rules-In-Lieu referral 1/5/05)

ADJOURN REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING

- Closed Session Report
- Notice of City Engineer’s Pending Decision on Final Maps
In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/ Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9625	Northeast Corner of Vera Lane and Azucar Avenue	2	LG Developers LP	6 Units	SFD & Att.	Approve
9621	651 & 659 8 th St.	3	Steve Sheng	6 Units	MFA	Approve
9622	South side of McKee	5	Core	21	SFA	Approve

Rd., approximately
200 feet East of N.
Capital Ave.

Development Units

- Open Forum—To be heard jointly with Redevelopment Agency Public Discussion. Following Open Forum, Council will recess until 7:00 p.m.

11 PUBLIC HEARINGS

(To be heard by the City Council at 7:00 p.m.)

11.1 Public Hearing on a Planned Development of the property located at 568 Hillsdale Avenue.

Recommendation: Public Hearing on and consideration of approval of an ordinance on Planned Development Rezoning of the property located at the south side of Hillsdale Avenue, approximately 420 feet east of Highway 87 (568 Hillsdale Avenue), from R-1-5 and R-1-8 Residence Zoning Districts to A(PD) Planned Development Zoning District, to allow 26 single-family attached residential units on a 1.6 gross acre site. (George P. Thoutus Trustee et al, Owner). CEQA: Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

PDC 04-060 - District 10

(Continued from 10/5/04 – Item 11.4 et al, and 11/9/04 – Item 11.3)

11.2 Public Hearing on a Conforming Conventional Rezoning of the property located at 4558 Birkenshaw Place.

- * **Recommendation:** Public Hearing on and consideration of approval of an ordinance on Conforming Conventional Rezoning of the property located at the southeast corner of Branham Lane and Birkenshaw Place (4558 Birkenshaw Pl.), from R-1-1 Residence Zoning District to R-1-8 Residence Zoning District, on a 0.23 gross acre site. (Lin Mon F, Owner). CEQA: Resolution No. 65459. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.

C 04-079 - District 10

(Continued from 12/7/04 – Item 11.9)

11.3 Public Hearing on a Conforming Prezoning of the property located on the east side of Kirk Avenue.

Recommendation: Public Hearing on and consideration of approval of an ordinance on a Conforming Prezoning of the property located on the east side of Kirk Avenue, approximately 110 feet southerly of Summit Avenue (182 Kirk Avenue), from County to R-1-8 Residential District, on a 0.46 gross acre site. (Quintana Martin G, Owner).

CEQA: Resolution No. 65459. Director of Planning, Building and Code Enforcement recommends approval. No Planning Commission action required.
C 04-090 – District 5

11.4 [Public Hearing on a Planned Development Rezoning of the property located at 479 Willow Street.](#)

Recommendation: Public Hearing on and consideration of approval of an ordinance on Planned Development Rezoning from CP Commercial Pedestrian Zoning District to A(PD) Planned Development Zoning District for single-family residential uses on a 0.34 gross acre site, located at 479 Willow Street. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (5-0-2)
PDC04-065 – District 6

- **Open Forum**

- **Adjournment**

This meeting will be adjourned in memory of George Gonzales.