

CITY COUNCIL AGENDA

FEBRUARY 13, 2007

AMENDED AGENDA

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
VACANT
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED, MAYOR

VACANT
MADISON P. NGUYEN
DAVID D CORTESE, VICE MAYOR
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.
- ***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.

Items listed in Section 9 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:

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

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

The San José City Council meets every Tuesday at 1:30 p.m. and 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.asp. Council Meetings are televised live and rebroadcast on Channel 26.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (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**

- * 9:00 a.m. - Closed Session, Call to Order in Council Chambers
Adjourn to Closed Session in Council Chambers Conference Room, W133
[See Separate Agenda](#)
- 1:30 p.m. - Regular Session, Council Chambers, City Hall
- 3:30 p.m. - Hear Open Forum and convene the RDA Board Meeting
(no earlier than 3:30 p.m.)

- **Invocation (District 2)**

- * In celebration of February being Black History Month, Santa Teresa High School's Black Student Union's *Dynasty Steppers* will perform a step routine to celebrate and promote African American culture in the community.

- **Pledge of Allegiance**

- **Orders of the Day**

Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

ITEM 9.1 IS TO BE CONSIDERED IN A JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD SESSION.

- * ADJOURNMENT: This meeting will be adjourned in memory of David Abad, an active member of the community, who passed away over the weekend.

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

- **Closed Session Report**

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to the Monarch Truck Center for their generous philanthropy towards Anne Darling Elementary School, Independence High School, and Our Lady Of Guadalupe Church as well as other San José establishments.
(Campos/Liccardo)
(Rules Committee referral 1/31/07)

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.

Recommendation: Approval of minutes.

- (a) Current Minutes
- (b) Past Minutes
 - (1) Regular minutes of June 20, 2006
 - (2) Regular minutes of June 27, 2006
 - (3) Special Council minutes of June 28, 2006

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances.

- (a) ORD. NO. 27971 – Expanding a public right-of-way to accommodate the Taylor Street Improvement Project and facilitate the construction/relocation of franchised utilities.

2.3 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 November 16 through December 15, 2006*. (City Auditor)
(Rules Committee referral 1/31/07)

2.4 Approval of fiscal actions for Redevelopment Agency Capital Projects.

Recommendation: Adoption of the following Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund):

- (a) Increase the estimate for Earned Revenue by \$39,944.
 - (b) Establish an appropriation to the Department of Public Works for the Edenvale Detention Basin and Trail Project (PSM #482) in the amount of \$39,944.
- CEQA: Not a Project. Council District 2. SNI: Edenvale. (City Manager's Office)

2. CONSENT CALENDAR

2.5 [Approval to amend an agreement for artwork at the Dr. Martin Luther King Jr. Library.](#)

Recommendation: Approval of a second amendment to the agreement with artist Mel Chin to fabricate and install an additional artwork for the Dr. Martin Luther King Jr. Library, and increase the contract amount by \$75,000 from \$675,000 to an amount not to exceed \$750,000. CEQA: Exempt, File No. PP05-184. (Economic Development)

2.6 [Approval of an agreement to provide a training to Environmental Enforcement staff.](#)

[Supplemental](#)

Recommendation: Approval of an agreement with Environmental Engineering & Consulting, Inc., for a term of two years, to provide pretreatment program training to Environmental Enforcement staff at a cost not to exceed \$125,000 for basic services, with an option to request additional services in an amount not to exceed \$52,000, for a total of \$177,000. CEQA: Not a Project. (Environmental Services)

2.7 [Approval of an agreement for consultant services for the Water Pollution Control Plant.](#)

[Supplemental](#)

Recommendation: Approval of an agreement with AEPC Group, LLC for consultant services for the development of design bid documents and construction management of the project entitled, "San José/Santa Clara Water Pollution Control Plant, Fiscal Year 2006-2007 Capital Improvement Program, Switchgear M5, Interim Ring Bus, and Cable Replacement," for a term commencing upon approval of the agreement and extending through March 31, 2009 in an amount not to exceed \$411,488. CEQA: Not a Project. (Environmental Services)

2.8 [Approval of master agreement for environmental regulatory assistance and technical support to the City's Watershed Programs.](#)

[Supplemental](#)

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Recommendation:

- (a) Approval of master agreements with EOA, Inc. and Oakley Water Strategies, Inc. for environmental regulatory assistance and technical support to the City's Watershed Programs for a not-to-exceed amount of \$650,000 and \$250,000 respectively and for a term commencing upon approval of the agreement through December 31, 2009.
- (b) Adoption of a resolution authorizing the director of Environmental Services to execute a one time option to extend each agreement to December 31, 2012 at no additional cost to City.

CEQA: Not a Project. (Environmental Services)

2. CONSENT CALENDAR

2.9 [Approval to award open purchase order #16 for FY 2006-2007.](#)

Recommendation: Approval of award of open purchase orders for supplies, materials, equipment and services for FY 2006-2007 #16 and authorization for the Director of Finance to execute the purchase orders. CEQA: See Administration's Memorandum to Council for specific CEQA clearance determinations on each recommended action. (Finance)

2.10 [Approval of the nominations to the Silicon Valley Workforce Investment Network Board \(SVWIN\).](#)

Recommendation: Approval of the nominations of John Southwell, Pamela Moore and Henri Villalovoz to the Silicon Valley Workforce Investment Network Board (SVWIN). (Mayor)
(Rules Committee referral 1/31/07)

2.11 [Approval to designate a portion of Delmas Park as a City Landmark Historic District.](#)

Recommendation: Adoption of a resolution nominating a portion of the Delmas Park SNI Area for designation as a City Landmark Historic District and directing the Department of Planning, Building and Code Enforcement to initiate the required process and proceedings to establish the City Landmark Historic District. CEQA: Exempt. Council District 3. SNI: Delmas Park. (Planning, Building and Code Enforcement)

2.12 [Approval to initiate actions and set a public hearing for the annexation of Evergreen No. 199.](#)

Recommendation: Adoption of a resolution initiating proceedings and setting February 27, 2007 at 1:30 p.m. for Council consideration on the reorganization of the territory designated as Evergreen No. 199 which involves the annexation to the City of San José of 0.39 acres more or less of land located at the east side of Ruby Avenue across from Rio Bravo Drive, and generally bounded by the City of San José Annexations Evergreen No. 186 and 189, and the detachment of the same from the appropriate special districts including Central Fire Protection and Area No. 01 (Library Services) County Services. CEQA: Resolution No. 65459, File No. C06-088. Council District 8. (Planning, Building and Code Enforcement)

2.13 [Approval to affirm that current land use policies are consistent with Santa Clara Valley Water Resources Protection Collaborative Guidelines and Standards.](#)

Recommendation: Adoption of a resolution affirming that the City's current land use requirements, policies, and practices are consistent with the Santa Clara Valley Water Resources Protection Collaborative Guidelines & Standards for Land Use Near Streams. CEQA: Not a Project. (Planning, Building and Code Enforcement/Public Works/Environmental Services)

2. CONSENT CALENDAR

2.14 [Approval of a Temporary Construction Easement Agreement for the Willow Glen Branch Library Project.](#)

Recommendation: Adoption of a resolution authorizing the City Manager to execute a Temporary Construction Easement Agreement with the American Association of University Women for a period not to exceed two years. CEQA: Exempt, File No. PP06-117. Council District 6. (Public Works)

2.15 [Approval of actions related to the Zanker Road Median Island Landscape Improvement Project.](#)

Recommendation:

- (a) Report on bids and award of contract for the Zanker Road Median Island Landscape Improvement Project (Trimble Rd. to Plumeria Dr.) to the lowest responsive bidder, Lone Star Landscape, Inc., in the amount of \$445,000, and approval of a contingency in the amount of \$22,000.
- (b) Adoption of the following 2006-2007 Appropriation Ordinance Amendments in the Services for Redevelopment Capital Projects Fund:
 - (1) Increase the appropriation to the Public Works Department for the Zanker Road Median Island Project by \$48,000.
 - (2) Decrease Ending Fund Balance by \$48,000.

CEQA: Exempt, PP06-167. Council District 4. (Public Works/City Manager's Office)

2.16 [Approval of actions for structural engineering consulting services for three Bridge Seismic Retrofit Projects.](#)

Recommendation:

- (a) Approval of an agreement with Biggs Cardosa Associates, Inc. for structural engineering consulting services for the Julian Street Bridge at Coyote Creek Seismic Retrofit Project from the date of execution to December 31, 2008, for a total agreement amount not to exceed \$236,482.
- (b) Approval of an agreement with Biggs Cardosa Associates, Inc. for structural engineering consulting services for the William Street Bridge at Coyote Creek Seismic Retrofit Project from the date of execution to December 31, 2008, for a total agreement amount not to exceed \$231,225.
- (c) Approval of an agreement with Lim and Nascimento Engineering Corporation for structural engineering consulting services for the Southwest Expressway over Meridian Avenue Bridge Retrofit Project from the date of execution to August 31, 2008, for a total agreement amount not to exceed \$172,000.
- (d) Adoption of a resolution authorizing the City Director of Public Works or the Director's designee to extend the term of the above agreements up to six months.

CEQA: Not a Project. Council Districts 3 and 6. (Public Works/Transportation)

2. CONSENT CALENDAR

2.17 [Approval to establish speed limits on various roadways within the City.](#)

Recommendation: Repeal Resolution No. 72968 related to the establishment of speed limits in the City of San José, and adopt a resolution to:

- (a) Re-establish speed limits with changes to the following roadways within the City of San José:
 - (1) East Hills Drive, between Gunn Court and Mahoney Avenue, from 30 MPH to 25 MPH.
 - (2) Fleming Avenue, between Story Road and South City Limit, from 30 MPH to 25 MPH.
 - (3) Lewis Road, between Monterey Highway and Senter Road, from 35 MPH to 30 MPH.
 - (4) Ringwood Avenue, between Murphy Avenue and McKay Drive, from 40 MPH to 35 MPH.
 - (5) Tasman Drive, between North First Street and Guadalupe River, from 40 MPH to 35 MPH.
 - (6) Trimble Road, between Montague Expressway and Central Expressway, from 50 MPH to 45 MPH.
- (b) Establish speed limits on the following roadways within the City of San José:
 - (1) Camden Avenue, between Montalban Drive and Montego Drive (E), 40 MPH.
 - (2) Harwood Road, between Little Branham Lane and Blossom Hill Road, 25 MPH.

CEQA: Exempt, File No. PP05-030. Council Districts 4, 5, 7, 9 and 10.
(Transportation)

2.18 [Approval of an agreement to prepare a Santa Clara BART Station Area Plan.](#)

Recommendation: Approval of an agreement with the Santa Clara Valley Transportation Authority and the City of Santa Clara for preparing a Santa Clara BART Station Area Plan and providing a City funding contribution in an amount not to exceed \$50,000. CEQA: Exempt. Council Districts 3 and 6. (Transportation/Planning, Building and Code Enforcement)

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session Mayor Reed, Chair

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee – [January 24, 2007](#)

Mayor Reed, Chair

- * (a) City Council
 - (1) Review February 6, 2007 Draft City Council Agenda
 - (a) Add New Items to Draft Agenda
 - (b) Review number of commendations
 - (c) Assign Time Certain for Agenda Items (if needed)
 - (2) Review New Add Items to January 30, 2007 Agenda
 - (a) Review number of commendations
 - (b) Review Exceptions to the 10-day rule
 - (c) Assign Time Certain for Agenda Items (if needed)
 - (3) List of Reports Outstanding
- (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (c) Legislative Update
 - (1) State
 - (a) 2007 Legislative Guidelines Priorities. (City Manager's Office)
HEARD BY COUNCIL ON 1/30/07 – ITEM 3.6
 - (2) Federal
- (d) Meeting Schedules
 - (1) Approve a Study Session on the Evergreen *East Hills Strategy on February 1, 2007. (Planning, Building and Code Enforcement)
DEFERRED FROM JANUARY 17, 2007.
 - (2) Discussion of setting the following study sessions:
 - (a) February 5, General Plan: Major Strategies, 2:00 p.m. – 5:00 p.m.
 - (b) February 20, City Council Priority Setting Session, 9:00 a.m. – 4:00 p.m.
 - (c) February 22, Unfunded Programs/New Initiatives, 9:00 a.m. – 11:00 a.m.
 - (d) March 15, Mayor's March Budget Message Study Session, 9:00 a.m. – Noon
 - (e) March 19, General Plan: Downtown Revitalization/First Act and Convention Center Expansion, 1:00 p.m. – 5:00 p.m.
 - (f) March 22, BART, 8:30 a.m. – Noon
 - (g) March 29, General Plan: Economic Development And Employment Lands, 9:00 a.m. – Noon
 - (h) April 5, Airport Obstruction Study, 9:00 a.m. – Noon
 - (i) April 20, Joint City and County Water District Board meeting, 9:00 a.m. – Noon
 - (j) May 3, General Plan: Formal Initiation of the General Plan Update, 9:00 a.m. – Noon
 - (k) May 7-18, Budget Study Sessions, TBD
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committees
(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee – January 24, 2007 (Cont'd) Mayor Reed, Chair

- (g) Rules Committee Reviews, Recommendations and Approvals
 - (1) Discussion on Council Expenditure and Reimbursement Policy. (City Attorney/City Clerk)
 - (2) Mayor's Transition Report. (Mayor)
 - (3) Mayor's Transition Government Reforms & Ethics Subcommittee Report Recommendations. (Mayor)
 - (4) Approve travel by Councilmember Williams to attend Conference of Mayors. (Councilmember Williams)
 - (5) Acceptance of the 6-month City Council Horizon Report: January 2007 – June 2007. (City Manager's Office)
 - (h) Public Records Act Requests
 - (1) Review of Significant Public Records Act Requests
 - (a) San José Police Department's Response to Public Record Requests made by Californians Aware. (Mayor)
 - (2) Receive Public Concerns
 - (i) Review of Council Policy Updates per Sunshine Reforms
 - (j) Open Forum
 - (k) Adjournment
- (Deferred from 2/6/07 – Item 3.2)

3.3 Report of the Public Safety, Finance and Strategic Support Committee Councilmember Nguyen, Chair

3.4 Approval of the 2006-2007 Mid-Year Budget Review Report.

[Mid-year Document On-line](#) Click here
[Supplemental](#)

* **Recommendation:**

- (a) Approval of the 2006-2007 Mid-Year Budget Review Report.
- (b) Adoption of related Appropriation Ordinance and Funding Sources Resolution amendments in various funds as detailed in Section III (Appropriation/Clean-Up Adjustment Actions) in the 2006-2007 Mid-Year Budget Review.
- (c) Approval of the 3.0 position additions recommended in this report, 1.0 position for the City Attorney's Office and 2.0 positions for the Office of Emergency Services, also described in Section III of the 2006-2007 Mid-Year Budget Review.
- (d) (1) Adoption of the following Appropriation Ordinance amendments in the City Hall Debt Service Fund:
 - (a) Increase the City Hall Debt Service appropriation in the amount of \$594,704; and
 - (b) Decrease the City Hall Garage Debt Service appropriation in the amount of \$594,704.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.4 Approval of the 2006-2007 Mid-Year Budget Review Report. (Cont'd.)

Recommendation:

- (d) (2) Adoption of the following Appropriation Ordinance amendments in the Ice Centre Revenue Fund:
- (a) Increase the Transfer for Debt Service Payment for the Ice Centre appropriation in the amount of \$72,615; and
 - (b) Decrease the Ending Fund in the amount of \$72,615.
- CEQA: Not a Project. (City Manager's Office)

3.5 Acceptance of the report on the Neighborhood Association Priority Setting Session and the Telephone Community Survey.

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Recommendation:

- (a) Acceptance of report on the January 20, 2007 Neighborhood Association Priority Setting Session.
 - (b) Acceptance of report on the Telephone Community Survey.
- CEQA: Not a Project. (City Manager's Office)

TO BE HEARD NO EARLIER THAN 3:00 P.M.

3.6 Approval of a Joint Exercise of Powers Agreement related to the California Municipal Finance Authority.

Recommendation:

- (a) Adoption of a resolution approving, authorizing and directing the Director of Finance to execute a Joint Exercise of Powers Agreement related to the California Municipal Finance Authority ("CMFA").
- (b) Adoption of a resolution authorizing the Director of Finance to execute an agreement with CMFA for the sharing of CMFA's issuer fees.
- (c) Approval to take the following actions regarding the Notre Dame High School, San José Project ("Notre Dame HS") located at 596 S. Second Street, San José, CA:
 - (1) Hold a Tax Equity and Fiscal Responsibility Act ("TEFRA") Hearing for the issuance of \$10,500,000 of tax-exempt 501(c)(3) revenue bonds by CMFA.
 - (2) Adoption of a resolution approving the issuance of Tax-Exempt Revenue Bonds, Series 2007 by CMFA in an aggregate principal amount not to exceed \$10,500,000 to be used to finance or refinance the acquisition and construction of Notre Dame HS and pay certain expenses incurred in connection with the issuance of the bonds.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.6 Approval of a Joint Exercise of Powers Agreement related to the California Municipal Finance Authority. (Cont'd.)

Recommendation:

- (d) Take the following actions, on behalf of Allied Waste North America (“Allied Waste”) and its affiliates regarding the Newby Island Landfill, located in San José, and other projects located elsewhere in the state:
- (1) Hold a TEFRA Hearing for the issuance of \$250,000,000 of tax-exempt solid waste disposal facility revenue bonds by CMFA.
 - (2) Adoption of a resolution approving the issuance of Tax-Exempt Revenue Bonds by the CMFA in an aggregate principal amount not to exceed \$250,000,000 to be used to:
 - (a) Equip and construct certain solid waste disposal facilities; and
 - (b) Pay certain expenses incurred in connection with the issuance of the bonds.

CEQA: Not a Project. (Finance)

3.7 Approval of the proposed Workers’ Compensation Gain Sharing Program.

Recommendation: Approval of the proposed Workers’ Compensation Gain Sharing Program to encourage departments to continue to promote a culture of safety and to work toward reducing injuries to employees and cost to the City. CEQA: Not a Project. (Human Resources)

3.8 Planning Commission Interviews.

Recommendation: Interview Planning Commission applicants and consider appointment to fill one unexpired term ending June 30, 2008. (City Clerk)
TO BE HEARD NO EARLIER THAN 3:30 P.M.

* (Rules Committee referral 2/7/07)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Report of the Community & Economic Development Committee Councilmember Pyle, Chair

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 [Approval of a funding commitment for the development of the San Antonio Affordable Family Housing Project.](#)

Recommendation: Adoption of a resolution approving a funding commitment of up to \$7,679,570 to Affirmed Housing Group, or its designated affiliate (“Sponsor”), of which \$2,120,000 will finance land acquisition, for the development of the 86-unit Fairways at San Antonio Affordable Family Housing Project located at 305 San Antonio Court, to be made available to extremely low-, very low-, and low-income households. CEQA: Mitigated Negative Declaration, File No. PDC05-104. Council District 5. SNI: Gateway East. (Housing)

5. NEIGHBORHOOD SERVICES

5.1 Report of the Neighborhood Services and Education Committee Councilmember Chirco, Chair

5.2 [Approval of an ordinance requiring tree removal permits be posted and shown upon request.](#)

[Supplemental](#)

- * **Recommendation:** Approval of an ordinance amending Chapters 13.28 and 13.32 of Title 13 of the San Jose Municipal Code to require any persons who trim, prune, cut, or remove a street tree or cause the same to be done to a street tree to show the permit allowing this activity upon request, and to require any persons who remove or cause to be removed a tree from a private parcel to show the tree removal permit upon request and to post the permit. CEQA: Exempt, File No. PP07-016. (City Attorney’s Office)

5.3 [Approval of actions related to Lake Cunningham Regional Park Perimeter Landscaping Project.](#)

Recommendation:

- (a) Report on bids and award of contract for the Lake Cunningham Regional Park Perimeter Landscaping Phase 3 Rebid Project to the low bidder, Suarez & Munoz Construction, Inc., in the amount of \$1,147,030, and approval of a contingency in the amount of \$57,352.
- (b) Adoption of the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Construction and Conveyance Tax Fund: City-wide Parks Purposes (Fund 391):
 - (1) Establish an appropriation to the Parks, Recreation and Neighborhood Services Department for the Lake Cunningham Regional Park Perimeter Landscaping Project in the amount of \$330,000;
 - (2) Increase the Grants revenue estimate by \$290,000; and
 - (3) Decrease the Ending Fund Balance by \$40,000.

CEQA: Mitigated Negative Declaration, File No. PP05-115. (Public Works/Parks, Recreation and Neighborhood Services/City Manager's Office)

6. TRANSPORTATION & AVIATION SERVICES

6.1 Report of the Transportation and Environment Committee Councilmember Williams, Chair

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 [Approval of a master agreement for operation and maintenance support at the Water Pollution Control Plant.](#)

[Supplemental](#)

Recommendation:

- (a) Approval of master agreements with CH2M HILL and CAROLLO ENGINEERS for operation and maintenance technical support services for the San José/Santa Clara Water Pollution Control Plant, including technical support in biosolids management, each for a total amount not to exceed \$500,000, for a total amount not to exceed \$1,000,000, and for a term commencing upon approval of the agreement through June 30, 2008.
- (b) Adoption of a resolution authorizing the Director of Environmental Services to execute up to four one year options to extend each of the agreements, and to increase the annual payable amount up to \$1,000,000 for each firm, subject to the annual appropriation of funds by the City Council.

CEQA: Not a Project. (Environmental Services)

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

- * See Items 8.1 "Consent to the sublease of office space at the US Market Access Center" on the Redevelopment Agency Agenda, which will be heard and action taken only during the Redevelopment Agency Meeting that follows the Council Meeting today.

CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 9.1 IN A JOINT SESSION

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

9.1 Approval of actions related to a lease for space at 1180 Blossom Hill Road.

Supplemental

* **Recommendation:**

- (a) Adoption of a resolution terminating a Ground Lease with Almaden Hills United Methodist Church for the Hoffman/Via Monte Neighborhood Center; and,
- (b) Approval of the termination of the Cooperation Agreement between the City and the Redevelopment Agency for the Hoffman/Via Monte Neighborhood Center.

CEQA: Not a project. SNI: Hoffman/Via Monte. Council District 10. (Redevelopment Agency/City Manager's Office)
(Deferred from 1/9/07 – Item 9.1)

● **Notice of City Engineer's Pending Decision on Final Maps**

* In accordance with Sec. 19.16.140d of the San José 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>
9825	Southeast corner St. Elizabeth Drive and Curci Drive	6	Pinn Bros./ Pfeiffer Ranch Investors II, Inc.	8 Lots/ 46 Units	SFA	Approve

* In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
9895	South Side of Paula Street, 160 feet east of Meridian Way	6	Rockwell Homes, Inc.	16 Lots / 15 Units	Single Family Attached

- **Notice of City Engineer’s Award of Construction Projects**

On October 25, 2005, City Council approved a one year pilot program that delegated authority to the Director of Public Works to award or reject bids on construction projects where the base contract amount is below \$1,000,000. In accordance with this policy, the following is a list of projects that were awarded or rejected by the Director of Public Works in January 2007.

AWARD:

<u>Project Name</u>	<u>Council District</u>	<u>Contractor</u>	<u>Contract Award Amount</u>	<u>Award Date</u>
Miyuki Dog Park Improvement Project	2	Ranis Construction & Electric, Inc.	\$186,384	1/8/07
Norman Y. Mineta San José International Airport General Electric Contract 06-07	Citywide	Cupertino Electric, Inc.	22% overhead and profit, in an amount not to exceed \$125,000	1/26/07
Norman Y. Mineta San José International Airport, Airport Communication Center (ACC)	Citywide	Cupertino Electric, Inc.	\$143,500	1/26/07
Discovery Community Garden	2	ESR Construction, Inc.	\$221,086	1/26/07

- **Open Forum (To be heard no earlier than 3:30 p.m.)**
- **Continue RDA Board Meeting (immediately following Open Forum)**
- **Adjournment**

* This meeting will be adjourned in memory of David Abad, an active member of the community, who passed away over the weekend.